

EMPLOYMENT POLICY

Sexual Harrassment

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1. Scope & Purpose

- 1.1. This policy applies to all employees within the Lothian Group.
- 1.2. This policy considers sexual harassment occurring “in the course of employment”. This covers sexual harassment in the workplace but also covers sexual harassment occurring at a work-related event such as conferences or nights out and acknowledges that Lothian should seek to prevent third-party sexual harassment.
- 1.3. As a responsible and inclusive employer, and in full understanding of our obligations under the Worker Protection (Amendment of the Equality Act 2010) Bill effective October 2024, the Lothian Group is committed to taking proactive steps to prevent employees experiencing sexual harassment in the course of their employment and to comprehensively investigate and find resolution to any alleged acts of sexual harassment.

2. Key Principles

The Lothian Group commits to:

- 2.1. Providing a working environment that is free of harassment and bullying, and where everyone is treated and treats others with dignity and respect. The Lothian Group will not tolerate any form of bullying or harassment.
- 2.2. Taking proactive steps to prevent employees experiencing sexual harassment in the course of their employment and also to comprehensively investigating and finding resolution to any alleged acts of sexual harassment.
- 2.3. Reviewing employment practices and procedures to ensure fairness and updating them to take account of legislative change and best practice.
- 2.4. Taking seriously complaints of sexual harassment, by fellow employees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities.

3. What constitutes Sexual Harassment?

- 3.1. Sexual harassment is unwanted conduct of a sexual nature that violates a person's dignity or creates an offensive, hostile, intimidating, humiliating or degrading environment. Sexual harassment makes the person, or persons, affected feel uncomfortable, threatened or offended. It is the effect that matters regardless of whether or not the effect was intended.
- 3.2. Sexual harassment can happen regardless of an individual's or alleged perpetrator's gender identity or sexual orientation. Lothian recognise, however, that statistically women are significantly more likely to experience sexual harassment.
- 3.3. Sexual harassment can occur in-person and online and outside, as well as during, working hours. Regardless of when and how it occurs, Lothian will consider any sexual harassment involving employees as a workplace issue and take action in line with the company's disciplinary policy
- 3.4. In some cases, sexual harassment may also be a criminal offence.

3.5. Sexual harassment includes a wide range of behaviours, including but not limited to:

- Sexual comments or jokes.
- Displaying sexually graphic pictures, posters, or photos.
- Suggestive looks, staring or leering.
- Propositions and sexual advances.
- Making promises in return for sexual favours.
- Sexual gestures.
- Uninvited discussion of a person's sex life or inappropriate discussion of 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.
- References to a person's body.
- Predatory behaviour.
- Criminal behaviour, including sexual assault, stalking, grooming, indecent exposure and sending offensive communications.

4. How to prevent Sexual Harassment in the workplace

4.1. The Lothian Group is committed to creating a working environment free from harassment and bullying, where everyone is treated with dignity and respect.

4.2. Every employee of The Lothian Group has a shared responsibility to help create and maintain an environment free from sexual harassment. You can do this by:

- Considering how your own behaviour may affect others and amending it accordingly.

- Being receptive, rather than defensive, if asked to modify your behaviour.
- Treating your colleagues with dignity and respect.
- Taking a stand if you think inappropriate comments, jokes or behaviour are occurring.
- Making it clear to others if you find their behaviour unacceptable.
- Intervening, if possible, to challenge sexual harassment and giving support to others.
- Reporting sexual harassment or potential sexual harassment in the workplace to either your line manager or a member of the HR team.

5. What to do if you're concerned about Sexual Harassment

5.1. The Lothian Group commits to treating all allegations of sexual harassment seriously. We will follow a fair and equitable process to ensure all concerns are investigated thoroughly to allow us to resolve matters promptly whilst

ensuring all parties are treated sensitively and in confidential manner.

- 5.2. You may be able to sort matters out informally. The person may not be aware that their behaviour is unwanted or upsetting so an informal conversation may help them understand the effects of their behaviour and agree to change it.
- 5.3. If you feel able to, tell the person about the behaviour you find offensive and say that you would like it to stop immediately. You are encouraged to keep a note of the time and date and what was said and done as this will be useful should the unacceptable behaviour continue, and you wish to raise the matter formally.
- 5.4. If you feel uncomfortable to raise the matter yourself, please speak to your line manager for advice and assistance and they may, with your permission, speak to the person concerned on your behalf or be present when you speak to the other person.
- 5.5. If the informal approach is not appropriate, or has not been successful, you should raise the matter formally through Lothian's Grievance procedure.

6. What to do if you witness Sexual Harassment

6.1. Employees 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 don't report it.
- Co-operating in any investigation into the incident.

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

7. Training

- 7.1. All employees will be provided with training on what constitutes sexual harassment, how to recognise it and how to report it.
- 7.2. Lothian's line managers will be provided with additional training and guidance to give them the confidence to respond to any reports of sexual harassment following the correct procedures.

8. Monitoring & Review

- 8.1. This policy is for guidance only and does not form part of your contractual rights. The contents will be reviewed in line with changes in legislation and is subject to revision from time to time.

9. Linked Policies

- Disciplinary Policy
- Grievance Policy
- Diversity and Inclusion Policy

10. Useful Links

- [Home - Crisis Counselling](#)
- [What sexual harassment is - Sexual harassment - Acas](#)
- [Sexual harassment - Victim Support](#)

11. Version Control

Version No.	Date of Change	Change made by:	Key Amendments
V1.0	October 2024	P Butler	Published