

Sexual Harassment

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Policy Statement

Summary

West Yorkshire Police is committed to providing an inclusive and welcoming working environment for all officers, staff and volunteers, free of sexual harassment and victimisation and where everyone can feel supported, safe and reach their potential.

West Yorkshire Police has a zero-tolerance policy in relation to sexual harassment.

Sexual harassment is unlawful under the Equality Act 2010.

The aims of this policy are to:

- Advise what constitutes sexual harassment;
 - Make clear the professional behaviour expected of all;
 - Support those who are affected by sexual harassment;
 - Make clear the responsibilities of the Force and managers to remove sexual harassment from the workplace;
 - Make clear the expectations of all members to be upstanders, challenging sexual harassment if observed, or otherwise believed to be happening, in the workplace; and
 - Ensure individuals are aware of the available support in West Yorkshire Police.
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Scope

This policy applies to all members of West Yorkshire Police, including police officers, police staff, student police officers, special constables, police community support officers, volunteers, workers and contractors, as well as prospective job applicants.

Principles

Sexual harassment

- Sexual harassment can happen regardless of the individual's, or alleged perpetrator's, gender identity or sexual orientation.
- West Yorkshire Police recognises, however, that women are significantly more likely to experience sexual harassment than men, and that there is a gender equality issue in relation to sexual harassment. If sexualised behaviour and sexual objectification of women is perceived to be tolerated in the workplace, it is more likely that sexual harassment will occur.
- West Yorkshire Police also recognises that there is an issue of intersecting protected characteristics in relation to sexual harassment and that there

may be additional concerns for ethnic minority officers and staff, LGBT+, disabled and younger workers, where the harassment may be bound with other forms of discrimination.

- West Yorkshire Police will be liable for sexual harassment committed by their officers, staff, volunteers or members of the public in the course of their employment/ volunteering, unless they can show that they took all reasonable steps to prevent the harassment.
 - “*In the course of their employment*” includes acts committed in other places where work is conducted, such as off-site, at a training course, conference or external meeting, as well as circumstances in which the officer/staff member is not actually working but related to work, such as a leaving party or other social event.
 - For further information, refer to the supporting information.
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Taking action

- West Yorkshire Police wants to provide a professional working environment for its officers, staff and volunteers, and has a duty of care to do so.
 - West Yorkshire Police will ensure reasonable action is taken to prevent sexual harassment in the workplace, including from third parties, and ensure there is support available for anyone who feels they have had their dignity violated or where an individual has created an intimidating, hostile, degrading, humiliating or offensive environment, whether intended or not.
 - Reasonable action includes:
 - Setting standards and a culture so all are made aware that such behaviour will not be tolerated.
 - Providing opportunities for teams to discuss sexual harassment and the importance of unlawful and discriminatory practices.
 - Ensuring there is a clear reporting process in place.
 - Ensuring accusations are fully investigated and appropriate action is taken.
 - Ensuring support is available to individuals affected by sexual harassment.
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Setting standards

- Standards of professional behaviour are set out by Police (Conduct) Regulations 2020, the Police Staff Joint Circular 54 and the Code of Ethics.
- For the purposes of this policy, the following standards are highlighted:
 - Members are expected to act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.
 - Members should not abuse their powers or authority and respect the rights of all individuals.
 - All members are challenged and report improper conduct.

- Everyone has the right to a working environment free of harassment from others within the service and members of the public. West Yorkshire Police will proactively support such a working environment.
 - A breach of such standards could damage public confidence in the police service.
 - Any breach of any of the standards could potentially lead to disciplinary action which, in certain cases, may result in dismissal without notice.
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Responsibilities

General

- We all have a responsibility to create and maintain a work environment free of harassment and victimisation, and to treat our colleagues with dignity and respect.
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Individuals

Individuals are responsible for:

- Being aware of how their behaviour may affect others;
- Treating colleagues with dignity and respect;
- Taking a stand if inappropriate jokes, comments or gestures are being made;
- Making it clear to others when their behaviour is unacceptable;
- Intervening to stop sexual harassment and discreditable conduct, and giving support to anyone who may have been harassed;
- Reporting sexual harassment to a manager or the Professional Standards Directorate (PSD), as appropriate, and cooperating as required in investigations; and
- If a complaint is made, not pre-judging or victimising the complainant or the alleged harasser.

Individuals must note that simply ignoring and/or walking away from such incidents or refusing to get involved is not acceptable and may even be seen as collusion with allowing it to continue within the policing culture.

Line managers

Line managers are responsible for:

- Implementing the zero-tolerance policy on sexual harassment;
- Setting a good example by their own behaviour;
- Ensuring that there is a proactive and supportive working environment;
- Making sure that staff know the standards of behaviour that is expected of them;
- Intervening to stop bullying and harassment; and

- Dealing promptly with any complaints of harassment, or any incidents of harassment witnessed by them, and ensuring that appropriate steps are actioned.
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Organisation

- West Yorkshire Police has a responsibility to ensure that sexual harassment will not be tolerated in the course of employment, and that complaints will be taken seriously, will be dealt with quickly and will be treated as serious disciplinary offences and may be considered as gross misconduct.
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Procedure

Reporting process

- Individuals are encouraged to come forward if they believe they have been harassed. West Yorkshire Police has robust procedures in place designed to promptly take action.
 - Individuals have the right to be accompanied by a Staff Association/Trade Union representative at all stages.
 - Wherever possible, West Yorkshire Police will ensure that the individual and alleged harasser are not required to work together whilst the complaint is under investigation.
 - Individuals are encouraged, in the first instance, report sexual harassment to their first or second line manager. However, where individuals do not feel comfortable doing this, they can also report sexual harassment, or witnessing sexual harassment, through:
 - Reporting directly to the PSD General Enquiries mailbox.
 - Trade Unions, Federation, Staff Associations, Peer Supporters, Welfare Supporters etc.
 - If they do not want to be identified, Anonymous Messenger or CrimeStoppers Police Integrity line.
 - Individuals can also raise a grievance and qualifying disclosures can be made via the Whistleblowing policy.
 - Depending on the circumstances, action may be taken regardless of the wishes of the individual. This will be fully explained to the individual, and they will be offered support.
 - Sexual harassment can also give rise to situations where there is a coercive or predatory behaviour. If intimate relationships arise between colleagues and any person has concerns about any predatory or coercive element to such a relationship, they are encouraged to report the issues in the same method as above.
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Investigation

- Investigations into complaints or allegations of sexual harassment may also lead to criminal investigations being instigated.

- Where there are concerns that a criminal act has taken place, advice must be taken from Professional Standards.
 - If a criminal act is suspected, any action taken must avoid prejudicing the criminal investigation. Appropriate action will be taken depending on the circumstances.
 - Any investigation into allegations of sexual harassment by contractors will be conducted by Professional Standards.
 - Confidentiality will be maintained, subject to any requirement to involve external agencies where a criminal offence may have been committed, or where maintaining confidentiality would pose a risk to the person making the report or to others.
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**Misconduct
process**

- The alleged perpetrator, if a member of West Yorkshire Police, will be fairly investigated through the appropriate process.
 - All complaints of sexual harassment will be taken seriously.
 - West Yorkshire Police will handle any investigation in a way that is fair and sensitive to:
 - The person who made the complaint;
 - Anyone who witnessed it; and
 - Anyone who has been accused of sexual harassment.
 - An individual who sexually harasses someone at work will be held responsible for their actions and, if a member of West Yorkshire Police, faces an investigation into their conduct at work. This could result in disciplinary action up to and including summary dismissal. In addition, they may be held personally liable to pay compensation in legal claims.
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Additional Information

Compliance

This policy complies with the following legislation, policy and guidance:

- Equality Act 2010
 - Police (Conduct) Regulations 2020
 - Code of Conduct for Police Staff
 - Data Protection Act 2018
 - Discipline – Police Officers policy
 - Discipline – Police Staff policy
 - Inappropriate and Notifiable Associations policy
 - Using the Internet, Instant Messaging and Social Media policy
 - Equality, Inclusion and Respect in the Workplace policy
 - Grievance policy
 - Whistleblowing policy
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Supporting Information

The supporting information for this policy can be accessed.
