

# SCHEDULE 6

## Sexual Harassment Policy

The Town Mouse 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.

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 the Director of Sibley Brewing Co. Ltd T/A The Town Mouse 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**

The Town Mouse 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
- 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 the Director of Sibley Brewing Co. Ltd T/A The Town Mouse, 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, The Town Mouse 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 Director of Sibley Brewing Co. Ltd T/A The Town Mouse.

## **Confidentiality**

Allegations raised regarding sexual harassment will be taken seriously and treated confidentially. The Town Mouse 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.

An investigation and hearing would be raised in line with the existing Disciplinary and Grievance policies.

Before any disciplinary hearing is held, the matter will be investigated. Any meetings and discussions as part of an investigation are solely for the purpose of fact-finding and no disciplinary action will be taken without a disciplinary hearing.

In some cases of alleged misconduct, the Employer may need to suspend you from work while we carry out the investigation or disciplinary procedure (or both). Suspension is not considered to be disciplinary action.