

PREVENTION OF SEXUAL HARASSMENT POLICY

1. Overall Aim

- 1.1 The University is committed to preventing harassment, discrimination and victimisation at work. Sexual harassment will not be tolerated. Complaints will be taken seriously and not ignored, regardless of role or status.
- 1.2 This Policy sets out the University's expectations of behaviour by our employees and students and provides approaches for dealing with complaints of sexual harassment. It also responds to the [Worker Protection \(Amendment of Equality Act 2010\) Act](#), which introduced a new legal duty on employers to take reasonable steps to prevent sexual harassment of their employees (the 'preventative duty').

2. Definitions and Scope

- 2.1 Sexual harassment is unlawful under the Equality Act 2010 ('the Act'). It is also unlawful to treat someone less favourably because they have either submitted a complaint of sexual harassment or have rejected such behaviour. The Act defines sexual harassment as unwanted conduct of a sexual nature that violates an individual's dignity or creates an intimidating, hostile, degrading, humiliating, or offensive environment.
- 2.2 Conduct 'of a sexual nature' includes a wide range of behaviour, such as:
 - sexual comments or jokes
 - displaying sexually graphic pictures, posters or photographs
 - suggestive looks, staring or leering
 - propositions and sexual advances
 - making promises in return for sexual favours
 - sexual gestures
 - intrusive questions about a person's private or sex life or a person discussing their own sex life
 - sexual posts or contact on social media
 - spreading sexual rumours about a person
 - sending sexually explicit emails or text messages
 - unwelcome touching, hugging, massaging or kissing
- 2.3 Sexual harassment can happen to men, women and people of any gender identity or sexual orientation. It can be carried out by anyone of the same sex, a different sex or anyone of any gender identity.

- 2.4 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.
- 2.5 For the purposes of this Policy, 'employees' are defined as any individual either employed or engaged by the University on a paid or unpaid basis to carry out work under any type of employment contract. This includes:
- Students undertaking paid or unpaid work
 - People designated as workers for the University including those engaged through the Temporary Staffing Service (TSS)
 - Agency workers and Honorary appointments
- 2.6 A student is considered to be any individual registered to study on any programme of study at the University, including summer school and short courses. Students may also be studying away from university premises as part of their course.
- 2.7 People working on a voluntary basis at the University and those working as contractors are also bound by the terms of this Policy as is any person engaged with, or representing, the University.
- 2.8 Victimisation of any individual making a complaint under this Policy will not be tolerated and will be dealt with under the University's Conduct Procedure for Staff or the Student Disciplinary Regulations (for students).
- 2.9 Sexual harassment constitutes serious misconduct and could result in dismissal (for employees) or expulsion (for students).

3. The preventative duty: expectations of staff

- 3.1 The Worker Protection (Amendment of Equality Act 2010) Act introduces a legal duty on employers to take reasonable steps to prevent sexual harassment of their staff. This covers sexual harassment by other people at work or by third parties, for example students and contractors. All employees are expected to promote a positive and inclusive workplace culture where sexual harassment is not tolerated and where complaints are dealt with promptly, efficiently and sensitively.
- 3.2 Heads of Schools or Services should have systems in place to manage risk and as part of this process they should anticipate scenarios specific to their work areas where employees may be subject to sexual harassment, identify any risk factors and put preventative measures in place. If sexual harassment occurs, they must take action to stop it happening again.
- 3.3 Risk factors include, but are not limited to:
- meeting service users alone
 - an environment where people are drinking alcohol
 - work-related social events
 - social media contact between staff
 - power imbalances between staff
 - travelling for work, including overnight stays

- 3.4 Examples of preventative measures include, but are not limited to:
- making it clear that sexual harassment will not be tolerated
 - encouraging staff to report any incidents of sexual harassment
 - encouraging staff to report situations where they felt at risk, even if nothing happened
 - setting standards of behaviour for work social events
- 3.5 HR Business Partnering Teams can provide further guidance on the risk assessment process.

4 Expected Standards of Behaviour for Students

- 4.1 Sexual harassment by a student towards an employee and/or another student will be considered under the University's Student Disciplinary Regulations and action taken under this Procedure can include expulsion from the University.

5 Reporting

- 5.1 Any member of the University is encouraged to formally report cases of sexual harassment whether they are the recipient of the behaviour or are witness to it as soon as reasonably practicable.

6 Reporting Channels for Employees

- 6.1 Staff wishing to report another staff member should report to their line manager or HR Business Partner who can advise on how to proceed. Reports about the behaviour of a staff member will normally be progressed through the University's Conduct Procedure (Ordinance 10).
- 6.2 Staff wishing to report a student should contact the Student Resolution Service by emailing srs-casework@bristol.ac.uk Reports about the behaviour of a student will normally be progressed through the Student Disciplinary Regulations and Procedure.
- 6.3 If an employee becomes aware of sexual harassment between a colleague and a

student or another employee, advice should initially be sought from their HR Business Partner <https://www.bristol.ac.uk/hr/contact/>.

- 6.4 Sexual harassment can also give rise to situations where there is coercive or predatory behaviour. If intimate relationships arise between colleagues and any person has concerns about any predatory or coercive element to such relationship, they are encouraged to report or disclose this to their line manager, or other relevant senior manager, who is obliged to ensure that such reports are recorded. The senior manager will liaise with HR to determine whether to make arrangements for an investigation to be undertaken in accordance with the University's Conduct Procedure.

7 Reporting Channels for Students

- 7.1 Any student complaint relating to sexual harassment, including witnessing such behaviour, should be made to the Student Resolution Service via the Student Disciplinary Regulations. The relevant HR Team will be involved if the complaint is against an employee: <https://www.bristol.ac.uk/hr/contact/>

7 Investigations into Complaints or Allegations

- 7.1 Any investigations into allegations of sexual harassment by employees will be conducted under the University's Conduct Procedure for Staff. Investigations into allegations of sexual misconduct by students will be conducted under the Acceptable Behaviour Policy or the Student Disciplinary Regulations.
- 7.2 Sexual harassment may also lead to a criminal investigation being instigated into the actions of an employee or student. Where there are concerns that a criminal act has taken place, advice must be taken from the University's Secretary's Office <http://www.bristol.ac.uk/secretary/>.
- 7.3 Confidentiality will be maintained, subject to any requirement to involve external agencies where a criminal offence may have been committed or where maintaining confidentiality would pose a risk to the person making the report, or to others.

8. Support and Advice for Employees

- 8.1 There are many sources of support available to employees prior to making a complaint or to both complainant and alleged perpetrator once a complaint has been made. These include:
- Union representatives (for union members)
 - HR Managers and Officers <https://www.bristol.ac.uk/hr/contact/>
 - Line managers
 - Stand Up Speak Out Advocates <https://uob.sharepoint.com/sites/staff-info/SitePages/suso-advocates.aspx>
 - Staff Counselling service <http://www.bristol.ac.uk/staffcounselling/>

- Research Staff representatives (for Research staff only)
- Stand Up Speak Out web pages <http://www.bristol.ac.uk/inclusion/stand-up-speak-out/>
- [Student Resolution Service](#) can provide advice and guidance for staff supporting students.

9. Support and Advice for Students

9.1 For students support is available via:

- The Student Wellbeing Service <http://www.bristol.ac.uk/students/wellbeing/>
- [The Student Resolution Service](#)
- The Student Complaints Officer
- <http://www.bristol.ac.uk/accommodation/community/complaints.html>
- The Student's Union <https://www.bristolsu.org.uk/>
- Report and Support tool <https://reportandsupport.bristol.ac.uk/>

10. Related Policies and University Documents

10.1 This Policy should be read in conjunction with the following University documents and policies:

- [Sexual Misconduct Policy](#)
- [Conflict of Interest Regulations](#)
- [Conduct](#)
- [Safeguarding Policy](#)
- [Acceptable Behaviour Policy](#)
- [Student Acceptable Behaviour Policy](#)
- [Student Disciplinary Regulations](#)
- [Guidance for students on sexual consent](#)

The EHRC (Equality and Human Rights Commission) have produced technical guidance in this area:

Sexual Harassment and harassment at work: technical guidance 2024:
<https://www.equalityhumanrights.com/guidance/sexual-harassment-and-harassment-work-technical-guidance - responding-to-harassment>

Support for anyone who has experience sexual abuse is available from Somerset and Avon Rape and Sexual Abuse Support (SARSAS) <https://www.sarsas.org.uk/>

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