



HISA Sexual Harassment Policy

Aim and scope

The aim of this policy is to create an environment which is free from sexual harassment. We will do this by being clear about the behaviours that are unacceptable and by fostering a culture of respect which ensures a safe, secure, and welcoming environment.

The behaviour standards set out in this policy and the proposed procedures for investigating breaches of the policy are for all those who work for HISA – both staff and officers - across all its locations.

This means that everyone who works for HISA must behave in a way that is consistent with this policy.

This policy should be read together with the Equality, Diversity and Inclusion Policy and Grievance policy and disciplinary policy.

Zero-tolerance approach

Sexual harassment is contrary to the Equality Act 2010 and HISA's values and is unlawful. HISA is committed to a zero-tolerance approach to sexual harassment and sexist behaviour in the workplace. Every person has the right to work in an environment that promotes respect, fairness, equality, and dignity and enables them to make their best contribution. Sexist behaviour and sexual harassment do not belong in HISA or the student movement and we are committed to creating the shared understanding of appropriate behaviours, culture, and accountability mechanisms that will eradicate them. This applies to everyone in the organisation, regardless of role or status.

This means that we will:

- take steps to prevent sexism and sexual harassment from occurring and support culture and behaviour change through information and education
- take active steps to try to prevent sexual harassment by or of third parties
- take formal complaints seriously, ensuring we deal with them promptly and sensitively
- have policies and processes which are transparent, easily accessible, and understood by those who need to use them
- ensure principles around confidentiality within the complaints process are clear
- respond in a manner which is consistent, fair and proportionate
- ensure that there are consequences for sexist behaviours and sexual harassment, including disciplinary action.

Definitions and examples

Sexual Harassment Definition

Sexual harassment occurs when an individual engages in unwanted behaviour 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. It can be an isolated incident or persistent behaviour and is essentially about the effect on the recipient, not about what was intended. Sexual harassment does not need to be sexually motivated; it only needs to be sexual in nature.

Sexual harassment can come in many forms, both face to face and online.

Examples of sexual harassment include (this is a non-exhaustive list)

1. Comments and/or jokes of a sexual nature, including those shared digitally.
2. Suggestive looks, leers, comments, or gestures of a sexual nature, including comments about someone's body or appearance.
3. Being asked questions of a sexual nature, including questions about someone's sex life.
4. Unwanted text messages, emails, or other communications of a sexual nature, including sexually explicit emails, text messages, or posts on social media.
5. Physical contact without consent such as touching, groping, kissing, or invasion of personal space, including activities like pinching, pushing, grabbing, and unwelcome hugging.
6. Unwanted persistent attention to form an intimate relationship.
7. Making sexual remarks about someone's body, clothing, or appearance.
8. Telling sexually offensive jokes.
9. Making sexual comments or jokes about someone's sexual orientation or gender reassignment.
10. Displaying or sharing pornographic or sexual images, or other sexual content, including sending or displaying material that may be considered offensive.
11. Sexual advances or suggestive behaviour, even if perceived as harmless by the harasser.
12. Sexual assault or rape.
13. Making suggestions for sexual activity without prior consent, as well as making suggestions after it has been made clear that such suggestions are unwelcome

Research shows that sexual harassment and sexist behaviour are disproportionately carried out by men against women. However, all genders can experience and perpetrate sexual harassment. As it is directly related to gender, it can also occur between people of the same gender or directed towards someone who is transitioning. It can be a product of power imbalance and of inequality and therefore other protected characteristics such as race, disability and age can further impact the prevalence of and people's experience of harassment.

Responsibilities

We expect all those who work for HISA to adhere to this policy by:



- treating others with dignity and respect in line with our zero-tolerance approach and our staff Code of Conduct
- ensuring your behaviour is compliant with this policy
- being aware of different power dynamics within HISA and the field of education and never abusing your power
- taking prompt action to address any issues
- speaking up and challenging inappropriate behaviour you experience or witness.

HISA will:

- treat all complaints seriously and in a sensitive manner with due respect for all parties involved
- encourage informal resolution of complaints but only where appropriate and in consultation with the complainant
- provide appropriate processes and ensure support is available
- provide training to all who work here
- promote this policy and ensure it is accessible
- monitor all formal reported incidences of sexual harassment.
- take forward any complaints made against a third party with the appropriate organisation

We have carried out an assessment to assess the risk of different forms of harassment, including sexual harassment and third-party harassment, occurring in the workforce, including in different roles and departments, the steps HISA could take to reduce those risks and which of those possible steps are reasonable. This risk assessment will be reviewed regularly.

We will take active steps to try to prevent third-party harassment of employees. Action may include: warning notices to customers/service users or recorded messages at the beginning of phone calls; information in terms and conditions; providing regular training for managers and staff to raise awareness of rights related to harassment/sexual harassment and of this policy; provide specific training for managers to support them in dealing with complaints; take steps to minimise occasions where employees work alone; where possible ensure that lone workers have additional support; carry out a risk assessment when planning events attended by third parties i.e. clients/customers and/or suppliers. If any third-party harassment of employees occurs, the Association will take steps to remedy any complaints and to prevent it happening again. Action may include warning the harasser about their behaviour, banning them from its premises, reporting any criminal acts to the Police, and sharing information with other branches of the Association.



Making a complaint and confidentiality

If you wish to make a complaint under this policy, please use HISA's complaints procedure which can be found in the Employee Handbook. Alternatively, please speak to HR.

We know that concerns about issues being made public can prevent people from coming forward in the first place. Therefore, it is essential that complaints raised under HISA's complaints procedure are dealt with in the strictest confidence and all parties involved in any complaint must respect confidentiality at all stages of the process.

The identity of the complainant and the respondent will be kept confidential to those who have a legitimate need to know and any sensitive information disclosed will be handled in accordance with the Data Protection Act 2018 and the General Data Protection Regulation.

Victimisation

Those who experience sexual harassment often feel unable to report it for fear of victimisation. Victimisation has a defined meaning in legislation and involves being treated less favourably than other people as a result of having made a claim of sexual harassment or by assisting someone else with their complaint.

This could take the form of penalising someone by, for example, finding fault with their performance where it is not merited or giving them unrealistic or impossible deadlines; excluding the person from work-related activities or conversations, creating a difficult working environment – leading to people feeling isolated – or making disparaging comments.

Victimisation in any form is not acceptable and will be dealt with through the appropriate formal procedures.

Ongoing support

Support will be available to both the person making the complaint and the person against whom the complaint is made throughout any process. However, raising a complaint and having it dealt with is not the end of the story for either the complainant or respondent. People may experience increased stress and anxiety and therefore, ongoing support will also be provided after the process is finished. Staff have access to UHI's Employee Assistance Programme ([hyperlink](#)) for support.

You may also want to access specialist support:

- [contact the Acas helpline](#)
- talk to your trade union or employers' association if you have one

Women who've experienced sexual harassment at work can get free legal advice from:

- [Scottish Women's Rights Centre](#)
- [Galop](#) – LGBT+ sexual violence support
- [Rape Crisis England and Wales](#)
- [Rape Crisis Scotland](#)
- [The Survivors Trust](#)
- [SurvivorsUK](#) – for men and non-binary people affected by rape and sexual abuse



- [Victim Support](#) – in England and Wales
- [Victim Support Scotland](#)

Employers handling a sexual harassment complaint can read:

- [workplace sexual harassment guidance from the Equality and Human Rights Commission \(EHRC\)](#)

If you're struggling to cope and need someone to talk to, you can contact:

- [Samaritans](#)
- [LGBT Foundation](#)

Time off

Please speak to your line manager or HR about options regarding time off should you make a complaint or have a complaint made against you.

Vexatious or malicious complaints

All complaints made via HISA's complaints process are assumed to be made in good faith. We anticipate that false accusations will be extremely rare but should this be found to be the case, these will be dealt with seriously, potentially leading to disciplinary action being taken.

Review

We will review this policy regularly and monitor its effectiveness. This will include monitoring the treatment and outcomes of any complaints of bullying, harassment, sexual harassment or stalking it receives 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, cultural clashes are identified and resolved and workforce training is targeted where needed.