

# Surrey Welfare Rights Unit

## Preventing Sexual Harassment Policy

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**Content warning:** this document contains references to and discussion of sexual harassment and sexual assault.

### Policy Context

This policy should be read alongside the

- Dignity at Work Policy
- Equalities policies
- Disciplinary and Grievance Policies (for paid staff)
- Managing Volunteering Performance and Behaviour (volunteers) - In progress

- Preventing Sexual Harassment Risk Assessment – completed February 2025

## 1. Key Principles

- 1.1. **Surrey Welfare Rights Unit is committed to providing a safe, inclusive and supportive working environment free from sexual harassment, where everyone is treated and treats others with dignity and respect.**  
We will adopt a preventative approach and work to ensure that we have a workplace where people are not sexually harassed. Where incidents do occur, we want people who have experienced or witnessed sexual harassment to feel safe to report it. We will treat all reported sexual harassment seriously and respond sensitively, promptly, and confidentially. Any person found to have sexually harassed another will face disciplinary action under our policies.
- 1.2. This policy outlines our approach to preventing and responding to workplace sexual harassment. This policy has a broad scope including remote working, work-related events and out-of-hours contact between colleagues.
- 1.3. Victimisation of colleagues who raise complaints won't be tolerated.
- 1.4. At Surrey Welfare Rights Unit everyone should contribute to an inclusive environment free from sexual harassment. This policy therefore applies to everyone at Surrey Welfare Rights Unit (SWRU) whether they are employed, self-employed, a trustee, agency contract workers or volunteer, even though the legal duty does not apply to all in the same way. The policy covers all behaviours in the workplace or in any work-related setting, including

colleagues working in buildings and environments outside of SWRU offices, work-related social events or when representing the organisation.

- 1.5. Anyone can experience sexual harassment at work. However, research shows that women are more likely to experience sexual harassment than men. The sexual harassment of women at work sits within a wider, systemic experience of violence against women and girls at home, in education, in public and in digital spaces. Workers from marginalised groups, including [LGBTQ+ people](#), [people of colour](#), [disabled women](#), [younger women](#) are more likely to experience sexual harassment at work.
- 1.6. We recognise that sexual harassment at work is [likely to be underreported](#) and that colleagues, particularly from marginalised groups may experience barriers to raising issues. We will work to ensure that colleagues feel safe and confident in reporting any instances of sexual harassment that they experience or witness.
- 1.7. Sexual harassment at work has a significant negative effect on both colleagues and the organisation. It can harm people's mental and physical wellbeing and health, which affects both their personal and working life. It also has a negative impact on our workplace culture, organisational reputation and our ability to attract and retain staff and volunteers. Your wellbeing is important to us. We will offer support to everyone involved in addressing an issue, no matter what the outcome.

## 2. Definitions

For the purposes of this document, the following definitions apply:

**2.1.** The **preventative duty** is a legal duty placed on SWRU by the Worker Protection (Amendment of Equality Act 2010) Act 2023. It means that as an employer, SWRU must carefully consider when our employees might be sexually harassed in the course of employment and take action to prevent harassment from taking place. If sexual harassment has taken place, the preventative duty means SWRU should take action to stop sexual harassment from happening again.

**2.2. Sexual harassment**

Under the Equality Act 2010, **sexual harassment** is defined as unwanted conduct of a sexual nature which has the purpose or effect of either violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Even if the behaviour is not intended to cause offence or distress, if that is the effect, then it could be considered as sexual harassment. Someone may be sexually harassed even if the behaviour was not directed at them because of the environment it creates for them, for example if a colleague overhears sexualised banter.

It also includes treating someone less favourably because they have experienced sexual harassment in the past.

The behaviour does not need to be sexually motivated, only sexual in nature. A series of incidents which take place separately may seem trivial to some, can together constitute sexual harassment. Equally, a single incident can amount to sexual harassment.

Sexual harassment is unlawful and may amount to a criminal offence.

Section 5 provides more information about behaviours which may constitute sexual harassment.

- 2.3. Colleague** means any employee, worker, volunteer, consultant or contractor of SWRU. Not all colleagues are protected by the legal duty in the same way, even though our policy aims to protect everyone.
- 2.4. A third party** means someone who a colleague or volunteer interacts with as part of their role but who is not a colleague of SWRU, for example clients, people in outreach locations or delivery partners.
- 2.5. Trustee** means a trustee of SWRU. Charity trustees are the people who are responsible for the general control of the management of the administration of the charity.
- 2.6. Reporting party** means a person who tells SWRU about experiencing or witnessing sexual harassment, whether through a formal or informal process.
- 2.7. Victimisation** is treating someone less favourably or harassing them because they have, in good faith, made a complaint or assisted someone else in making a complaint of sexual harassment. The law protects employees and workers from victimisation because they've made or supported a complaint under the Equality Act 2010, or because they are suspected of doing so.

### 3. Who this policy applies to

- 3.1.** The policy applies to all employees, officers, consultants, interns, contractors, volunteers, Trustees, casual workers and agency workers of SWRU. It covers harassment experienced and carried out by these groups. This policy does not form part of any employee's contract of employment, and it may be amended at any time.

- 3.2. Although volunteers do not have the same legal rights under the Equality Act 2010 as workers, SWRU supports volunteers' inclusive access to an environment free from sexual harassment and recognises that the relative power imbalance for volunteers who do not have the same legal protection as workers can heighten the risk of sexual harassment. On this basis volunteers are included within the provisions of this policy.
- 3.3. Sexual harassment and victimisation can be perpetrated by third parties. We do not tolerate sexual harassment by third parties and encourage anyone who experiences it to report it. We use a risk assessment to identify and inform preventative actions to address sexual harassment carried out by third parties.

## 4. Roles and Responsibilities

- 4.1. **Trustees and the Chief Officer** have responsibility to:
- create respectful workplaces that are free from harassment;
  - role model respectful behaviour;
  - visibly promote a positive and inclusive workplace culture where harassment is taken seriously and not tolerated;
  - ensure that risk assessments are conducted, kept under regular review and that the risks identified are reflected with appropriate priority in risk registers with relevant mitigating steps taken.
- 4.2. **All senior staff** have a responsibility to:
- follow and implement this policy;

- ensure all staff and volunteers understand and follow the policy and take appropriate action when the policy is breached;
- help to build workplace cultures that prevent sexual harassment by promoting a positive and inclusive team culture, which protects colleagues from unacceptable behaviours, whether from internal or external contacts, and deals with poor behaviour proactively;

4.3. **Everyone** at SWRU has a responsibility to:

- help create a workplace free from sexual harassment. No matter what your role is.

**All staff and volunteers** are encouraged to:

- report any instances of sexual harassment - whether they have experienced it directly or witnessed it happening;
- support colleagues who have experienced sexual harassment if they feel able to.

## 5. What constitutes sexual harassment

5.1. Examples of sexual harassment include, but are not limited to:

<b>Physical</b>	<ul style="list-style-type: none"><li>● Unwanted physical contact including touching, pinching, pushing, grabbing, patting, stroking</li><li>● Hugging and kissing</li><li>● Physical violence, including sexual assault</li><li>● Inappropriate touching</li><li>● Unwelcome sexual advances</li><li>● Invasion of personal space</li></ul>
<b>Verbal/Written</b>	<ul style="list-style-type: none"><li>● Comments on appearance</li></ul>

	<ul style="list-style-type: none"> <li>• Sexual comments, stories and jokes</li> <li>• Intrusive questions about a person's private or sex life, or a person discussing their own sex life</li> <li>• Unwelcome sexual advances</li> <li>• Sexualised insults or 'banter'</li> <li>• Continued suggestions for social activity or physical intimacy</li> <li>• Sending sexually explicit messages (including by phone, social media, email, online chats)</li> <li>• Spreading sexual rumours about a person</li> </ul>
<b>Non-verbal contact</b>	<ul style="list-style-type: none"> <li>• Displaying or sending material that is pornographic or sexually explicit (including emails, text messages, video clips and images sent by mobile phone or posted on the internet)</li> <li>• Sexually suggestive gestures</li> <li>• Suggestive looks, leering, winking and staring</li> <li>• Wolf-whistling and catcalling</li> </ul>

5.2. Sexual harassment can also occur whilst remote working, for example, through virtual meetings, social media and online chats in Google Hangouts, Slack or Whatsapp groups with colleagues.

5.3. Anyone can experience sexual harassment, regardless of their gender and the gender of the harasser. Intersecting forms of sexual harassment can also occur, such as racialised sexual harassment and sexual harassment targeted at LGBT+ people.

5.4. Sexual harassment often takes place where there is a power imbalance in the workplace, for example, between a manager or supervisor and an employee. Marginalised groups often experience an imbalance in power at work and in wider society and are therefore more likely to experience sexual harassment.



- 5.5. Sexual harassment can take place at SWRU premises, other organisations or buildings run by other organisations used for work activities, at home whilst working remotely and out of the workplace, such as work-related events, trips, social functions or when travelling to work-related meetings.
- 5.6. Sexual conduct 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 and therefore become sexual harassment.
- 5.7. If you do not know whether the behaviour that you've experienced or witnessed constitutes sexual harassment or would like confidential advice and support, please contact the Chief Officer or Trustee Board Chair, or a trade union representative if you are a member.
- 5.8. For other forms of harassment related to a relevant protected characteristic under the Equality Act 2010 (such as age, disability, race, religion or belief, sex or sexual orientation, gender or gender identity), refer to our Dignity at Work policy.

## **6. Steps to prevent sexual harassment**

- 6.1. SWRU has a legal duty to take reasonable steps to prevent sexual harassment.
- 6.2. In order to deliver on this duty we will conduct risk assessments to consider:
  - the risks of sexual harassment occurring in the course of employment. Risk factors we will take into account include, power imbalances, job insecurity, lone working, membership of marginalised groups, the presence of alcohol and public-facing work.

- what reasonable steps we can take to reduce those risks and prevent sexual harassment
  - how best to implement and prioritise these steps
- 6.3. Risks identified and mitigating actions will be included in the organisational risk register.
- 6.4. We will provide training for our colleagues, volunteers and trustees, on prevention culture and formal reporting procedures and options for support in relation to sexual harassment. We will provide learning for line managers in implementing this policy including how to respond sensitively to any reports of sexual harassment.
- 6.5. We will communicate our approach to preventing sexual harassment to the other organisations and individuals that SWRU work with. This policy will be available on our website.

## 7. Guidance on Formal Steps

- 7.1. If you have been sexually harassed or witness someone else being sexual harassed, and an informal approach doesn't resolve the matter or isn't appropriate, you may decide that formal action is necessary. You **do not** need to raise concerns about sexual harassment informally before making a formal report.
- 7.2. You can start a formal process by following the first formal stage of the Grievance Procedure or the Volunteers Complaints policy.
- 7.3. Making a formal report of sexual harassment will involve putting your concerns in writing and will require a formal response from the organisation.

- 7.4. Sexual harassment from third parties, including partners, other organisations or stakeholders, should be reported to the Chief Officer to access support and consider further necessary actions within contracts or working agreements as relevant.
- 7.5. Sexual harassment by a client would constitute 'unacceptable behaviour' under [Citizens Advice policies](#) and may result in suspension or withdrawal of service from the client. It should be reported to the Chief Officer to access support and consider further necessary actions in line with our policies.
- 7.6. Some forms of sexual harassment may also be criminal offences, for example sexual assault. They are also still disciplinary matters, and may be dealt with under the formal steps of this policy whether or not they are also reported to the police.

## 8. Guidance on informal steps

- 8.1. If you have experienced or witnessed sexual harassment and may feel that you want to raise the matter informally with the person responsible, the following steps may be helpful:
- Describe the specific behaviour that is causing problems. For example: *'this morning you placed your hand on my shoulder and told me I looked good today'...*
  - Describe the impact. For example: *'I stopped talking' or 'I left the room'...*
  - Describe how this made you feel. For example: *'I felt uncomfortable' or 'I felt unsafe'...*

- Say what you want in the future. For example: *'From now on, please don't make comments about my appearance'* or *'In future please don't touch me without asking me.'*

- 8.2. If you don't feel comfortable having a conversation alone you can ask a work colleague or manager to support you with this conversation, or to start the conversation on your behalf.
- 8.3. Depending on the nature of the informal steps taken, it may be appropriate for both the reporting party and the responding party to keep a record of what's taken place. Any managers involved in facilitating a local resolution should keep a record of dates, details of the matter and the action taken. Managers should deal with the situation sensitively and supportively, with awareness of the barriers people may experience in raising issues relating to sexual harassment.
- 8.4. In general, the decision about how to progress a report of sexual harassment is the decision of the person who has experienced sexual harassment. However, in some circumstances it may be appropriate for SWRU to take further action, for example where the harassment is so serious that there is a risk of significant harm to the reporting party or to others. We have a duty to protect the health and safety of all colleagues and may pursue the matter formally if we think it is appropriate.
- 8.5. If we decide that we have to take further action despite the reporting party's wishes, we will only do so once we have carefully considered any impact on you and exhausted other options. We will explain our decision and ensure we have put appropriate safeguards in place to stop any further harassment or victimisation of the reporting party, and offer support to deal with any impacts of this decision.

## 9. Support Available

- 9.1. Experiencing or witnessing sexual harassment can negatively affect how someone feels both emotionally and physically. Everyone reacts differently, but people may feel intimidated, distressed or that their self-confidence has been undermined. They may experience low mood or depression, anxiety, stress, embarrassment, fear and feeling unsafe. Physical responses may include difficulty sleeping, eating, headaches and nausea. The impact of sexual harassment can be compounded by concerns about not being believed or taken seriously when raising issues. People around the person who has experienced or witnessed harassment can play an important role in helping them to feel heard, respected and safe.
- 9.2. Women who've experienced sexual harassment at work can get free legal advice from:
- Rights of Women – England and Wales: visit [rightsofwomen.org.uk](https://rightsofwomen.org.uk)
  - Scottish Women's Rights Centre: visit [scottishwomensrightscentre.org.uk](https://scottishwomensrightscentre.org.uk)
- 9.3. Emotional and practical help for people who have experienced sexual assault or rape
- [Galop](#) – LGBT+ sexual violence support
  - [Rape Crisis England and Wales](#) and [Rape Crisis Scotland](#), info and support for anyone who's had something sexual happen to them without their consent
  - [The Survivors Trust](#), for anyone who's experienced rape or sexual abuse
  - [SurvivorsUK](#) – male rape and sexual abuse support
  - [Victim Support](#) (England and Wales) and [Victim Support Scotland](#) offer emotional and practical support for people affected by crime and traumatic events, including rape and sexual assault

## 10. Review

10.1. The effectiveness of this policy will be evaluated through a range of measures including:

- Centralised records of formal reports
- Feedback from relevant individuals and groups including exit interviews.

Information from the sources listed above, including any gap that exists between the actual level of sexual harassment and harassment that is reported will be examined, to determine whether the policy and other steps put in place to encourage reporting are working.

10.2. This policy will be kept under periodic review with any changes reflected in the version history.

10.3. Any changes to the policy need to go through the Board of Trustees.

Implementation of the policy will be monitored annually and reported to the Staffing Committee.

New policy adopted 10 February 2025

To be reviewed every 3 years

Next review January 2028