



Dunbritton Housing Association Limited

Name of Policy	Sexual Harassment
Responsible Officer	Corporate Services Manager
Date approved by Board	23 August 2023
Date of next Review	August 2026
Section	Corporate Services
Reference	SH1

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1. Introduction

- 1.1 We believe that all staff members, Board members, and contractors of the Association, have the right to attend and carry out their work without being subject to any form of bullying or harassment.
- 1.2 We have statutory requirements to ensure the safety of all our staff and provide a safe working environment, in doing this we are required to protect our staff from any instances of sexual harassment.
- 1.3 We define Sexual harassment as:
Any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment.
- 1.4 This includes conduct directed towards an individual which is of a sexual nature, or which is based on their gender, and which is regarded as unwelcome or offensive to the recipient or a witness.
- 1.5 Conduct 'of a sexual nature includes a wide range of behaviour, such as:
- sexual comments or jokes;
 - displaying sexually graphic pictures, posters or photos;
 - suggestive looks, staring or leering;
 - propositions and sexual advances;
 - making promises in return for sexual favours;
 - sexual gestures;
 - intrusive questions about a person's private or sex life or a person discussing their own sex life;
 - sexual posts or contact on social media;
 - spreading sexual rumours about a person;
 - sending sexually explicit emails or text messages, and
 - unwelcome touching, hugging, massaging or kissing.
- 1.6 Sexual harassment is illegal (the Equalities Act 2010) and we will take any allegation of sexual harassment seriously.

2. Making an allegation

- 2.1 It is not a requirement for the complainant to have experienced sexual harassment; they may make a complaint if they have observed it.
- 2.2 Any staff member may report sexual harassment to their line manager, the Corporate Services Manager, or the Chief Executive.
- 2.3 Any manager receiving a complaint of sexual harassment shall advise the Corporate Services Manager as there are legal implications for the Association. The complaint may require to be reported to the police, in such

instance the Corporate Services Manager shall advise the Chief Executive Officer.

- 2.4 Any Board member may report sexual harassment to the Chair or Chief Executive of the Association.
- 2.5 Any contractor experiencing sexual harassment from our customers may report it to any member of the management team.

3. Protected Characteristics

- 3.1 People with protected characteristics may find it harder to make a complaint about sexual harassment. Studies have shown that LGBTQ+ people may be less willing to come forward and make a complaint.¹
- 3.2 Complainers may also be less willing to come forward to make a complaint when it is with regard to a person of the same sex or gender.
- 3.3 It is not a requirement of sexual harassment that the person has the characteristic, only that it is perceived. For example, a staff member who is subject to homophobic abuse may have suffered sexual harassment, even if their sexual identity is not homosexual.
- 3.4 To support all persons who are impacted by sexual harassment, we shall ensure that complaints are heard empathetically and in a non-judgmental manner. It will be our position that the complainant is never responsible in any way for the harassment, nor will we consider that the harassment reflects on them in any way.

4. Confidentiality

- 4.1 In so far as it is reasonably possible to do so during an investigation, the complaint, and the details of the complainant will be held confidentially.
- 4.2 During any complaint, and in line with the disciplinary process, the details of the accused party shall also be managed sensitively and confidentially, this will however be subject to ensuring the continuing safety of all staff.
- 4.3 Any data held with regards to a complaint will be stored confidentially within Corporate Services, in a protected manner, and with limitations on access.
- 4.4 Any held data will be periodically reviewed and retained only whilst relevant and in line with GDPR.

5. Position of Belief

- 5.1 It is appreciated that a complaint of sexual harassment may be difficult to evidence. This may be particularly the case for staff alone working on site.

¹https://www.equalityhumanrights.com/sites/default/files/sexual_harassment_and_harassment_at_work.pdf

- 5.2 Where a staff member makes a complaint of sexual harassment against a customer, and, on investigation, it is not possible to corroborate the complaint, we shall take a position of belief towards supporting our staff member.
- 5.3 Although in such instances it may not be possible to act against the alleged perpetrator, we shall arrange a meeting with the staff member and look to introduce a protocol for working in a manner in which they feel safe.
- 5.4 No staff member shall be expected to lone work with a customer if they have made a sexual harassment allegation with regard to unless they feel safe to do so.
- 5.5 Any allegation of sexual harassment against a third party contracted by Dunbritton will be reported, at a senior level, to that contractor. They will be advised that such allegations if founded, and not acted upon, may impact our continuing ability to work with that contractor.
- 5.6 Where an allegation is made with regards to an employee of a third party, and it is not possible to limit this employee's interactions with Dunbritton, a meeting will be held with the DHA staff member to look at protocols to put in place. No staff member will be required to lone work or interact on their own with a contractor they have complained about for sexual harassment unless they feel safe to do so.

6. Managing an allegation of sexual harassment

- 6.1 We will take all allegations of sexual harassment seriously and look to thoroughly investigate them.
- 6.2 Any allegation of sexual harassment against a staff member may be addressed through the grievance and disciplinary procedures.
- 6.3 Any allegation of sexual harassment against a Board Member will be addressed through the Board's disciplinary process.
- 6.4 Any allegation of sexual harassment against a customer shall be managed in line with our Complaints and Behaviours Policy.

7. Support

- 7.1 Support shall be provided to all people making an allegation and this may include the offering of counselling.
- 7.2 We also recognise that those who may be accused of sexual harassment, witnesses to incidents, or otherwise affected such as by being a bystander, can experience stress, anxiety or other mental or physical health problems. We have a duty of care to support all staff affected by these issues.
- 7.2 Any staff impacted by an allegation of sexual harassment who feel they require support should raise this with the Corporate Services Manager.

8. Equality and Diversity

- 8.1 As a service provider and employer we recognise the requirements of the Equality Act 2010, oppose any form of discrimination, and will treat all customers, internal and external, with dignity and respect. We recognize diversity and will ensure that all of our actions ensure accessibility and reduce barriers to employment and the services we provide.