

Sexual Harassment Policy

POLICY / DOCUMENT PURPOSE STATEMENT

This document details the College's responsibilities and procedures to actively identify and respond to any concerns regarding the safety and wellbeing of any individual attending the College, particularly those who could be considered to be 'at risk'.

APPLICATION

The policy and procedure apply to all staff, students, governors, volunteers and visitors

INTERPRETATION

Further guidance on the use or interpretation of this policy may be obtained from the Student Support Team or HR Team.

LINKS WITH OTHER POLICIES / DOCUMENTS

Fitness to Study Policy
Email Internet and WIFI Policy 2017
JANET Acceptable Use Policy
Preventing Radicalisation Guidance
Prevention of Harassment and Bullying
Freedom of Expression Policy
Equality, Diversity and Inclusion Policy
Recruitment and Selection of Staff Policy
External Speakers Policy
Professional Code of Standards
Public Interest Disclosure Policy
Disciplinary Policies
Safeguarding Policy

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Sexual Harassment Policy

Introduction

Fircroft College is committed to providing a safe environment for all its learners, volunteers and staff free from discrimination on any ground and from harassment at work including sexual harassment. We will operate a pro-active zero-tolerance policy for any form of sexual harassment, treat all incidents seriously and promptly investigate all allegations of sexual harassment.

Any person found to have sexually harassed another will face disciplinary action, up to and including exclusion/dismissal from their course or employment.

All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimised for making such a complaint. There is no level of sexual banter which is acceptable and the college will investigate all reported incidents.

Definitions of Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated.

It includes situations which create an environment which is hostile, intimidating or humiliating for the recipient.

Sexual harassment may be physical, verbal and non-verbal.

Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- The use of threats or rewards to gain sexual favour
- Comments on an individual's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on sex
- Sending sexually explicit messages (by phone or email or social media)
- Display of sexually explicit or suggestive material

- Sexually-suggestive gestures
- Wolf-whistling

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser.

We recognise that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

We also recognise that sexual harassment can be a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and staff member or trainer and learner.

Any disclosure of sexual harassment including historic in or outside of the college will be dealt with in accordance with the college safeguarding policy/procedures and the matter reported to the appropriate authorities including the police if appropriate,

All sexual harassment is prohibited whether it takes place within the work place, connected to home working, in training environment or outside, including at social events or training sessions.

What will happen after a complaint about Sexual Harassment

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome.

We recognise that it may not be possible for the victim to inform the alleged harasser. If a victim cannot directly approach an alleged harasser, he/she can approach the Designate Safeguarding Lead (DSL)/Safeguarding Officer and HR if a member of staff.

When the DSL/Safeguarding Officer receives a complaint of sexual harassment, he/she will

- reassure the victim that the complaint will be taken seriously and their routine working or studying will continue normally as planned whilst keeping them safe and protecting them from further incidents.
- record the dates, times and facts of the incident(s)
- ascertain the views of the victim as to what outcome he/she wants
- ensure that the victim understands the company's procedures for dealing with the complaint
- discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally may still result in pursuing a formal complaint if he/she is not satisfied with the outcome

Support

We recognise that because sexual harassment often occurs in unequal relationships within the workplace/college, victims often feel that they cannot come forward. We understand the need to support victims in making complaints.

In relation to staff and students, if a complaint of sexual harassment is made or the Designated Safeguarding Lead/ HR Manager become aware of potential sexual

harassment, the college will follow the Safeguarding Policy and good practise to support the victim and make them feel safe.

If the alleged perpetrator is a student, the Student Disciplinary Policy or the Fitness to Study Policy for students with support needs will be applied. For staff the Staff Disciplinary Policy and Harassment and Bullying Policy will be applicable. In all cases the college reserves the right to suspend the alleged perpetrator whilst the matter is investigated.

Disciplinary measures

Anyone who has been found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:

Staff

- verbal or written warning
- suspension
- dismissal

Student

- Verbal warning or acceptable behaviour contract
- Suspension
- Final warning or exclusion

The nature of the action will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial. Certain serious cases, including physical violence or actual abuse, will result in the dismissal/exclusion of the harasser. If an alleged crime has been committed the police will be informed immediately.

Implementation of this policy

We will ensure that this policy is widely disseminated. It will be included in learner and staff handbooks and on our website.

All learners and staff will be trained on the implementation of this policy as part of their induction into the college.

We will ensure frequent updating of learners and staff on the implementation of this policy.

It is the responsibility of every manager to ensure that all his/her employees are aware of the policy.

Fircroft College recognises the importance of monitoring this sexual harassment policy and will ensure that it anonymously collects statistics and data as to how it is used and whether or not it is effective. Data will include reports of low-level concerns.

Governors will receive regular reports on the effectiveness of this policy, including the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis as a minimum.

