Witham Town Council: Sexual Harassment Prevention Policy

Policy Overview

This policy is designed to prevent sexual harassment in the workplace and to provide a framework for addressing incidents if they occur. Witham Town Council is committed to providing a safe, respectful, and inclusive work environment for all employees, councillors, contractors, and visitors.

Scope

This policy applies to all employees, councillors, contractors, and anyone else engaged with Witham Town Council, regardless of their position or status. It covers all behaviour at work, work-related events, and in work-related communications, both in-person and online (including social media and emails, even when accessed via personal devices).

Definition of Sexual Harassment

As per the Equality Act 2010, sexual harassment is defined as unwanted conduct of a sexual nature which has the purpose or effect of:

Violating someone's dignity, or

Creating an intimidating, hostile, degrading, humiliating or offensive environment for them

This includes conduct by anyone—colleagues, supervisors, clients, customers, or members of the public—that occurs within a work context.

Examples of Sexual Harassment

Sexual harassment can take various forms, including but not limited to:

- Unwelcome sexual advances or touching
- Requests for sexual favours
- Displaying sexually explicit materials
- Sending sexually suggestive emails or messages
- Making sexual comments or jokes
- Intrusive questions about a person's private life or body
- Unwelcome comments about a person's appearance
- Spreading sexual rumours about a person

Harassment may occur face-to-face or through digital/remote communications and is not limited by the gender of those involved.

Prevention Measures

Witham Town Council will take all reasonable steps to prevent sexual harassment of its workers in the course of their employment. The Council will take a proactive, risk-based approach, keep its arrangements under review, and take all steps that are reasonable for the Council in light of its size, functions, workforce, premises, activities and the risks identified. These steps include:

- Providing training on sexual harassment prevention for all staff and councillors
- Displaying information about the council's zero-tolerance approach to sexual harassment
- Ensuring all employees understand the complaints procedure
- Regularly reviewing and updating this policy
- Fostering a culture of respect and dignity in the workplace
- Linking this policy with relevant guidance such as disciplinary, social media, and dress code policies, ensuring that all forms of harassment including online are addressed
- Conducting periodic risk assessments and staff surveys to identify and address areas of concern
- Ensuring third-party harassment (by clients, customers, etc.) is considered in risk assessments and preventative steps, per EHRC guidance
- Training staff who may advise or receive reports of sexual harassment (e.g., HR representatives or managers)

Reporting Procedure

Any employee who experiences or witnesses sexual harassment should report it immediately to the Town Clerk, or if this is not appropriate, the Chair of Staffing.

All reports will be taken seriously and investigated promptly, thoroughly, and confidentially.

The rights of both the complainant and the accused will be respected throughout the process.

Retaliation against anyone who reports sexual harassment or participates in an investigation is strictly prohibited.

Individuals experiencing harassment may choose to report issues informally or formally, and may approach a range of contacts such as line managers, senior managers, trained staff, or union representatives.

Reports may relate to harassment by staff, managers, or third parties connected with the council.

Investigation Process

Upon receiving a complaint, the Town Clerk (or designated person) will initiate an investigation.

Both the complainant and the accused will be interviewed separately.

Any witnesses will be interviewed.

All interviews and findings will be documented.

Confidentiality will be maintained to the extent possible.

Investigations will follow the Acas Code of Practice for full and fair procedures, and this policy will coordinate with formal grievance processes where needed.

Consequences

If sexual harassment is found to have occurred, appropriate disciplinary action will be taken, up to and including termination of employment or Code of Conduct complaints for Councillors.

Third-party harassment

The Council will take all reasonable steps to prevent harassment of its workers by third parties, including residents, members of the public, visitors, service users, contractors, suppliers, hirers, event attendees and people engaging with the Council online.

Where risk is identified, proportionate measures may include clear behavioural expectations and notices; contractual or booking terms; procedures for reporting, recording and responding to incidents; support for staff; management escalation; restricting access to Council premises or services where lawful and proportionate; and referral to the police or other appropriate authority where necessary.

The Council will record third-party harassment concerns and review patterns, locations, activities and control measures.

Third parties found responsible for harassment may be banned from council premises or reported to appropriate authorities.

Support for Affected Individuals

The council will provide support to individuals affected by sexual harassment, which may include counselling or other appropriate services.

False Accusations

While the council encourages reporting of genuine concerns, knowingly making a false accusation of sexual harassment will be treated as a serious disciplinary matter.

Review

This policy will be reviewed annually to ensure it remains up-to-date and effective. By implementing this policy, Witham Town Council affirms its commitment to creating a workplace free from sexual harassment and to complying with all relevant legislation, including the Equality Act 2010, the Worker Protection (Amendment of Equality Act 2010) Act 2023, the Employment Rights Act 2025 and relevant Acas and Equality and Human Rights Commission guidance.

Approved: **29th October 2024 WTC/63 Full Town Council minute 119**
Reviewed: **5th October 2026**

Next review: **October 2028**