

Purpose & Objective

The purpose of this policy is to re-affirm The Company' policy of strictly prohibiting sexual harassment or abuse, to allow a working environment where employees and learners are treated with dignity and respect, allowing them to realise their potential.

Scope

This policy is owned by Raise the Bar, it is the responsibility of line managers and HR to ensure that it is fair and consistent implementation. Regular checks will be conducted to ensure this policy is adhered to.

This policy applies to all permanent staff of Raise the Bar, consultants, learners, and clients and relates to sexual misconduct perpetrated by:

- a learner against a learner or an employee
- an employee against a learner or other employee
- a learner or employee against a third party
- a third party against a learner or employee

It applies to sexual misconduct that may take place outside of the Raise the Bar premises, online, in a learner's environment, and/or outside of normal working hours, e.g., social events, trips abroad or on social media.

Definitions

Sexual misconduct is an umbrella term and can include harassment and bullying.

Harassment is unwelcome behaviour which violates an individual's dignity and/or creates an intimidating, hostile, degrading, humiliating or offensive environment.

Harassment may be physical, written, verbal, non-verbal, online or via social media. It can be intentional or unintentional.

Bullying is offensive, intimidating, malicious or insulting behaviour, which may include an abuse or misuse of power, through means that threaten, undermine, humiliate, denigrate, take advantage of, or injure the recipient. Causing offence may be a deliberate act or it may not be. It is the impact on the individual which is the key consideration.

Unlike bullying, harassment is legally defined in the UK and included as a form of discrimination in the Equality Act (2010).

Sexual harassment takes many forms, from mild sexual banter to actual physical violence. Individuals may not always realise that their behaviour constitutes sexual harassment, but they must recognise that what is acceptable to one person may not be acceptable to another. Sexual harassment is unwanted behaviour of a sexual nature by one individual towards another. Examples include:

- Insensitive jokes and pranks
- Lewd comments about appearance

- Unnecessary body contact
- Displays of sexually offensive material, e.g., pin-ups
- Requests for sexual favours
- Speculations about a person's private life and sexual activities
- Threats of actual sexual violence
- Threats of dismissal, loss of promotion, etc. for refusal of sexual favours
- Posting inappropriate comments onto social networking pages

Procedure

What you should do if you believe you have been sexually harassed or abused.

Any individual who believes they have been the target of sexual misconduct (harassment and/or abuse) controls what actions they can take (including no action).

As an individual you are not obliged to decide immediately on what action to take. . It is particularly important that you make the decision that is right for you. You might want to speak with someone about what action you should take. Below are some of the options you may wish to consider:

- Report to RTB (Raise the Bar) and/or your organisation if you are a learner with RTB
- Speak with your mentor or coach or the Safeguarding Team/Lead
- Report to the Police
- Take No action (RTB would suggest and encourage you to take action)

What you should do if you believe an employee, client or learner is being sexually harassed.

- Knowledge of an incident of sexual harassment/bullying involving anyone associated with Raise the Bar, should be raised with the Safeguarding Lead.

Handling of Complaints

RTB will immediately conduct a thorough and impartial investigation of any complaint of sexual harassment/abuse relating to employees. If the investigation reveals that sexual harassment/abuse has occurred, disciplinary action up to and including dismissal and reporting to the police, may be taken. The nature of the discipline will depend upon the circumstances of each case. Any individual, including witnesses involved in any investigation must observe complete confidentiality and not discuss the investigation with anyone who is not directly concerned with carrying it out.

Where the report has been made by a learner RTB will support the learner and discuss the options available to them and will encourage to make the complaint to the relevant persons within their organisation or the police, this will be discussed and agreed with the learner, the learner wishes will be respected, information on other agencies that would be able to help will be identified and contact information shared with the learner. If a learner is perceived as being in immediate danger from others or themselves the relevant agency will be contacted.

RTB will handle all cases in a sensitive manner maintaining strict confidentiality.

Protection against Retaliation

Employees and/or learners who report conduct they believe to be sexual harassment/abuse or who participates in investigations of such reports will be protected from retaliation of any kind. Disciplinary action, up to and including dismissal, may be taken against anyone who attempts such retaliation.

Employees who become aware of complaints or investigations of sexual harassment/abuse from either learner or other employees are expected to refrain from unnecessary and unprofessional discussion concerning the individuals involved, as such discussions may themselves be a form of retaliation.

Suspension

In some instances, where an employee is involved, it may be necessary to suspend individuals involved in alleged sexual harassment/abuse cases for their own protection whilst the investigation takes place. Suspension is always on full pay, and it not considered a disciplinary sanction.

Responsibilities

All Executive, Senior Leadership Team and managers in curriculum and support areas have a duty to familiarise themselves with this policy, and to make every effort to ensure that sexual misconduct does not occur, particularly in the areas of work for which they are responsible. They should act as role models and adhere to the company's expectations. Coaches have a responsibility to familiarise themselves with the policy and adhere to the company's expectations of acting as a role model, demonstrating positive behaviour and the knowledge and ability to implement this policy

Sexual misconduct can be hard for leaders and managers to recognise., particularly as it may not be obvious to them or to other colleagues what is happening.

The individual being subjected to inappropriate behaviours may be too frightened to report it. The inappropriate behaviours may be done in a subtle way, or the individual may even think it is part of the 'culture' of the workplace and just normalise what they are being subjected to. A learner or an employee must be supported and if the individual is unwilling or too frightened to act there may be other ways to address the issue and this should be discussed with the Safeguarding Lead

Each member of staff and all learners have a responsibility to ensure colleagues, clients and learners treated with dignity and respect.

Policy Version Control

This policy will be reviewed annually or as required.