



Policy Example: Sexual Harassment Policy

Offshore Bar & Restaurant 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 in this policy including contractors such as door staff and dance staff.

Should you experience or witness any behaviour that you feel amounts to sexual harassment either towards yourself, another member of staff we strongly encourage you to report it to a member of the management team 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 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.

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

Offshore Bar & Restaurant 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 shift supervisor.

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 perpetrator of sexual harassment
- Asking the perpetrator to leave the establishment
- Alerting door staff (if on duty)
- Calling the Police

Procedure for reporting sexual harassment between staff

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

If you choose to report the incident by speaking to a member of management, it will only be treated as a formal complaint if you make it clear that this 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, Offshore Bar & Restaurant 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 party 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 you the complainant.

Once we have your statement, and the statements 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 of Offshore Bar & Restaurant.

Confidentiality

Allegations raised regarding sexual harassment will be taken seriously and treated confidentially. Offshore Bar & Restaurant gives an 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.



We believe that by having clear, open and fair procedures for the resolution of problems, we create a basis for the fair treatment of all our team.

Disciplinary and grievance procedure

We expect our staff to meet high standards of conduct. Minor departures from our standards may be dealt with informally to avoid the need to engage this procedure. Nevertheless, we recognise that there will be occasions when informal action is not appropriate, and in such cases this Policy will be implemented. This Policy will not usually be applied in the first two years of an employee's employment.

This Policy does not form part of your contract of employment and may be altered or amended at the absolute discretion of the Company. We may start this procedure at any stage.

For disciplinary and grievance issues we may, at our absolute discretion, use an external third party to carry out any part or parts of this procedure.

Procedure

Investigation

- An investigation may be undertaken prior to any disciplinary action
- You must fully co-operate with any investigation
- If you are invited to an investigation meeting, there is no right to be accompanied.

Suspension

If appropriate, we may suspend you on full pay. If you are suspended, your contract of employment will remain in force, but you will not be entitled to access any of our premises except at our prior request, or with our prior consent, and subject to such conditions that we may impose.

Disciplinary hearing

- If it is decided that there is a disciplinary case to answer, you will be informed of this, normally in writing
- You will be invited to attend a disciplinary hearing
- You are entitled to be accompanied to a disciplinary hearing by a workplace colleague or a trade union representative
- You will be given the opportunity to state your case before any decision is made
- The chair of the hearing may decide the issue at the hearing or adjourn the hearing to consider their findings
- You will be informed of the decision. This will normally be in writing.



Appeals

- If you are dissatisfied with the outcome of the disciplinary hearing you may appeal. If you wish to appeal you must do so within five days of the date of the outcome letter (or where no letter is issued, the date you are informed of the decision)
- An appeal should be in writing and must set out the grounds for your appeal along with any accompanying documentation
- At an appeal hearing, you are entitled to be accompanied by either a workplace colleague or a trade union representative
- The outcome of the appeal will be conveyed to you, normally in writing. The appeal decision will be final.

Sexual Entertainment Venue Licence Holders

N/A