

## **Sexual Harassment Policy**

At The Cluny, we take a zero-tolerance approach to sexual harassment. All staff have been trained on the issue, how to spot it, and the best course of action if it happens; and as such we have in place a policy to help foster a safe environment for both staff and customers.

We urge all members of staff, whether they experience or witness sexual harassment, to report it to a member of management as soon as possible.

### **What is sexual harassment?**

Sexual harassment is a form of sex discrimination. It takes place when someone is subjected to unwelcome and unwanted sexual behaviour or other conduct related to their gender.

Harassment is defined by law in the Equality Act 2010 as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. In the case of sexual harassment, the relevant protected characteristic is 'sex'.

Behaviour that constitutes sexual harassment includes:

- Unwelcome behaviour of a sexual nature, this may be either physical or verbal,
- Inappropriate or suggestive remarks or verbal sexual advances,
- Indecent comments, jokes or innuendos relating to a person's looks or private life,
- Unwanted physical contact such as hugging, kissing or inappropriate touching,
- Requests for sexual favours,
- The display or circulation of pornography or indecent images,
- Remarks about one's clothing or appearance,
- Sexually offensive jokes,
- Comments about someone's sexual orientation/gender,
- Assault or rape.

Often, this kind of behaviour may be brushed off by the harasser as 'banter' or harmless flirting. It is important to remember that the impact the behaviour had is the most important factor, it is not so relevant whether the individual intended to cause offence, but rather that offence was caused by the conduct.

### **Witnessing and handling reports of sexual harassment of patrons**

It is our responsibility as a bar and music venue to intervene on any incidents of sexual harassment in the premises. The venue can get very busy at times and therefore it can be difficult for us to keep a watchful eye on what is happening all throughout the place.

Therefore, it is important that all members of staff continue to be aware of what they are looking out for and the best course of action. A member of management should be made aware of any harassment taking place as soon as possible.

Interventions to challenge such harassment includes:

- Keeping an eye on the situation
- Speaking with the victim and perpetrator of the harassment
- Asking the perpetrator to leave
- Asking the victim what they would like to be done
- Ensure the victim feels safe
- Altering the door staff
- Calling the police

### **Sexual harassment between staff**

It is also important that we keep an eye on harassment between staff should this occur. We ask that you let us know about this as soon as possible so we can take the correct course of action.

If you would like to make a complaint about harassment by another member of staff, you should speak to a member of management. We will offer informal advice about the possible action and outcomes that could occur and will not force you to take any action you do not feel comfortable with.

Where we believe a criminal offence has taken place, we will advise you to report the incident to the police – however you do not have to do this if you do not want to. The Cluny has a duty to contact the police should we consider the safety of yourself and other members of staff or the public to be at risk and will do our best to let you know beforehand that we are doing so.

Should there be recurring complaints of a serious criminal nature directed at a member of staff, or where we believe there is a pattern of behaviour that puts more people at risk, we reserve the right to report this to the authorities. We will also let you know about this should it occur.

If you decide to make a formal complaint, the process is as follows:

- Speak to a manager and raise that you would like to make a formal complaint about an incident of sexual harassment
- We will need a written statement from you about what happened
- A statement will also be required from any witnesses you can provide with regards to said complaint
- A statement from the perpetrator will be required to establish facts from both sides
- The statements will be provided to the General Manager and Director of the Cluny
- A decision will be made on the best course of action

Note: All complaints will be handled seriously, sensitively, and with full confidentiality.

### **Confidentiality**

We understand how difficult it can be to shout up about sexual harassment, and consequently, all allegations will be taken seriously and with full confidentiality. The Cluny guarantees no victimisation against any member of staff who makes a complaint, or against those who assist their colleague in making the complaint.

Please see the staff handbook for more information on the disciplinary procedure that may arise following an investigation concerning sexual harassment in the workplace.