



Prevention of Sexual Harassment Policy

POLICY STATEMENT

- Marymount is committed to providing a working environment free from sexual harassment and ensuring all staff are treated, and treat others, with dignity and respect.
- Sexual harassment of any member of staff, or anyone they come into contact with during the course of their work, is unlawful and will not be tolerated. We will take proactive steps to prevent the sexual harassment of all staff.
- Anyone who is a victim of, or witness to, sexual harassment is encouraged to report it in accordance with this policy. Sexual harassment constitutes a breach of our Staff Code of Conduct and may result in disciplinary action up to and including dismissal. Where there are aggravating factors e.g. abuse of power over a more junior colleague, the School will take these into account in deciding what disciplinary action to take.

ABOUT THIS POLICY

The purpose of this policy is to set out a framework for line managers to deal with sexual harassment by staff (which may include consultants, contractors and agency workers) and by third parties such as parents, suppliers or visitors to our premises. It should be read in conjunction with our Staff Code of Conduct but is intended to address, specifically, the issue of sexual harassment.

The policy covers sexual harassment which occurs both in and out of the workplace, such as on School trips or at work-related events or social functions, or on social media.

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

This policy is separate from the Safeguarding Policy for keeping children safe.

WHO DOES THIS POLICY APPLY TO?

This policy applies to **all employees** including officers, consultants, self-employed contractors, casual workers, agency workers and volunteers and covers conduct:

- At work in any capacity
- Whilst in any of the School's buildings
- Whilst using the School's IT systems
- In any non-working situation where they are identifiable as an employee of the School

This Policy covers actions:

- Committed by an employee of the School during the course of their employment
- Experienced by an employee of the School during the course of their employment
- Committed in person and online



WHO IS RESPONSIBLE FOR THIS POLICY?

The Board of Governors has overall responsibility for the effective operation of this policy but has delegated responsibility for overseeing its implementation to the Headmistress. Suggestions for change should be reported to the Head or the HR Department.

This policy is reviewed every 3 years or earlier if required, and steps taken to monitor its effectiveness.

Everyone in the School is responsible for implementing this policy. To make this happen, employees at all levels must:

- Take responsibility for their own behaviour
- Behave in line with the School's values and as outlined in the Staff Code of Conduct
- Respect and support their peers
- Report any sexual harassment they experience

Anyone who manages employees must also:

- Support and encourage employees to tell them about any instances of sexual harassment
- Foster a safe working environment
- Understand how to handle reports of sexual harassment
- Understand when conduct must be reported to the police
- Provide employees who report sexual harassment with confidential support and advice

WHAT IS SEXUAL HARASSMENT?

Sexual harassment 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.

A non-exhaustive list of examples of sexual harassment may include:

- Sexual comments or jokes
- Sexist jokes
- Suggestive looks, staring or leering
- Propositions and sexual advances
- Making promises in return for sexual favours
- Sexual gestures
- Intrusive questions about a person's sex life or discussing your own sex life
- Spreading sexual rumours about someone
- Unwelcome physical conduct including touching, hugging, massaging, kissing, pinching, pushing, grabbing or suggestive behaviour (which the harasser may perceive as harmless)
- Criminal behaviour, including sexual assault, stalking, indecent exposure and offensive communication



- 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);

A person may be sexually harassed even if they were not the intended target. Sexual harassment and victimisation are unlawful, will not be tolerated and may lead to disciplinary action (Refer to the School's Disciplinary procedures) up to and including dismissal.

THIRD-PARTY SEXUAL HARASSMENT

Third-party sexual harassment occurs where a person is 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 sexual harassment could include, for example, unwelcome sexual advances from a supplier visiting the school's premises.

Third-party sexual harassment can result in legal liability and will not be tolerated. All staff are encouraged to report any third-party sexual harassment they are a victim of, or witness, in accordance with this policy. If any third-party sexual harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. These steps may include warning the harasser about their behaviour, banning them from our premises and reporting any criminal acts to the police.

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

PREVENTATIVE STEPS

We are committed to taking proactive steps to prevent the sexual harassment of our staff. These steps include:

- Making sure this policy is understood throughout our organisation and that sexual harassment will not be tolerated
- Having a robust, easy to use and confidential reporting system. Ensure all staff are aware how to report instances of sexual harassment. HR will keep centralised, confidential records of all concerns raised, both formally and informally. This will enable any trends to be identified.
- Commitment to creating a safe, constructive working environment in which all employees are treated with dignity and respect.
- Aiming to create a culture of equality and respect between all employees.
- Staff Training
- Conducting a risk assessment, considering factors that might increase the likelihood of sexual harassment and the steps to be taken to minimise risks e.g. power imbalances, diversity of the workforce, job insecurity for a particular group, lone working, staff behaviour/ patterns at work
- Regularly evaluating the effectiveness of the steps put in place to prevent sexual harassment in the workplace and implement any changes arising from that. This could be reviewing data to spot trends, surveying staff, reviewing process after any cases of sexual harassment are resolved.



IF YOU ARE BEING SEXUALLY HARASSED: INFORMAL STEPS

If you are being sexually harassed, consider whether you feel able to raise the problem informally with the person responsible. If you feel comfortable doing so, you should explain clearly to them that their behaviour is not welcome or makes you feel uncomfortable. We recognise, however, that this may be difficult or inappropriate depending on the circumstances. If this is the case, or raising the problem with the person responsible has not resolved the issue, you may speak to your line manager, 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 may speak informally to a more senior colleague, your Head of Department or HR.

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

RAISING A FORMAL COMPLAINT

If informal steps are not appropriate, or have not been successful, you should raise the matter formally under the School's Grievance Policy. The matter will then be dealt with as a formal grievance in line with the School's Grievance Policy.

If, following the conclusion of the Grievance process, we consider you have been sexually harassed by an employee, the matter will be dealt with under the School's Disciplinary Policy as a case of possible misconduct or gross misconduct. If the alleged perpetrator is a third party such as a parent or visitor, we will consider what action would be appropriate to deal with the problem. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

As a general principle, the decision whether to progress a formal 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

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

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

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

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.



Victimisation (in the context of sexual harassment) is when someone is treated badly because:

- they complain about sexual harassment
- it is believed they will complain about sexual harassment
- they help someone report sexual harassment

We will not tolerate the victimisation of employees who make a report about sexual harassment in good faith or contribute to an investigation. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under the School's Disciplinary Policy.

If you believe you have suffered any such treatment you should inform your line manager or the HR Department. If the matter is not remedied, you should raise it formally using our Grievance Procedure.

The School will monitor the treatment and outcomes of any complaints of sexual harassment 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, and workforce training is targeted where needed.

Once an investigation into sexual harassment has been completed, the School will actively monitor the issue for a short period of time. This is to make sure:

- the reported behaviour has stopped if the perpetrator has not been dismissed
- no one is treated unfairly because they either made or supported a complaint

If there is a recurrence of sexual harassment or unfair treatment following on from an incident already reported, the School will re-engage this policy.

The School can provide access to confidential counselling for anyone affected by or accused of sexual harassment. This can be via the Employee Assistance Programme or the School Counsellor. Additional support and guidance can also be obtained from the following external services:

- The Equality Advisory and Support Service (www.equalityadvisoryservice.com)
- Protect (www.protect-advice.org.uk).
- Victim support (www.victimsupport.org.uk).

CONFIDENTIALITY AND RECORD-KEEPING

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 the School's Disciplinary Policy.

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. These will be processed in accordance with our Data Protection Policy and Staff Privacy Notice.

Reviewed: March 2025

Next Review: March 2028