



Ecclesall Kids Club

Sexual Harassment/Third Party Harassment Policy

Ecclesall Kids Club is committed to providing an inclusive and supportive working environment for everyone who works here. This includes a zero-tolerance approach to sexual harassment and third-party harassment and the appropriate steps that should be taken to achieve this. The policy aims to make clear the standards of behaviour we expect from all who work here. We do not tolerate sexual harassment, and we will always investigate and take appropriate action.

What is Sexual Harassment:

Sexual harassment is unwanted attention that violates a person's dignity or creates an offensive or degrading environment. Sexual harassment makes the person, or persons, affected feel uncomfortable, threatened or offended. It is the effect that matters regardless of whether or not the effect was intended. A range of behaviours recognised to be forms of sexual harassment are listed below. However, this list is not exhaustive. It is important to bear in mind that sexual harassment covers a very broad spectrum of behaviour, and may not always appear to be overtly sexual in nature, but can include:

- Sexual images displayed or shared.
- Offensive words or comments.
- Demeaning or humiliating behaviour or language.
- References to someone's body.
- Intrusive questions about someone's private life.
- Stalking, including online stalking.
- Sexual gestures, such as simulating sexual acts.
- Unwanted touching, such as putting hand on someone's knee or hugging them.
- Unwanted sexual attention whether verbal or physical.
- Coercing someone into sexual relations through pressure, manipulation or threats, or offering rewards in exchange for sex.
- Sexual violence, including rape, or threatening to carry out sexual violence or unwanted sexual acts.

Sexual harassment is often considered a disciplinary offence and, in some cases may also be a criminal offence. Although, statistically, women are more likely to experience or report sexual harassment, it can happen to anyone. Sexual harassment does not always occur in plain sight. It can happen in person and online, and outside of as well as during working hours. Regardless of when and how it occurs Ecclesall Kids Club will consider any sexual harassment involving employees as a workplace issue and will take action in line with our disciplinary policy accordingly.



Sexual harassment may include, for example:

- (a) unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- (b) continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome;
- (c) sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet);
- (d) unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless); or
- (e) offensive emails, text messages or social media content.

A person may be sexually harassed even if they were not the intended target. For example, a person may be sexually harassed by pornographic images displayed on a colleague's computer in the workplace.

Victimisation includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:

- (f) Bringing proceedings under the Equality Act 2010.
- (g) Giving evidence or information in connection with proceedings under the Equality Act 2010.
- (h) Doing any other thing for the purposes of or in connection with the Equality Act 2010.
- (i) Alleging that a person has contravened the Equality Act 2010.

Victimisation may include, for example:

- (j) Denying someone an opportunity because it is suspected that they intend to make a complaint about sexual harassment.
- (k) Excluding someone because they have raised a grievance about sexual harassment.
- (l) Failing to promote someone because they accompanied another staff member to a grievance meeting.
- (m) Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing.

Sexual harassment and victimisation are unlawful and will not be tolerated. They may lead to disciplinary action up to and including dismissal if they are committed:

- (n) In a work situation.
- (o) During any situation related to work, such as at a social event with colleagues.
- (p) Against a colleague or other person connected to us outside of a work situation, including on social media.
- (q) Against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role.



Third-party harassment occurs where a person is harassed or sexually harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their employment. Third-party harassment could include, for example, unwelcome sexual advances from a client, customer or supplier visiting the employer's premises, or where a person is visiting a client, customer or supplier's premises or other location in the course of their employment.

Third-party sexual harassment can result in legal liability and will not be tolerated. The law requires employers to take reasonable steps to prevent sexual harassment by third parties. Although a member of staff cannot bring a claim for third-party harassment alone, it can still result in legal liability for an employer when raised in other types of claims. All staff are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy. We will take active steps to try to prevent third-party sexual harassment of staff. If any third-party harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Any sexual harassment by a member of staff against a third party may lead to disciplinary action which may result in a sanction up to and including dismissal.

Any sexual harassment by a member of staff against a third party may lead to disciplinary action up to and including dismissal.

Commitment:

Ecclesall Kids Club will provide regular training sessions either online or face to face sessions for all employees so that you have a comprehensive understanding of what sexual harassment is and your role in preventing and addressing it. We will also ensure that additional training, education and guidance to the Management Team to give them the confidence to tackle sexual harassment. We will actively consider the risks of sexual harassment occurring in the course of employment and devise and implement reasonable steps we can actively take to reduce those risks and proactively prevent sexual harassment occurring.

The preventative duty: expectations of staff The Worker Protection (Amendment of Equality Act 2010) Act introduces a legal duty on employers to take reasonable steps to prevent sexual harassment of their staff. This covers sexual harassment by other people at work or by third parties. All employees are expected to promote a positive and inclusive workplace culture where sexual harassment is not tolerated and where complaints are dealt with promptly, efficiently and sensitively.

Reporting Procedure:

If you experience or witness sexual harassment, you should report it to a play manager or the Business & HR Manager. If you do not feel able to do so, report it to the Chair of Trustees or another member of the charity.

Raising a formal complaint

If you wish to make a formal complaint about sexual harassment, you should submit it in writing to your line manager or the Business & HR Manager. If the matter concerns your line manager, you should submit it to the Business & HR Manager.



Your written complaint should set out full details of the conduct in question, including the name of the harasser, the nature of the sexual harassment, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.

If you wish to make a formal complaint about victimisation, you should submit it in writing to your line manager or Business & HR Manager. If the matter concerns your line manager, you should submit it to the Business & HR Manager.

Your written complaint should set out full details of the conduct in question, including the name of the person or persons you believe have victimised you, the reason you believe you have been victimised, the nature of the victimisation, the date(s) and time(s) at which it occurred, the names of any witnesses and any action that has been taken so far to attempt to stop it from occurring.

As a general principle, the decision whether to progress a complaint is up to you. However, we have a duty to protect all staff and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

If you witness sexual harassment or victimisation

Staff who witness sexual harassment or victimisation are encouraged to take appropriate steps to address it. Depending on the circumstances, this could include:

- (a) Intervening where you feel able to do so.
- (b) Supporting the victim to report it or reporting it on their behalf.
- (c) Reporting the incident where you feel there may be a continuing risk if you do not report it.
- (d) Co-operating in any investigation into the incident.

8.2 All witnesses will be provided with appropriate support and will be protected from victimisation.

Handling Sexual Harassment Complaints:

All complaints will be taken seriously and handled promptly and sensitively. If proven, we will take prompt and effective action. Any employee found to have engaged in sexual harassment may face disciplinary action, which may include dismissal.

The process will include:

- Acknowledging receipt of the complaint
- Conducting a thorough and impartial investigation
- Keeping all parties informed of the progress
- Ensuring confidentiality as much as possible

Subject to the outcome of an investigation, we may consider a range of formal and, potentially, informal options where both EKC and the person making a complaint think this is appropriate.



Disclosure of Sensitive Communications:

We will handle sensitive communications with the utmost care. This includes:

- Maintaining the confidentiality of all parties involved
- Ensuring that any sensitive information disclosed during the investigation is protected
- Following legal guidelines on privilege and disclosure to ensure that sensitive communications are only shared with those who need to know.

Protection and support for those involved

Staff who make complaints, report that they have witnessed wrongdoing, or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure.

If you believe you have suffered any such treatment you should inform your line manager **or** the Business & HR Manager. If the matter is not remedied, you should raise it formally using our Grievance Procedure or this procedure if appropriate.

We will monitor the treatment and outcomes of any complaints of sexual harassment or victimisation we receive to ensure that they are properly investigated and resolved, those who report or act as witnesses are not victimised, repeat offenders are dealt with appropriately

Additional Steps for Management:

To further ensure a harassment-free workplace, management will:

- **Include in Policies and Training:** Ensure that our zero tolerance of sexual harassment is properly reflected in other policies, induction and on the job training.
- **Lead by Example:** Demonstrate zero tolerance for sexual harassment through their own behaviour and actions.
- **Communicate Clearly:** Communicate the importance of a harassment-free workplace and the steps being taken to ensure it.
- **Report Instances:** Any complaints about sexual harassment will be reported to the committee team.

This policy was adopted by: Ecclesall Kids Club	Date: 07/01/2025
Reviewed: 24/02/2026	Signed: <i>Ecclesall Kids Club Committee</i>