

# SEXUAL HARASSMENT POLICY



## Scope

This policy applies to all staff, including senior managers, paid staff, volunteers, sessional workers, agency staff, associates, job applicants, learners, employers, referral organisations (also known as ‘services’) customers and clients and anyone working (all 3<sup>rd</sup> parties) on behalf of/with Three Dimensional Training Limited (3DT).

This policy covers all areas of business, including training locations, any travel and organised events / organisation arranged social events.

## Introduction

3D updated this policy in line with the law on preventing sexual harassment, on October 26<sup>th</sup> 2024. The new legislation is the Worker Protection (Amendment of Equality Act 2010) Act 2023.

This policy reflects the changes in national guidance because of the publication of revisions to ‘Keeping Children Safe in Education’ which became statutory on 1 September 2021. The DSL (Designated Safeguarding Lead) will ensure that all existing staff receive a copy of this sexual harassment policy, a copy of this will be on the 3D website ([www.3dtraining.uk.com](http://www.3dtraining.uk.com)) and learners will be informed of this policy at induction and referred to website.

Sexual harassment will not be tolerated and is unlawful. 3D Training will take all reasonable steps and preventative measures to ensure prevent sexual harassment in the workplace.

3D Training is committed to providing a safe environment for all its learners and staff free from discrimination on any ground and from harassment at work including sexual harassment.

We will operate a zero-tolerance policy for any form of sexual harassment, treat all incidents seriously and promptly investigate all allegations of sexual harassment.

Any person found to have sexually harassed / victimised another will face disciplinary action, up to and including dismissal from their training programme or employment following the process in 3D Training’s disciplinary policy.

Aggravating factors, such as abuse of power over a more junior colleague or learner, will be taken into account in deciding what disciplinary action to take.

3D will take reasonable steps to prevent sexual harassment by third parties.

All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimised for making such a complaint.

## Policy

### Definition of sexual harassment

The Equality Act 2010 defines sexual harassment as unwanted conduct of a sexual nature which has the purpose or effect of violating someone’s dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Sexual harassment may be physical, verbal and non-verbal.

It can be sexual harassment if the behaviour:

- has one of these effects even if it was not intended
- intended to have one of these effects even if it did not have that effect

Sexual harassment can be a one-off incident or an ongoing pattern of behaviour.

Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault or rape
- The use of threats or rewards to gain sexual favour
- making sexual remarks about someone's body, clothing, private life or appearance
- Sexually offensive comments, stories and jokes
- making sexual comments or jokes about someone's sexual orientation or gender reassignment
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on sex
- Sending sexually explicit messages or images (by phone or email or social media)
- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Wolf-whistling

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. We recognise that sexual harassment may also occur between people of the same sex.

What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

What some people might consider as joking, 'banter' or part of their workplace culture can still be sexual harassment.

We recognise that sexual harassment can be a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and staff member or trainer and learner.

All sexual harassment is prohibited whether it takes place within our training environment or outside, including at social events or training sessions.

Sexual harassment from anyone you come into contact with because of your job, including:

- someone you work with
- a manager, supervisor or someone else in a position of authority
- third parties – for example employers, services, learners and members of the public

Sexual harassment is usually directed at an individual, but it's not always the case. Sometimes there can be a culture of behaviour that's not specifically aimed at one person – such as sharing sexual images. Someone could still make a complaint of sexual harassment in this situation.

### **If you have been sexually harassed at work or witness harassment at work**

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. This should then be followed up by reporting as per below. It is important that the safeguarding lead (or alternative as per below) is made aware of any sexual harassment at work, even if deemed as a one off.

Anyone who witnesses sexual harassment of a colleague or by a colleague / group of colleagues. If you see someone being sexually harassed at work, you could step in and try to stop it happening, if you feel it's safe to do so.

Make note of what's happened. This should include dates, time and names, including another witnesses. Writing things down can be especially helpful if you find talking about the experience distressing.

### **Reporting**

We recognise that it may not be possible for the victim to inform the alleged harasser at the time.

If a victim cannot directly approach an alleged harasser, he/she can approach the Designate Safeguarding Leads or any staff Line Manager or Director.

Any sexual harassment reports should ideally go to the Designated Safeguarding lead, in the first instance. However, a range of options for reporting a sexual harassment complaint depending on who the person feels most comfortable telling. For example, this could include:

- their line manager
- another department manager

If you're making a complaint as a **witness**, you do not need the permission of the person who's been sexually harassed.

After it's happened, you can:

- support a complaint made by the person who experienced the sexual harassment
- report what you've seen or experienced
- give evidence as a witness, for example as part of a grievance procedure
- make a sexual harassment complaint yourself

### **Sexual Harassment Complaints**

When the DSL or manager receives a complaint of sexual harassment, he/she/ they will reassure the victim that the complaint will be taken seriously

- record the dates, times and facts of the incident(s) completing a sexual harassment incident form

- ascertain the views of the victim as to what outcome he/she wants
- ensure that the victim understands the company's procedures for dealing with the complaint
  - refer to the Designated Safeguarding Lead (however if the concern involves the DSL, the learner / staff member should refer to another manager or director or colleague comfortable with)
- discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally may still result in pursuing a formal complaint if he/she/ they are not satisfied with the outcome .
- Incident to be logged in the Sexual Harassment register by a DSL (unless they are involved in the complaint in which a separate log to be completed)

## Support

We recognise that because sexual harassment often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward.

We understand the need to support victims in making complaints.

If the victim wishes to deal with the matter informally, the person receiving the complaint will give an opportunity to the alleged harasser to respond to the complaint and ensure that the alleged harasser understands the complaints mechanism.

For example, this might include:

- the person making the complaint telling the person they're complaining about why their unwanted behaviour must stop, and getting an apology and assurance from them that they will never do it again (this should only happen if the person making the complaint feels comfortable doing this and has support, for example they're accompanied when they tell the person)
- or refer the matter to the Designated Safeguarding Lead who will ensure that a confidential record is kept of what happens ensure that the above is done speedily and within one day of the complaint being made.

If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.

A range of options for reporting a sexual harassment complaint depending on who the person feels most comfortable telling. For example, this could include:

- their line manager
- a more senior manager
- Director
- Governors

A range of informal options for dealing with a sexual harassment complaint where both you and the person making this complaint think this is appropriate. For example, this might include:

- both the person who made the complaint and the person they're complaining about to be accompanied by a colleague throughout the procedure, if they make a reasonable request
- both the person who made the complaint and the person they're complaining about to ask for advice from someone at work who's specially trained to deal with sexual harassment complaints

- a right of appeal against a decision after the complaint has been investigated and all the evidence has been heard at a hearing
- the person making the complaint telling the person they're complaining about why their unwanted behaviour must stop, and getting an apology and assurance from them that they will never do it again (this should only happen if the person making the complaint feels comfortable doing this and has support, for example they're accompanied when they tell the person)

## Sexual harassment by 3<sup>rd</sup> Parties

Harassment by a third party, such as a customer, client, patient, or supplier, will be treated just as seriously as that by a colleague and will not be tolerated.

3D will take actions to prevent this type of harassment, including putting reporting mechanisms in place or assessing high-risk workplaces where staff might be left alone with customers.

All staff have a responsibility to report any sexual harassment identified and any complaints made about a 3rd party will be investigated and all actions possible will be taken to remedy a complaint and prevent it from happening again. These would include making formal complaints to their employer (where applicable), warning learners / customers about their behaviour, removing learners from courses, ceasing ongoing arrangements and reporting criminal acts to the police.

All staff have a responsibility to report any sexual harassment identified.

## Sanctions and disciplinary measures

Anyone who has been found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:

verbal or written warning

- suspension
- dismissal

The nature of the sanctions will depend on the gravity and extent of the harassment.

Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial.

Certain serious cases, including physical violence or actual abuse, will result in the immediate dismissal of the harasser.

## Implementation of this policy

We will ensure that this policy is widely disseminated. It will be included in staff and learner inductions, updated training and on our website.

All learners and staff will be trained on the implementation of this policy as part of their induction into the company. We will ensure frequent updating of learners and staff on the implementation of this policy. It is the responsibility of every manager to ensure that all his/her employees are aware of the policy.

3D Training recognises the importance of monitoring this sexual harassment policy and will ensure that it monitors patterns, how it is used and whether or not it is effective including the number of incidents and how they were dealt with. Data will include reports of low-level concerns. Our Governance board will receive regular reports on the effectiveness of this policy, including the number of incidents (as part of the safeguarding reports), how they were dealt with, and any recommendations made. This will be done on a yearly basis as a minimum. As a result of this report, 3D Training will evaluate the effectiveness of this policy and make any changes needed

## PROCEDURES FOR LEARNERS

Learners should disclose concerns of sexual harassment at their employer workplace / service provider and / or at 3D Training to their tutor / designated safeguarding lead or an alternative staff member they feel comfortable to disclose to (for example Quality Assurance team / support staff etc).

Where appropriate 3D Training will engage with the employer / service provider with dialogue to resolve the matter and support the learner / Apprentice as swiftly and effectively as possible. Follow up will be taken to ensure that the employer / service provider takes relevant and suitable action to ensure the safety and well-being of the learner / Apprentice and the relevant processes have been followed.

## PROCEDURES FOR STAFF

When one of the informal options for dealing with a complaint does not work or when a formal complaint is made from the start

The formal procedure should allow:

- both the person who made the complaint and the person they're complaining about to be accompanied by a representative or a colleague throughout the procedure, if they make a reasonable request
- a right of appeal against a decision after the complaint has been investigated and all the evidence has been heard at a hearing

The formal procedure should be clear on the process for when disciplinary action might be needed.

One investigation should be used for both looking into the complaint and any follow-up disciplinary procedure. But if you feel you need more information for a disciplinary procedure, you should investigate again.

Details of help and support for the person who's made the complaint should be provided and the person they're complaining about. For example outside sources of support, for example specialist helplines.

## Review

3D will review this policy annually or when new legislation comes into effect, monitor changes and implement changes that may be required.

POLICY END



Policy Updated: Oct 2025

Version Number: V6

Updated by: Gill Abbotts / Gemma Cretney

Date for review: Oct 2026