

## Sexual Harassment Policy

**MARKET SHAKER** has a zero-tolerance approach to sexual harassment and will take all complaints of this nature extremely seriously. The purpose of this policy is to support a working environment and venue culture in which sexual harassment is unacceptable. All people working in the venue are covered by this policy including contractors such as door staff, toilet attendants and DJs.

Should you experience or witness any behaviour that you feel amounts to sexual harassment towards yourself, another member of staff or customers we strongly recommend you report it to the duty manager, be that either **AARON, ROSS, or SABRIAH**, as soon as you can.

### 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 Equity 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 of verbal sexual advances
- Indecent comments, jokes or innuendos relating to a person's look 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.

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 of the behaviour had is the most important factor, it is not relevant whether the individual intended to cause offence, but rather the offence that was caused by the conduct.

### **Witnessing and handling reports of sexual harassment to patron:**

**MARKET SHAKER** considers it our responsibility to intervene when sexual harassment happens in our premises. If you witness or are alerted to sexual harassment taking place between patrons or between patrons and staff, you should alert the duty manager.

Interventions to challenge sexual harassment in our venue include:

- Watching/keeping an eye on the situation
- Speaking with target/victim of sexual harassment
- Speaking with the perpetrator of sexual harassment
- Asking the perpetrator to leave the establishment
- Alerting the door staff or senior members of staff
- Calling the police

If necessary, separate the two parties until the target/victim is comfortable whilst the perpetrator is spoken to or ejected from the premises. **MARKET SHAKER** heavily promotes a safe environment for all, and all staff have the duty of care to its patrons to ensure this is upheld.

### **Procedure for reporting sexual harassment between our team:**

We understand that reporting sexual harassment can be intimidating, so we aim to make the process clear and straightforward as possible.

If you choose to report the incident by speaking to a member of management (**AARON, ROSS, OR SABRIAH**), it will only be treated as a formal complaint if you make it clear that is the route you would like to take. We are happy to offer informal advice about the possible action and outcomes open to you 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. If we have serious concerns about your safety or the safety of others, **MARKET SHAKER** has a duty to contact the police, but we will do our best to let you know before doing so. If your complaint is subject to an ongoing police enquiry, we will not investigate until the police investigation has run its course.

If we receive more than one complaint of a serious criminal nature; or where we are concerned that an allegation may form part of an ongoing pattern of behaviour that could put other staff members or members of the public at risk; we reserve the right to report this matter to the appropriate authorities, including law enforcement. If we do need to do this, we will let you know.

If, after speaking to us, you decide to make a formal complaint; the process will be as follows:

First, we will seek a written statement from the complainant.

Once we have your statement, and the statement of any witnesses you are able to provide, the respondent will be informed of the details of the complaint made against them. As part of this process, each party will be encouraged to provide any relevant evidence and names of witnesses that support their statement. This process will establish the matters of fact from both sides.

The statements from the complainant, respondent and any witnesses will then be provided to the General Manager (**ROSS HENDERSON**) of **MARKET SHAKER**.

## **Confidentiality**

Allegations raised regarding sexual harassment will be taken and treated confidentially. **MARKET SHAKER** gives assurance that there will be no victimisation against any worker making a complaint under this policy or against staff who assist a colleague in making a complaint.

All reports, informal or formal, are only to be seen by a member of management or the relevant authorities. All personal information is protected as per the Data Protection Act 2018 and will be stored securely.

**MARKET SHAKER** will investigate all complaints maintaining full anonymity unless the complainant has decided to take formal action and has stated this in writing. Using the necessary resources, be that through CCTV and statements provided, members of management (**AARON, ROSS, SABRIAH**) will conduct an internal investigation and using all relevant evidence conclude and execute the necessary disciplinary action.

Any members of staff reported and witnessed conducting any behaviour that can be deemed as sexual harassment will be given an immediate written warning and suspended until management have conducted an investigation into the matter. If significant evidence is then obtained supporting the complaint, the member of staff will be given a written dismissal for **GROSS MISCONDUCT** and barred from entering the premises indefinitely.