

Sexual Harassment Policy

1st Draft: January 2025
Next Review: January 2028

1. INTRODUCTION

Rosehill Housing Association recognises that it's the right of every employee to be able to attend work and to perform their duties without being subjected to any form of sexual harassment.

Rosehill is fully committed to its obligations to prevent sexual harassment in the workplace.

2. PURPOSE

The purpose of this policy is to outline Rosehill's position on sexual harassment and to document the process which is to be followed should any complaints arise.

3. DEFINITION

Sexual harassment is unwanted behaviour of a sexual nature. This unwanted behaviour can violate someone's dignity and/or create an intimidating, hostile, degrading, humiliating or offensive environment.

Sexual harassment can occur even if the behaviour was not intended to cause these effects, or if the behaviour was intended to cause these effects but did not.

Sexual harassment can be a one-off incident or an ongoing pattern of behaviour. It can happen in person or online (virtual meetings, chat areas, emails, social media)

Examples of sexual harassment include, but are not limited to,

- Making sexual remarks about someone's body, clothing or appearance
- Asking questions about someone's sex life
- Telling sexually offensive jokes
- Making sexual comments or jokes about someone's sexual orientation or gender re-assignment
- Displaying or sharing pornographic or sexual images, or other sexual content
- Touching someone against their will
- Sexual assault or rape

Behaviour that is based on mutual attraction, friendship and respect is not sexual harassment.

4. POLICY STATEMENT

Rosehill will not tolerate sexual harassment under any circumstances.

The principles set out in this policy are intended to apply to any work-related context.

No employee at any level should subject any other employee to any form of sexual harassment.

Any breach of this policy may result in disciplinary action, following a full investigation to establish the facts.

Rosehill strongly encourages any employee who feels they have been sexually harassed to take immediate action, preferably by making it clear that such behaviour is unwelcome and offensive; alternatively, or in addition, they may follow procedures for reporting the behaviour.

Any reports of sexual harassment will be treated seriously, promptly, and with sensitivity.

No employee will be treated unfairly as a result of rejecting unwanted advances. Disciplinary action may be taken against anyone who victimises or retaliates against a person who has complained of sexual harassment, or against any employee who has been alleged to be a harasser.

Managers who fail to take appropriate corrective action when made aware of harassment of a person may be subject to disciplinary action, following a full investigation to establish the facts.

5. RESPONSIBILITIES

It is the responsibility of Managers to ensure that:

- They understand and are committed to the rights of all employees to attend work and perform their duties, without fear of being sexually harassed in any form
- They understand what constitutes an act of sexual harassment
- All reasonable steps are taken to prevent sexual harassment
- All employees are regularly made aware of their obligations in relation to providing a workplace free from sexual harassment
- They provide an environment which discourages harassment and victimisation and set an example by their own behaviour
- They treat all complaints seriously and confidentially

- They take immediate and appropriate corrective action if they become aware of any offensive action

It is the responsibility of the Corporate Service and HR Manager to ensure that:

- Guidance and education is provided, where requested and/or appropriate, to cases and subsequent decisions relating to sexual harassment
- Managers are aware of their obligations and responsibilities in relation to sexual harassment, and the rights of their employees
- Ongoing support and guidance is provided to all employees in relation to the prevention of sexual harassment

It is the responsibility of all staff to ensure that:

- They refrain from engaging in any behaviour/conduct that could be deemed to be sexual harassment
- Report any incidents of potential sexual harassment without delay

6. PREVENTING SEXUAL HARASSMENT

All employers are required, by law (Worker Protection Act 2023) to take reasonable steps to prevent sexual harassment of their employees.

Sexual harassment can happen in any organisation. Rosehill will assess the risks of sexual harassment occurring, and put measures in place to reduce this risk.

In the event that sexual harassment does occur, Rosehill will take all necessary action in an attempt to prevent it from happening again.

All staff will receive training on sexual harassment, either in a group setting, or during their HR induction. Within this training they will be signposted to this policy and it will be made clear that Rosehill will not tolerate sexual harassment.

During the training staff will be encouraged to report incidents of sexual harassment, even if nothing happened but they felt at risk.

All staff have access to a panic alarm that is used as their staff ID badge when lone working. Staff should press the silent panic button on the back of the device if they feel at risk. There are also panic alarms placed within the reception area, and interview rooms for staff to use should they feel at risk in any situation/interactions.

Tenants will be advised that Rosehill does not tolerate any form of sexual harassment towards our staff in their tenancy agreement. For current tenants, we will publicise our zero tolerance approach via posters displayed in reception, on our website and social media platforms.

Explicit wording regarding sexual harassment will be included within the terms and conditions of service with Contractors, this addition will also be issued to current contractors.

It is important that Rosehill ensures there is an appropriate workplace culture where everyone feels safe and happy. Should this not be the case, we encourage staff to report this.

7. COMPLAINT PROCESS

Sexual harassment can occur at any level of the organisation, can be experienced by both men and women and may involve a co-worker, manager, tenant, contractor or supplier.

Employees who believe they are the subject of sexual harassment should take prompt action. Likewise, employees who witness acts of sexual harassment should report the matter immediately.

If feeling able to do so, the employee should make the perceived harasser(s) aware that they find their behaviour offensive, unwelcome, unacceptable, and that it needs to stop immediately.

If the behaviour continues, or if the employee feels unable to speak to the person(s) directly, they should contact their Line Manager. Alternatively, an employee can raise the matter directly with the Corporate Services and HR Manager, or a Trade Union representative who will raise the matter on their behalf.

The Manager will provide support and ascertain the nature of the complaint and the wishes of the complainant. The complainant does not have to request a full formal investigation if they will be satisfied by a less formal approach. However, the organisation may still take formal action if the act of harassment is deemed significant enough.

Complaints raised against fellow employees will be dealt with promptly, and in line with Rosehill's Grievance and Disciplinary Procedures.

Employees can also be subject to sexual harassment by third parties. Examples of third parties include, tenants, contractors, visitors to the office, and suppliers.

Employees who believe they are the subject of sexual harassment by a third party, or employees who witness such harassment, should follow the same reporting procedure outlined above.

Complaints raised against a third party will be taken just as seriously as a complaint raised against another employee.

Complaints of sexual harassment against a tenant will be dealt with promptly, and in line with Rosehill's Unacceptable Actions Policy.

Complaints against a contractor or supplier will be dealt with via the signed terms and conditions of service in relation to conduct.

Complaints of sexual harassment may also result in police involvement. When reporting a crime, employees can ask to speak to a specialist officer who's trained to deal with sexual violence.

8. SUPPORT FOR EMPLOYEES

Support will be made available for all employees involved in any investigation into sexual harassment. This includes:

- people who have experienced or witnessed sexual harassment
- managers dealing with sexual harassment complaints
- anyone accused of sexual harassment

Support will be provided through the employee assistance programme, and employee counselling.

An independent mentor (normally a member of the management team) can be provided, at an employee's request, to those involved in the process. The role of the mentor is to give the employee a direct, impartial, point of contact throughout the investigation.

Trade Unions, if a member, will also be available to provide necessary support to employees.

Support can be provided by external agencies, including but not limited to:

- Scottish Women's Rights Centre
- Samaritans

- LGBT Foundation
- Galop
- Rape Crisis Scotland
- The Survivors Trust
- Survivors UK
- Victim Support Scotland

TIME OFF WORK BECAUSE OF HARASSMENT

Any time off that results from sexual harassment at work will be handled with compassion and sensitivity. Time off could include periods of sickness absence and/or time off for appointments for specialist support.

Sickness absence as a result of sexual harassment will not be counted towards any absence triggers. Time off for appointments will be provided via the Special Leave Policy.

Support will be provided during any time off by the employees Line Manager and/or the Corporate Services and HR Manager.

9. Data Protection

- 9.1 On the 25th of May 2018, the legislation governing data protection changed with the introduction of the General Data Protection Regulation (GDPR).
- 9.2 Following the UK's exit from the EU, and the end of the transition period which followed, the GDPR formed part of the retained EU law and became the UK GDPR which together with the Data Protection Act 2018 constitute the UK's data protection legislation.

10. Equality and Diversity

- 10.1 We are committed to ensuring equal opportunities and fair treatment for all people in our work. In implementing this Policy, we will provide a fair and equal service to all people, regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.
- 10.2 Rosehill is committed to removing any barriers to communication. Therefore, if required this Policy can be produced in another format e.g., braille, large print, etc.

11. Risk Management

11.1 In all key areas of our business we need to consider any risks which may arise. To this end we have in place a robust Risk Management Policy and from these flows our Risk Register.

We have identified our material risks which are regularly monitored by our Management Team and Audit Sub-Committee.

11.2 To ensure we continue to manage the associated risks we will periodically review this policy to ensure compliance with all legislative requirements and regulatory and best practice guidance.

12. Review of Policy

12.1 This Policy will be reviewed, as a minimum, every 3 years.



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