



RADLEY

Sexual Harassment Policy

October 2024

Introduction

At Radley College all members of staff are entitled to be treated with dignity and respect in their place of work. This means freedom from sexual harassment, feeling safe and supported, and having access to redress if such behaviour does arise.

Sexual harassment takes many forms but whatever form it takes, it is unlawful under the Equality Act 2010. The Worker Protection (Amendment of Equality Act 2010) Act 2023 came into effect on 26 October 2024 which introduced a legal duty for employers to proactively take reasonable steps to prevent sexual harassment. Any reference to the Equality Act 2010 in this document also reflects the above amendment.

Radley College's working environment is different to many other workplaces. Our way of working can cause confusion between working and non-working time. For teaching staff this means they probably socialise with their colleagues more than those in business. Please be aware that this policy covers both these situations and we would ask that you particularly take note of the section "Circumstances which are covered".

Radley College's Commitment to Preventing Sexual Harassment

Radley College requires good conduct from all employees and compliance with the College's Code of Conduct. It is committed to fostering a safe and supportive working environment. This commitment extends to employees, agency workers, volunteers, contractors, and anyone involved with Radley College, ensuring protection and respect across all areas.

We are dedicated to taking all reasonable steps to prevent sexual harassment in the workplace, in full compliance with legal requirements. Ensuring a safe and respectful environment for everyone is the College's priority, and it has established clear procedures for reporting any concerns or complaints related to sexual harassment.

If you have been a victim of or have witnessed sexual harassment, you should report the incident to your Head of Department or the HR department. Prompt reporting enables the College to address the issue swiftly and effectively. It will also take all necessary and reasonable steps to prevent similar incidents from occurring in the future, reinforcing the goal of maintaining a respectful and supportive environment for everyone at Radley College.

Handling of Sexual Harassment Incidents

Sexual harassment is treated as a disciplinary offence and will be dealt with in line with the College's Disciplinary Policy. In certain cases, sexual harassment may also be considered a criminal offence, and Radley College will take appropriate legal actions when necessary.

We strive to ensure that Radley College remains a place where everyone feels safe, valued, and respected.

Definition of Sexual Harassment

Sexual harassment refers to unwanted conduct of a sexual nature that has the purpose or effect of violating a person's dignity or creating an environment that is intimidating, hostile, degrading, humiliating, or offensive for that individual. This definition also extends to situations

where someone is treated less favourably because they have submitted to or refused to submit to such unwanted conduct, or where the conduct relates to gender reassignment or sex.

Sexual harassment does not need to occur in person—it can happen through digital means, including communication via social media platforms or messaging apps (e.g. WhatsApp). Additionally, someone may experience sexual harassment even if they were not the direct target of the behaviour.

Examples of Sexual Harassment

- Unwelcome physical contact, such as touching, hugging, massaging, or kissing
- Propositions or sexual advances.
- Making promises (e.g. work-related benefits) in exchange for sexual favours.
- Sending sexually explicit messages through emails, text, or social media platforms.
- Spreading sexual rumours about a person.
- Intrusive questions about a person's private or sex life, or discussing one's own sex life inappropriately.
- Sexual comments or jokes, sometimes dismissed as 'banter'.
- Displaying sexually graphic images, posters, or photos.
- Sexual gestures.

These behaviours can have a serious impact on individuals and the working environment.

How we can all help prevent sexual harassment

Creating and maintaining a workplace environment free of sexual harassment is a shared responsibility. Everyone at Radley College can contribute by taking proactive steps to prevent such behaviour. This can be achieved by:

- Considering the impact of your own behaviour: Reflect on how your actions or words might affect others. Ensure your behaviour is respectful and does not make others feel uncomfortable.
- Being receptive to feedback: If someone asks you to modify your behaviour, listen and make the necessary changes.
- Communicating boundaries: If you find someone's behaviour unacceptable, clearly express your discomfort. Let others know if their actions are inappropriate.
- Intervening to stop harassment: If you witness sexual harassment or inappropriate behaviour, try to intervene if it is safe to do so. Offer support to the person affected and help defuse the situation.
- Reporting sexual harassment: Report any incidents or concerns regarding sexual harassment to your Head of Department or the HR Department. Early reporting allows issues to be addressed swiftly and effectively.

Circumstances which are covered

This policy outlines specific circumstances in which certain behaviours, particularly victimisation, are covered. These include situations that occur both inside and outside of formal work settings and detail how victimisation can manifest when related to discrimination and harassment laws under the Equality Act 2010.

Situations:

- Work situation: Any behaviour within the context of the workplace or regular work activities.
- Work-related but outside normal working hours or the workplace: This includes events like working lunches, business trips, or social functions related to work.
- Outside work but involving colleagues: Behaviours outside of work that involve interactions with colleagues or individuals connected to Radley College, such as on social media platforms.
- Outside work affecting suitability for role: Incidents occurring outside of a work setting but relevant to the employee's ability to perform their role.

Victimisation:

Victimisation involves subjecting someone to detriment because they have:

- Made or intend to make a claim under the Equality Act 2010* (e.g. discrimination or harassment).
- Helped someone else in making such a claim, including giving evidence or information.
- Made allegations of breaching the Equality Act 2010*.
- Engaged in any other protected activity under the Equality Act 2010*.

*or amendments to it.

Detrimental treatment can qualify as victimisation even if the protected act has not yet occurred.

Examples of Victimisation:

- Promotion denial: Failing to consider an employee for promotion because they previously filed a sexual harassment complaint.
- Dismissal: Terminating someone's employment because they accompanied a colleague to a meeting about a sexual harassment complaint.
- Exclusion from meetings: Preventing someone from attending work meetings because they provided evidence as a witness for another employee in an employment tribunal claim about harassment.

These examples show how victimisation can take various forms and how it relates to an individual's involvement in protected acts under discrimination and harassment laws.

Managerial responsibility

Managers and supervisors are committed to preventing sexual harassment and must be vigilant in preventing acts wherever possible.

Managers also have a responsibility to explain the policy to their staff and take steps to promote it positively. They will be responsive and supportive to any member of staff who makes a complaint, provide full and clear advice on the procedure to be adopted, maintain

confidentiality in all cases and ensure that there are no further problems or any victimisation after a complaint has been raised or resolved.

Managers will maintain an open-door policy, and we encourage all staff to come forward with any concerns in relation to sexual harassment. All our staff have a responsibility to behave in line with the requirements of this policy.

Procedure for Dealing with Alleged Sexual harassment complaint

The following process can be followed if you feel you are experiencing sexual harassment or if you witness sexual harassment or have a concern that another colleague may be experiencing sexual harassment.

Radley College understands that reporting sexual harassment may be difficult. It will ensure that any individuals raising a concern or complaint are given reassurance and support throughout the process. This support may also need to extend to any employees who have witnessed sexual harassment.

Complaints can be made both formally and informally. Whichever route you decide to take (and the decision will always be yours) you will be offered guidance and assistance at every stage to help you resolve the problem as soon as possible and to stop the harassment.

If you are comfortable doing so, in the first instance, ask the person responsible to stop the behaviour, explaining that you feel uncomfortable in the way they are acting towards you. Speaking directly to the person at an early stage will often be sufficient to stop the behaviour.

If you feel unable to do this, you may be able to ask your Head of Department or the HR Department to do this on your behalf.

If you decide to make a formal complaint you should do so through the Grievance Procedure as soon as possible after the incident has occurred. All complaints will be handled in a timely and confidential manner. You will be guaranteed a fair and impartial hearing, and the matter will be investigated thoroughly. If the investigation reveals that your complaint is valid, prompt attention and action will be taken, designed to stop the behaviour immediately and prevent its recurrence.

Whilst this procedure is designed to assist genuine victims of sexual harassment, you should be aware that if you raise a complaint which are proven to be deliberately vexatious, you may become subject to proceedings under the College's Disciplinary Procedure.