

Sexual Harassment

Policy and procedures

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2	18 th September 2025	Hannah Lashley (Director of Services)	Review and update to policy template. Removal of workplace SH champion.
3	30 th September 2025	Robert Davis	Trustee review and feedback
4	4 th November 2025	Hannah Lashley	Policy update. Added GDPR policy. Created Climate Survey.

Related documents

- Bullying and Harassment policy
- Equality & Diversity policy
- Disciplinary and Grievance policy
- GDPR & Data Protection policy
- Serious Incident policy
- Climate Survey (anonymous feedback form)

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1. Purpose and Principle of policy and procedures

Reaching Higher believes that sexual harassment is never acceptable, undermines the dignity of an individual, is morally wrong, unlawful and has a detrimental impact on individuals, on the workplace and the charity.

Sexual harassment is unethical, unprofessional and undermines Reaching Higher's values and aims of empowering young people to be leaders. For all these reasons, Reaching Higher takes a zero-tolerance and pro-active approach to sexual harassment.

We are committed to providing a working environment free from all forms sexual harassment and ensuring all staff are treated, and treat others, with dignity and respect.

We recognise that sexual harassment can occur in a work situation, during any situation related to work such as at a staff social, outside of the workplace such as at a school, or partner statutory or community organisation, or visiting a young person's home, and on social media or any online communication such as emails, video conference calls, phone calls or instant messaging platforms.

Reaching Higher recognises that it is responsible for protecting all workers from sexual harassment.

Reaching Higher believes that sexual harassment is not inevitable and can be prevented through practical action to protect workers against harassment and transform workplace cultures, and therefore agrees that appropriate steps should be taken to achieve this, as set out in this policy.

Reaching Higher recognises that sexual harassment is a manifestation of power dynamics within relationships and often occurs within unequal relationships in the workplace, for example between a manager or supervisor and an employee.

Sexual harassment or victimisation of any member of staff, or anyone they meet during the course of their work, is unlawful and will not be tolerated. We will take active steps to help prevent the sexual harassment and victimisation of all staff. Anyone who is a victim of, or witness to, sexual harassment is encouraged to report it in accordance with this policy. This will enable us to take appropriate action and provide support.

Sexual harassment can result in legal liability for both the business and the perpetrator, whether they work for us or are a third party outside of our control. Sexual harassment may result in disciplinary action up to and including dismissal.

Any instances of sexual harassment, including those carried out by stakeholders, partners, sessional workers, contractors, volunteers, young people or visitors, as well as employees of Reaching Higher will be dealt with in accordance with this internal policy.

The purpose of this policy is to set out a framework for line managers to deal with any sexual harassment that occurs by staff (which may include consultants, contractors and agency workers) and also by third parties such as customers, suppliers or visitors to our premises.

This policy does not form part of any contract of employment or contract to provide services, and we may amend it at any time.

Responsibilities

This policy applies to all trustees, volunteers, employees, interns, sessional workers, self-employed contractors, consultants and third-party representatives of Reaching Higher. Its requirements should be reflected in other policies and procedures, agreements and contracts, as necessary.

The Board of Trustees has overall responsibility for the effective operation of this policy but has delegated responsibility for overseeing its implementation to the Executive Team.

Suggestions for change should be reported to a member of the Executive Team.

Heads of Service have day-to-day responsibility for this policy and you should refer any questions about this policy to them in the first instance.

This policy is reviewed annually by the Executive Team and it will be monitored through line management processes.

1. Definition of Sexual Harassment

1.1 Sexual harassment is unlawful. It is any unwanted physical, verbal or non-verbal conduct of a sexual nature that has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to sexual harassment.

It also includes treating someone less favourably because they have submitted or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex, in the past.

1.1.1 Sexual harassment can still be unlawful even if a person may not have intended their conduct to be offensive.

1.1.2 Unwanted conduct of a sexual nature covers a range of behaviours and can include:

- unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;
- offensive emails, text messages or social media content
- sexual comments or jokes
- sending or displaying material that is sexually graphic / pornographic or that some people may find offensive (including pictures, posters, photos, emails, text messages, video clips and images sent by mobile phone or posted on the internet);
- suggestive looks, staring or leering
- unwelcome sexual advances, propositions or suggestive behaviour (which the harasser may perceive as harmless);

- continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome;
- requests or demands for sexual favours
- sexual gestures
- intrusive questions about a person's private or sex life or a person discussing their own sex life
- spreading sexual rumours about a person
- sending sexually explicit emails or text messages or social media content
- sexual assault including unwelcome touching, hugging, massaging or kissing

1.1.3 The conduct does not need to be sexually motivated, only sexual in nature.

1.1.4 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.

1.1.5 It is not necessary for someone to object first before conduct can be described as unwanted.

1.1.6 The conduct does not need to be a 'pattern of behaviour'. A series of incidents which taken separately may seem trivial, can together constitute sexual harassment. Equally, one isolated incident can be sexual harassment.

For example:

A woman attends a job interview, and the interviewer tells her that he is happy "to see she has increased her chances of getting the job by showing off her attractive legs". This violates her dignity and creates an offensive environment for her, constituting sexual harassment.

1.1.7 The conduct does not have to be specifically targeted at an individual to amount to sexual harassment. Sexual harassment is not always obvious, repeated or continuous, it can be a one-off incident.

For example:

An LGBT staff member may work in an office where people display pornography or make sexual comments about LGBT people. This causes an intimidating or hostile working environment for the LGBT worker even though no one has made comments about the worker directly or behaved in a sexual way towards them.

1.1.8 Conduct that is directed at one person may constitute sexual harassment of another person because of the environment it creates.

1.1.9 Some forms of sexual harassment are also criminal offences, for example behaviour that would be called exposure, sexual assault or rape. They are still disciplinary offences as well and are dealt with under this policy regardless of whether someone also reports them to the police.

1.1.10 It is also unlawful to treat a worker detrimentally because of sexual harassment which happened to them.

For example:

A manager prevents a woman in his team from being promoted, because she had told the manager's best friend to stop asking her out and that she wasn't interested in a relationship with him.

1.2 Victimisation is also unlawful under the Equality Act 2010.

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:

- a. Bringing proceedings under the Equality Act 2010.
- b. Giving evidence or information in connection with proceedings under the Equality Act 2010.
- c. Doing any other thing for the purposes of or in connection with the Equality Act 2010.
- d. Alleging that a person has contravened the Equality Act 2010.

Victimisation is defined as treating a worker badly because they have reported sexual harassment at work, or it is believed they will report a case of sexual harassment in the future, or they have helped someone else to report a case of sexual harassment. Treating a worker badly can include, but is not limited to:

- a. Denying someone an opportunity (e.g. for promotion or for shifts) because it is suspected that they intend to make a complaint about sexual harassment.
- b. Excluding someone from tasks, meetings or projects because they have raised a grievance about sexual harassment.
- c. Failing to promote someone because they accompanied another staff member to a grievance meeting.
- d. Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing.
- e. Telling other companies to not hire someone due to their reporting of sexual harassment.

1.2.1 There is no time limit on when a worker can experience victimisation, providing that the worker is subject to negative treatment as a result of the case involving sexual harassment and not because of some other reason.

For example:

A line manager hears a rumour that one of his team may raise a formal grievance of sexual harassment against a colleague who frequently touches her without permission. As the worker is employed on a temporary contract, the manager does not renew the contract to avoid dealing with the grievance. The worker, in fact, had no intention of raising a grievance. Nevertheless, the manager has subjected her to a detriment because he believed that she would, and as such her dismissal is an act of victimisation.

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

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

We will take into account any aggravating factors, such as abuse of power over a more junior colleague, when deciding the appropriate disciplinary action to take.

1.3 Reaching Higher recognises that:

- 1.3.1 Anyone can experience sexual harassment and an individual can experience sexual harassment from someone of the same sex or a different sex.
- 1.3.2 Sexism at work often goes hand in hand with sexual harassment. Where there has been harassment related to sex, but the harassment is not sexual in nature, action should be taken under the Bullying and Harassment policy and the relevant disciplinary/grievance procedures which also cover harassment related to other protected characteristics. This policy concerns itself only with behaviour that constitutes sexual harassment, that is behaviour that is ‘sexual in nature’.

For example:

A manager deliberately allocates specific low-status tasks to the two female members of his staff team, even though they have the same job description as the men in the team. This is harassment related to the protected characteristic of sex under the Equality Act 2010. It would be covered by the bullying and harassment policy and procedures, not the sexual harassment policy.

- 1.3.3 Sexual harassment can *at the same time* be harassment related to a protected characteristic in which case it is covered under this policy. Some forms of sexual harassment are specifically related to a person’s combination of characteristics, such as many experiences of racialised sexual harassment directed at Black and Minority Ethnic (BME) women workers.

For example:

A worker who identifies as a trans woman is asked frequent and inappropriate questions about her sex life and sexual acts in the context of her gender reassignment surgery by her colleagues. This is sexual harassment as they are asking intrusive questions about a person's sex life, and it is also harassment related to the protected characteristic of gender reassignment under the Equality Act 2010.

1.3.4 This policy focuses explicitly on sexual harassment and victimisation. An individual can be sexually harassed and also experience unlawful harassment related to one or more of the protected characteristics in the Equality Act 2010, which are:

- **Sex:** both men and women are protected under the Act.
- **Race:** for the purposes of the Act 'race' includes colour, nationality and ethnic or national origins.
- **Disability:** under the Act a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities.
- **Sexual orientation:** the Act protects bisexual, gay, heterosexual and lesbian people.
- **Age:** the Act protects people of all ages.
- **Religion or belief:** the Act covers all religion and also includes lack of religion. Belief means any religious or philosophical belief or a lack of such belief.
- **Gender reassignment:** the Act provides protection for trans people. The legal protection in the Equality Act covers anyone who "intends to undergo, is undergoing or has undergone gender reassignment", including people preparing for medical treatment. It is important to remember that gender reassignment means "a personal process" of moving away from one's sex at birth to the preferred gender. It is not to do with undergoing a surgical process, which many trans people choose not to undertake, nor does it require a person to have received medical treatment, including hormone treatment.
- **Marriage and civil partnership:** the Act protects employees who are married or in civil partnership. Single people are not protected.
- **Pregnancy and maternity:** the Act protects a woman on the grounds of pregnancy and maternity during the period of her pregnancy and any statutory maternity leave to which she is entitled.

1.3.5 These forms of unlawful harassment and victimisation are dealt with in Reaching Higher's Bullying and Harassment Policy and Equality & Diversity Policy.

1.3.6 Sexual harassment and victimisation can happen in a work situation, during any situation related to work such as at a social event or site visit, and on social media or any online communication.

For example:

A male worker alters a pornographic image by pasting an image of his male colleague's face on to it. He then sends it to their other colleagues on their personal email addresses, causing them to ridicule him. This still constitutes sexual harassment even though the emails were sent on personal email addresses.

1.3.7 Sexual harassment and victimisation can be perpetrated by other workers and third parties. Third party harassment can result in legal liability for an employer. Third party means someone who a worker interacts with as part of their job but who is not employed by the same employer as them, for example a teacher at a partner school, or a parent of a young person.

Reaching Higher does not tolerate sexual harassment by a third party, encourages staff members who experience it to report it, and takes responsibility for protecting workers from sexual harassment and victimisation perpetrated by third parties.

1.3.8 Sexual harassment is a manifestation of power relationships including imbalances based on gender in the workplace and in everyday life. While women are most often the targets and men are most often the perpetrators, this is not always the case. Sexual harassment often occurs within unequal relationships in the workplace, for example between manager or supervisor and employee. These power imbalances will be taken into account when deciding what disciplinary action is taken.

1.3.9 The act does not have to be directed at someone for them to experience sexual harassment.

1.3.10 Sexual interaction that is invited, mutual or consensual is not sexual harassment because it is not unwanted. However, sexual conduct that has been welcomed in the past can become unwanted.

For example

A female worker has a brief sexual relationship with her manager. The worker tells her manager that she thinks it was a mistake and doesn't want the relationship to continue. The next day, at a work-related social event, the manager grabs the worker's bottom, saying 'Come on, stop playing hard to get'. Although the original sexual relationship was consensual, the manager's conduct after the relationship ended is unwanted conduct of a sexual nature and is sexual harassment.

2. Preventing Sexual Harassment

Under the Equality Act 2010 employers are liable for harassment or victimisation committed by its workers, unless they can show that they took all reasonable steps to prevent such behaviour.

Reaching Higher recognises that whilst there is no prescribed minimum on what an employer can do to prevent sexual harassment at work, there are multiple measures that can help prevent all types of sexual harassment, including but not limited to the following:

2.1 We will conduct a risk assessment to identify risk factors in the workplace which may increase the likelihood of an employee experiencing sexual harassment. Factors may include, for example, power imbalances, job insecurity, lone working, the presence of alcohol, public-facing roles, lack of diversity in the workforce and workers attending events. Having identified those risks we will then take all reasonable steps to try to minimise those risks and prevent sexual harassment.

2.2 If any sexual harassment or victimisation of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. These may include updating relevant policies, providing further staff training and taking disciplinary action against the perpetrator.

2.3 We will provide training for all staff, sessional workers, interns, volunteers and Trustees on prevention, culture and reporting procedures in relation to sexual harassment. All members of staff should know what to do if they experience sexual harassment and how to handle complaints of harassment, including formal and informal reporting routes and how to intervene if they experience or witness sexual harassment. Training will be tailored to Reaching Higher's workplace environment and audience, intersectional, from a trauma-informed perspective and repeated at interim periods.

2.4 All line managers will be trained in implementing this policy and how to respond sensitively to any reports of sexual harassment. This competency will be reviewed as part of the annual performance review.

2.5 We will prioritise good management practice including inclusive, competent people management.

2.6 We will carry out annual anonymous workplace climate surveys to find out about experience of sexual harassment, explore workplace culture and environment, identify team needs, gaps in response and how to address them.

2.7 We will ensure workers have access to appropriate resources and a safe confidential space for discussions. This should be both physical and digital, dependant on whether workers are based on-site or work remotely.

2.8 We will ensure a zero-tolerance attitude to sexual harassment is clearly communicated to all workers and any third parties, in internal as well as external facing communications, including:

Amongst staff

- 2.8.1** in all worker inductions and employment contracts
- 2.8.2** through regular mandatory anti-sexual harassment training for all workers
- 2.8.3** communicating what steps will be taken to remedy a report of sexual harassment and prevent it happening again. For example, warning a colleague about their behaviour, banning a worker from attending events, reporting any criminal acts to the police, or sharing information with stakeholders. These steps will be communicated in internal and external facing communications.
- 2.8.4** Sexual harassment may be mentioned in references for dismissed staff members or those who have left voluntarily, who have been subject to complaint and left before

resolution or who have been found to have engaged in sexual harassment. Reaching Higher considers it a proportionate measure of legitimate interest under GDPR to retain information about formal and informal complaints of sexual harassment and to communicate the findings where a report of sexual harassment has been upheld or where a worker left while an investigation was in process. Personal data in reports aimed at reducing bullying and harassment in places of work and study are of legitimate interest under GDPR. For special category data, this can be justified under “reasons of substantial public interest” which includes “equality of treatment, “preventing and detecting unlawful acts” and “safeguarding”.

Amongst Third Parties

2.8.5 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 supplier visiting Reaching Higher’s premises, or where a person is visiting a partner school or other location in the course of their employment.

2.8.6 Third-party sexual harassment can result in legal liability and will not be tolerated. All staff are encouraged to report any third-party harassment they are a victim of, or witness, in accordance with this policy.

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

2.8.8 We will take active steps to try to prevent third-party sexual harassment of staff. These may include warning notices to customers or recorded messages at the beginning of telephone calls.

2.8.9 If any third-party harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. These may include warning the harasser about their behaviour, banning them from our premises, reporting any criminal acts to the police, and sharing information with other branches of the business.

2.8.10 We will make third parties aware of Reaching Higher’s sexual harassment policy through our website and through Service Level Agreements.

2.8.11 The information provided to third parties will make clear Reaching Higher does not tolerate sexual harassment and will set out the actions Reaching Higher will take if a third party sexually harasses a worker - including ejecting or banning a third party from events, meetings or contacting workers, reporting criminal acts to the police, or sharing information with other stakeholders.

3. Roles and responsibilities

3.1 Duties of employers

Employers have a legal duty to provide a safe working environment and ensure swift and effective action in recording and responding to a report of sexual harassment. Failure to do so can result in legal liability for any sexual harassment that occurs.

Employers must:

- 3.1.1.** Ensure workers have access to confidential support and advice services during work hours and outside of them. This includes ensuring there are designated members of staff responsible for receiving reports of sexual harassment. This person could be a Head of Service or a member of the Executive Team.

- 3.1.2** Establish effective recording and reporting mechanisms; there should be formal and informal reporting routes.

- 3.1.3** Ensure those who are approached with a report of sexual harassment know how to respond and record information. When a designated person receives a report of sexual harassment, they will:
 - immediately record the dates, times and facts of the incident(s)
 - ascertain the views of the victim as to what outcome they want
 - ensure that the victim understands the charity'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 does not preclude the victim from pursuing a formal complaint if they are not satisfied with the outcome
 - keep a confidential record of all discussions
 - respect the choice of the victim
 - ensure that the victim knows that they can lodge the complaint outside of the charity through the relevant legal framework

- 3.1.4** Throughout the complaints procedure, a victim is entitled to be supported by a member of staff who has received enhanced training in responding to sexual harassment. Reaching Higher will consider offering specialist training to staff who wish to volunteer to assist victims of sexual harassment. Reaching Higher recognises that because sexual harassment often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward. Reaching Higher understands the need to support victims in making complaints.

3.2 Duties of managers

All managers have responsibility for:

- creating an inclusive culture and environment so that any incidences of sexual harassment and/or victimisation are robustly challenged and tackled;
- treating informal and formal complaints seriously, with sensitivity to the feelings, perceptions and need for confidentiality of the individual raising the report;
- treating their workers fairly and taking prompt action where they are aware of unacceptable behaviour; and
- ensuring that staff who report sexual harassment, or support others to do so, are not treated less favourably than others because of this (victimisation)
- assessing and managing risk arising from disclosures, reports and disciplinary processes
- deal swiftly and explicitly with third party perpetrators with the view to banning individuals from premises, withdrawing partnership agreements or ending contracts
- ensuring this policy is followed through at all times
- ensuring that they and their team participate in regular sexual harassment training
- being an exemplar of acceptable behaviour and being aware that they are in positions of power as well as leadership.

3.3 Duties of individuals

All workers have a clear role to play in creating a work environment in which sexual harassment is not acceptable. All workers should:

- ensure they understand this policy and act in accordance with it, particularly if they are an alleged perpetrator of unacceptable behaviour;
- fully cooperate with any investigation and take seriously requests to cease or amend behaviour;
- not participate in, encourage or condone sexual harassment or victimisation of others;
- promote an inclusive culture in which colleagues or peers are not subjected to sexual harassment or victimisation by challenging and/or reporting these forms of behaviour to the appropriate staff member;
- treat all workers and those they encounter through work with dignity and respect
- think about their own behaviour and whether it might amount to sexual harassment, and change their behaviour if so

4. Procedure for receiving and responding to complaints of sexual harassment

Reaching Higher commits to dealing with cases of sexual harassment promptly, efficiently and sensitively when they become aware of them. You do not have to be the recipient or target of sexual harassment to make a report about it. If you see it happening or become aware of a problem, you have the right to challenge it and to make a report to a line manager or an Executive Team member.

This policy includes an informal as well as formal process for dealing with reports of sexual harassment.

Where climate surveys have identified certain departments or areas of work where sexual harassment is present, Reaching Higher may introduce targeted learning and development or other interventions as deemed necessary.

The word “reporter” is used to describe a person who has decided to share their experience of sexual harassment, whether informally or formally in the form of a complaint. At Reaching Higher we do not refer to people who make reports of sexual harassment as “complainants” or “complainants” because we welcome their reports and we reject the all-too-common characterisation of reporters as “trouble-makers”. When people decide to report sexual harassment they normally do so out of a sense of wanting to make the workplace better for themselves and for others.

The phrase “alleged harasser” is used to describe any person who the reporter is saying was responsible for the harassment. The alleged harasser cannot be described as a “harasser” until after there has been a formal disciplinary decision. Using the word “alleged” does not imply that the reporter has made up an accusation.

Reaching Higher recognises that false allegations of sexual harassment are rare, that victim-blaming is common and that victims are often worried they will not be believed because of biases and myths in our society, or that they will be punished if an investigation does not conclude there was sufficient evidence to make a finding. Reaching Higher will always assume that reports have been made in good faith unless there is evidence to the contrary. Any investigation will always examine the evidence from the case.

Reaching Higher’s Trustees will consider making a report of a Serious Incident to the Charity Commission of any report of sexual harassment.

Informal process

4.1.1 If you are being sexually harassed, consider whether you feel able to raise the problem informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is too difficult, you should speak to your line manager or an Executive Team member, who can provide confidential advice and assistance in resolving the issue formally or informally. If you feel unable to speak to your line manager because the complaint concerns them, you should speak informally to an Executive Team member. If this does not resolve the issue, you should follow the formal procedure below.

4.1.2 If you are not certain whether an incident or series of incidents amounts to sexual harassment, you should initially contact your line manager informally for confidential advice.

4.1.3 If informal steps are not appropriate, or have been unsuccessful, you should follow the formal procedure set out below or refer to our Grievance Procedure.

4.1.4 If a reporter feels confident and able to do so, they can raise their experience directly with the harasser. The reporter can explain directly to the harasser why their behaviour was

unacceptable, how their behaviour made them feel and that they would like them to stop it. This can be done verbally or in writing.

4.1.5 Reaching Higher recognises that sexual harassment may occur in unequal relationships (i.e. between a line manager and their employee) and that it may not be possible for the victim to inform the alleged harasser. If the reporter feels unable to approach the harasser, they can ask a third party, either their line manager or a designated person/s who has/have received enhanced training in responding to reports of sexual harassment to support them. This third party will be fully engaged in resolving the issue and equipped to provide them with guidance in how to do so.

The third party will take one or more of the following actions:

- listen to reporter
- provide the reporter with advice on how to approach the issue directly with the alleged harasser
- accompany them when speaking to the alleged harasser
- help the reporter set out their thoughts in writing
- raise the matter informally with the alleged harasser on the reporter's behalf
- help to obtain advice on how best to resolve the issue and/or assistance in doing so from other sources either internally or externally from sources such as Keelys Solicitors
- help to obtain advice on or assistance in dealing with issues relating to particular protected characteristics. For example, from a charity with expertise relating to a particular disability
- help to obtain counselling or support for the reporter
- assure the reporter that they do not have to raise a formal complaint, unless they want to, and they will be led by their choices.
- In some, limited circumstances mediation could be considered. This should only be arranged at the request of the reporter. Mediation can normally only be suitable where there is an admission of wrongdoing on the part of the alleged harasser, whether or not they intended harm. It is not suitable where serious or systematic harassment or violence is being alleged, nor where there is an imbalance of power or where reporters fear reprisals or for their safety. It should be convened by an external mediator trained on sexual harassment, between the complainant and alleged harasser. Both parties must enter into mediation voluntarily.

4.1.6 If the reporter feels able to, they can also approach the line manager of the alleged harasser. This is something a third party can also support individuals with.

4.1.7 If you have experienced sexual harassment it is also advised you tell a friend or someone you trust so you are not trying to cope with it alone, and keep a diary of incidences. This will give a helpful record of the nature of the sexual harassment and when it occurred. It will be important if you choose to report the sexual harassment to establish a pattern over a period of time.

If a reporter does not wish to pursue an informal route, the informal route has been tried and not worked, it is felt the alleged harasser will not respond to an informal process or the case is too serious for an informal process to be appropriate, a formal process is also available as stipulated below.

Raising a formal complaint

4.2.1 If you wish to make a formal complaint about sexual harassment, you should submit it in writing to your line manager or a member of the Executive Team. If the matter concerns your line manager, you should submit it to an Executive Team member.

4.2.2 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.

4.2.3 If you wish to make a formal complaint about victimisation, you should submit it in writing to line manager or a member of the Executive Team. If the matter concerns your line manager, you should submit it to an Executive Team member.

4.2.4 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.

4.2.5 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.

4.2.6 A reporter or reporters who wish to make a formal complaint can ask a representative such as their line manager or any manager who has received management training in responding to reports of sexual harassment, to help with this formal disciplinary and grievance process. It is advised to approach a third party who is more senior than the alleged harasser, if they feel comfortable doing this.

4.2.7 It is not the role of the third party to try to encourage, or discourage, a person from making a formal complaint. To do so could, in itself, constitute a disciplinary offence. Instead, that person should listen to the reporter and help them through the process.

4.2.8 A formal complaint can be made to any manager in Reaching Higher who is senior to the harasser or, if this is not possible, to a manager who is equally senior, i.e. a member of the Senior Leadership or Executive Team, or a Trustee.

4.2.9 The designated person who initially received the complaint will refer the matter to a senior manager to instigate a formal investigation. The senior manager may deal with the matter themselves, refer the matter to an internal or external investigator or refer it to a committee of three others in accordance with this policy.

4.2.10 Reaching Higher will investigate complaints in a timely, respectful and confidential manner. Individuals not involved in the complaint or the investigation will not be told about it.

4.2.11 We will arrange a meeting with you, usually within one week of receiving your

complaint, so that you can give your account of events. You have the right to be accompanied by a colleague who must respect the confidentiality of the investigation.

4.2.12 The person carrying out the investigation will:

- a)** interview the victim
- b)** meet with the alleged harasser separately [who may also be accompanied by a colleague of their choice] to hear their account of events. They have a right to be told the details of the allegations against them, so that they can respond.
- c)** interview other relevant third parties separately
- d)** decide whether or not the incident(s) of sexual harassment took place
- e)** produce a report detailing the investigations, findings and any recommendations
- f)** if the harassment took place, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e.- an apology, a change to working arrangements for the harasser, a promotion if the victim was demoted as a result of the harassment, training for the harasser, discipline, suspension, dismissal)
- g)** follow up to ensure that the recommendations are implemented, that the behaviour has stopped and that the victim is satisfied with the outcome
- h)** if it cannot determine that the harassment took place, they may still make recommendations to ensure proper functioning of the workplace
- i)** keep a record of all actions taken
- j)** ensure that all records concerning the matter are kept confidential
- k)** ensure that the process is done as quickly as possible and in any event within 28 days of the complaint being made
- l)** all complaints will be investigated in a confidential manner at all times. Breaches of confidentiality by those investigating a complaint could lead to disciplinary action being taken against those responsible. Reporters are within their right to talk to a trusted colleague, trade union representative, friend or family member.

4.2.13 Wherever possible, Reaching Higher will try to ensure the reporter and the alleged harasser are not required to work together while the report is under investigation. We will also consider any request that you make for changes to your own working arrangements during the investigation. For example, you may ask for changes to your duties or working hours to avoid or minimise contact with the alleged harasser.

4.2.14 Any perception that a reporter is being punished, or victimised, by being moved or otherwise inconvenienced during the investigation, should be guarded against. In a serious case, the person against whom the report has been made may be suspended while investigation and any subsequent disciplinary procedure are undertaken. Such suspension will be for as short a time as possible and will be on full pay.

4.2.15 Where your complaint is about someone other than an employee, such as a supplier or visitor, we will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the charity and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party.

4.2.16 It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.

4.2.17 The investigation procedure will be sensitive to sexual harassment as an issue, engaging independent investigators who are trained in understanding the dynamics of sexual violence and harassment, to conduct the investigation. Sexual harassment investigations will not be conducted by people without specialist training.

4.2.18 The reporter may prefer to talk to an investigator of the same sex in some sensitive cases and this preference should be respected.

4.2.19 No other parties should interfere improperly with this process for managing reports of sexual harassment at any stage.

4.2.20 There is no time limit from the date of the incident within which complaints must be made. Clear timeframes will be set and communicated to the reporter for each stage of the formal process.

4.2.21 Every act of sexual harassment – whether it might be characterised as “banter” or otherwise trivialised – contributes to a culture that supports and encourages the full range of sexually harassing behaviours. The most major and serious instances of sexual harassment are more likely to occur when perpetrators observe a generally accepting climate for sexism and micro-aggressions that go unreported or attract no sanctions.

4.2.22 At the end of the investigation, the investigator will submit a report to a manager. The manager will arrange a meeting with you, usually within a week of receiving the report, in order to discuss the outcome and what action, if any, should be taken. You have the right to bring a colleague to the meeting. A copy of the report and the manager's findings will be given to you and to the alleged harasser.

4.2.23 If the manager considers that there is a case to answer and the harasser is an employee, the matter will be dealt with as a case of possible misconduct or gross misconduct under our Disciplinary Procedure. Our investigation into your complaint may be put on hold pending the outcome of the Disciplinary Procedure. Where the disciplinary outcome is that sexual harassment occurred, prompt action will be taken to address it. If the harasser is a third party, such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem.

4.2.24 Both the reporter and the alleged harasser have a statutory right to be accompanied to a formal grievance hearing by a colleague. They also have the right to be accompanied by a colleague to any meeting relating to the complaint.

4.2.25 Reaching Higher may decide to take disciplinary action against the alleged harasser. 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:

Employee
<ul style="list-style-type: none"> • written warning • final written warning • adverse performance evaluation • possible reduction in wages • temporary or permanent exclusion from certain events, locations and activities • behaviour agreement • apology to those affected • compulsory training • demotion • suspension • dismissal

The nature of the sanctions 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, will result in the immediate dismissal of the harasser.

Reaching Higher recognises that it is the right of reporters to be informed of the outcomes and sanctions in disciplinary cases where they were the victim.

4.2.26 The line manager of the harasser and the reporter as relevant will ensure that the recommended disciplinary and or remedial action is carried out. Any failure by a line manager to ensure that this is completed in a timely manner is, in itself, likely to constitute misconduct.

4.2.27 Whether or not your complaint is upheld, we will consider how best to manage the ongoing working relationship between you and the person concerned. It may be appropriate to arrange some form of mediation or counselling, or to change the duties, working location or reporting lines of one or both parties. Line managers or other managers as appropriate are responsible for taking steps to improve working relationships and supporting their employees whatever the outcome.

4.2.28 There could, very rarely, be circumstances where certain information may need to be shared with other people (such as police or another employer) because of a duty of care or safeguarding responsibilities, as a result of concerns identified - whether in an informal or formal process. In these cases, permission will be sought and, if not granted, the risk of potential harm to the reporter and any others will be carefully considered. The wishes of reporting parties are respected and prioritised as a key principle and only minimal information would be shared if absolutely necessary, after careful discussion.

4.2.29 A finding that an employee has been sexually harassed by a third party (someone who is not an employee) should lead Reaching Higher to take action to reduce or eliminate the harasser's opportunity to interact with the victim and or other employees or workers, such as by banning them from activities or premises and enforcing the ban. This action would include a

formal notification being made to that person and kept on record. It may be necessary and or proportionate (a legitimate purpose / substantial public interest) to inform the harasser's own employer of the outcome of the investigation, to assist them with their own duty of care to others. It may be necessary or proportionate to review any contractual relationship with the harasser's employer.

4.2.30 Any staff member who deliberately provides false information in bad faith, or who otherwise acts in bad faith as part of an investigation, may be subject to action under our Disciplinary Procedure. However, you will not be disciplined or treated detrimentally because your complaint has not been upheld.

Appeals

Both the reporter and the alleged harasser may appeal an outcome, on limited grounds:

- Whether the correct procedure was followed.
- Whether there is substantial new evidence.
- Whether the outcome was wrong or unfair.

4.2.31 If you are not satisfied with the outcome you may appeal in writing to your line manager or a member of the Executive Team stating your full grounds of appeal, within one week of the date on which the decision was sent or given to you.

4.2.32 Any request for appeal must state who it is from, that it is a request for an appeal and the reason for the request.

4.2.33 A specially trained investigator will be appointed to review the case and decide whether there are grounds for appeal.

4.2.34 If there are grounds, then the decision to undertake any additional investigation will be made only if this is necessary, and will communicate the findings and changes or additions to recommended sanctions and or remedies.

4.2.35 We will hold an appeal meeting, normally within one week of receiving your written appeal. The investigator may ask anyone previously involved to be present. You have the right to bring a colleague to the meeting.

4.2.36 We will confirm our final decision in writing, usually within one week of the appeal hearing. This is the end of the procedure and there is no further appeal.

Legal action

4.2.37 If an act of sexual harassment may also amount to a criminal offence Reaching Higher will consider raising the possibility of reporting the matter to the police with the complainant and provide them with the support to do so. Wherever possible, Reaching Higher will follow the wishes of the reporter.

4.2.38 If formal or informal steps do not solve the problem, the reporter might want to take a case to an employment tribunal. A claim to an employment tribunal usually must be made three months less one day from when the incident occurred.

4.2.39 Employment tribunals can consider requests for extended time so a reporter should not be deterred if they are outside of the time limit, particularly if the delay was due to internal investigation mechanisms. The employment tribunal will expect the employer to have tried to resolve the problem internally and any records kept will be considered as part of the hearing.

4.2.40 Resignation might be the last resort once a reporter and the employer has tried all other ways to resolve the situation. If a reporter resigns and make a claim to the employment tribunal, they will need to ensure they have met any employment qualifying requirements and seek advice about this.

5. Protection and support for those involved

5.1 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.

5.2 If you believe you have suffered any such treatment you should inform your line manager or a member of the Executive Team. If the matter is not remedied, you should raise it formally using our Grievance Procedure or this procedure if appropriate.

5.3 Reaching Higher 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, cultural clashes are identified and resolved and workforce training is targeted where needed.

5.4 We can signpost information, advice and guidance about confidential counselling through our network. Available on request for anyone affected by, or accused of, sexual harassment.

5.5 Support and guidance can also be obtained from following external services:

- a.** The Equality Advisory and Support Service (www.equalityadvisoryservice.com).
- b.** Protect (www.protect-advice.org.uk)
- c.** Victim support (www.victimsupport.org.uk).
- d.** Rape crisis (www.rapecrisis.org.uk).
- e.** Rights of women (England and Wales) (www.rightsofwomen.org.uk) Rights of Women - free and confidential legal helpline for women who have experienced sexual harassment at work: 020 7490 0152
- f.** ACAS www.acas.org.uk

- g. Galop, the LGBT+ anti-violence charity, 0800 999 5428
- h. Citizens Advice Bureaux
- i. Equality and Human Rights Commission (EHRC)

5.6 Reaching Higher commits to making sure that reasonable adjustments are made for the reporter, in terms of an individual risk and needs assessment that might include time off work for counselling or to take legal advice, for example.

5.7 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.

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

6. Reporting outcomes, confidentiality and record-keeping

6.1 Confidentiality is an important part of the procedures provided under this policy. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. Breach of confidentiality may give rise to disciplinary action under our Disciplinary Procedure.

6.2 When appropriate and possible, where a complaint is upheld, we will advise the complainant of the action that has been taken to address their specific complaint and any measures put in place to prevent a similar event happening again.

6.3 Information about a complaint by or about a staff member may be placed on their personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.

7. Sharing this policy

Reaching Higher will ensure that this policy is effectively communicated to all workers by:

- Publishing this policy in an easily accessible location, that can be accessed by all workers at all times without having to ask another member of staff for the policy
- Making reference to the policy in the contract of employment, or when a sessional worker or self-employed contractor is engaged.

- Verbally communicating the policy during the induction process and where it can be found
- Sharing the policy with other organisations that partner with Reaching Higher to ensure they understand the expectations of them
- Ensuring any update to this policy is communicated to all workers.

Reaching Higher commits to reviewing the policy on an annual basis to monitor its effectiveness, for example through:

- centralised records that record complaints in a level of detail which allows trends to be analysed
- climate surveys which ask all workers questions on an anonymised basis, to obtain as accurate a picture of harassment in the workplace as possible
- feedback through conversations with workers on an open-door policy, exit interviews and 1-2-1s

Every effort has been made to ensure these policies are aligned. In all matters relating to sexual harassment, this sexual harassment policy takes preference.