

Sexual Harassment Policy

Policy Review

Developed by: Tim Ward
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Signature: 
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Reviewed by:
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Aim and Scope

The aim of this policy is to prevent sexual harassment in the workplace and to create a safe and respectful working environment for all. This policy applies to all employees, contractors, and stakeholders who work for or access business of TradeTechs Northern Ltd.

TradeTechs Northern Ltd is committed to preventing sexual harassment and promoting a positive and respectful workplace culture. We encourage all employees and stakeholders to report any incidents of sexual harassment or any other form of harassment or discrimination. We will investigate all complaints thoroughly and take appropriate action to address the issue.

To promote awareness of the Sexual Harassment Policy and procedures, all new learners will be informed during induction and via the learner handbook. Staff will receive regular training on sexual harassment and be provided with a copy of this policy for reference. This policy will also be included in the Staff Handbook and onboarding procedures for all new staff.

Definition of Sexual Harassment

Sexual harassment is unwanted conduct of a sexual nature that violates the dignity of a person and creates an intimidating, hostile, degrading, humiliating or offensive environment. This behavior is unlawful under the Equality Act 2010. It is also unlawful to treat someone less favorably because they have made a complaint of sexual harassment or rejected sexual advances.

This includes, but is not limited to:

- Unwanted physical contact, such as touching, groping, or kissing
- Unwanted sexual advances, requests for sexual favours, or other verbal or non-verbal conduct of a sexual nature

- Unwanted sexual comments, jokes, or innuendos
- Displaying or circulating sexually suggestive messages or images via social media
- Engaging in sexually suggestive behaviour, such as leering or making sexually suggestive gestures
- Intrusive comments regarding a persons private life
- Coercion
- Predatory behaviour

Third-Party Harassment

The Equality Act 2010 mandates that employers take reasonable steps to prevent sexual harassment by third parties, which may include service users, visitors, contractors, suppliers, and others.

TradeTechs Northern Ltd strictly prohibits sexual harassment from third parties, and we will implement preventative measures to minimise such occurrences.

We encourage all staff and learners to report any incidents of sexual harassment from third parties. These reports will be treated with the same priority and sensitivity as any other sexual harassment complaint.

Complaints regarding sexual harassment by third parties should be reported and addressed using the established procedures outlined in this policy.

This policy is linked to the following policies and procedures within TradeTechs Northern Ltd:

- Safeguarding Policy
- Health and Safety Policy
- Equality and Diversity Policy
- Complaints Procedure

PROCEDURE TO BE FOLLOWED BY LEARNERS

1. **Report the Incident:** If you believe you have experienced sexual harassment, please report it to someone you trust. This could be your tutor, employer, or any other member of staff.
2. **Investigation:** Once a member of staff is informed, they will notify a Designated Safeguarding Officer. The Officer will conduct separate interviews with those involved, listening carefully and taking all concerns seriously.
3. **Confidentiality:** Notes will be taken throughout the process and kept securely and confidentially.

4. **Potential Actions:** Depending on the findings of the investigation, TradeTechs Northern Ltd may take actions such as imposing sanctions on the perpetrator and providing support to both the victim and the perpetrator, if necessary.
5. **Restorative Justice:** In appropriate cases, restorative conferences may be used to bring all parties together to find a resolution and move forward.

PROCEDURE TO BE FOLLOWED BY EMPLOYEES (LEARNER COMPLAINT)

1. **Serious Review and Confidential Investigation:** All complaints raised by learners or staff on behalf of learners will be taken seriously and investigated confidentially by a relevant staff member.
2. **Sensitive Handling of Sexual Harassment Complaints:** All allegations of sexual harassment must be treated with sensitivity and urgency.
3. **Reporting Low-Level Concerns:** If you have concerns about potential sexual harassment but lack concrete evidence, report it through the low-level concerns process outlined in the Safeguarding Policy.
4. **Involving the Designated Safeguarding Officer:** Inform a Designated Safeguarding Officer to discuss appropriate actions. Tutors should avoid attempting to resolve the issue independently, as this may impact their relationship with the learner.
5. **Investigation and Action Planning:** The Designated Safeguarding Officer will interview relevant learners and employees to determine the appropriate course of action. Interviews can be conducted in person or through secure digital channels.
6. **Record Keeping:** All reported incidents and interview notes will be documented on the learner's file and securely stored, either physically or digitally.
7. **Restorative Justice:** Where appropriate, restorative conferences can be arranged to facilitate reconciliation and a path forward for all involved.
8. **Reporting Follow-Up Actions:** Any follow-up actions or reports must be reported to the Designated Safeguarding Officer for logging and tracking.
9. **Disciplinary Action for Learners:** If a learner's behavior constitutes sexual harassment as defined in this policy, the Safeguarding Policy, or the learner's core code of conduct, disciplinary action may be taken.
10. **Support Services:** Counselling and other support services can be offered to all learners involved, as needed.

PROCEDURE FOR EMPLOYEES (PERSONAL COMPLAINTS)

1. Initial Complaint

- All complaints raised by staff members will be treated seriously and investigated confidentially by a designated individual.

- **Sexual harassment complaints** will be handled with utmost sensitivity and urgency.

2. Informal Resolution

- **Initial Discussion:** The complainant should discuss the issue with their immediate line manager to explore informal resolution.
- **Escalation:** If informal resolution is not possible within 15 working days, the complaint should be escalated to a member of the Senior Leadership Team.

3. Formal Complaint

- **Written Submission:** Formal complaints should be submitted in writing or by email to the Head of Quality & Curriculum at TradeTechs Northern Ltd, Queensway House, Queensway Rd, Middlesbrough, TS3 8TF
- **Acknowledgement:** The Head of Quality & Curriculum will acknowledge receipt within 3 working days and log the complaint for tracking and reporting.
- **Complaint Details:** The complaint should clearly outline the circumstances, individuals involved, and specific dates and times.

4. Investigation

- **Investigation:** The Head of Quality & Curriculum will investigate the complaint and share findings with the relevant manager. If the complaint involves the Head of Quality & Curriculum, another member of the Senior Leadership Team will oversee the investigation.
- **Manager's Response:** The relevant manager will provide a detailed written response to the Head of Quality & Curriculum within the specified timeframe.

5. Resolution and Response

- **Outcome:** The Head of Quality & Curriculum will provide a written response to the complainant within 15 working days, detailing the investigation's outcome.
- **Action Plan:** If necessary, the relevant manager will implement an action plan to address the issues raised in the complaint.

6. Appeal Process

- **Appeal Submission:** If the complainant remains dissatisfied, they may appeal the decision within 10 working days by submitting a written appeal to the Director of Learning & Skills
- **Appeal Stage 1:** An appeal panel of senior managers not previously involved will review the case and make a decision.
- **Appeal Stage 2:** If the complainant is still unsatisfied, they may appeal to the Director of Learning and Skills for a final review.

Note: Throughout the process, confidentiality will be maintained to the greatest possible extent.

Appendix A

Definition in association with the title 'Vulnerable Adult' or 'Adult at Risk'

A vulnerable adult is a person who has attained the age of 18 and:

- Is receiving any form of health care.
- Is receiving a service or participating in an activity which is specifically targeted at people with age related needs, disabilities or prescribed physical or mental health conditions or expectant or nursing mothers living in residential care.
- Age-related needs include needs associated with frailty, illness, disability or mental capacity.

Appendix B

KEY EMERGENCY CONTACTS AND GUIDANCE

Lead Designated Safeguarding Officer (LDSO) at TradeTechs

Tim Ward

Head of Quality & Curriculum Contact 07730568190 or tim@tradetechs.co.uk

Deputy Designated Safeguarding Officer (DDSO) at TradeTechs

Lisa Kiely

Director of Learning & Skills Contact 07595253592 or lisa@tradetechs.co.uk

Alternatively use safeguarding@tradetechs.co.uk

If a learner is in immediate danger call Police Central unit phone 101.