

Agency Worker Sexual Harassment Policy

1.0 Purpose

unacceptable, unlawful, and will not be tolerated. We are committed to providing a safe, supportive, and inclusive working environment, free from sexual harassment. This policy ensures that reasonable steps are taken to prevent and address sexual harassment in accordance with the Equality Act 2010, as amended by the Worker Protection (Amendment of Equality Act 2010) Act 2023.

This policy is reviewed regularly to ensure it remains up to date and to monitor its effectiveness. Any changes required will be implemented and communicated.

2.0 Scope

This policy applies specifically to agency workers engaged by Protocol and working at client sites. It is important to note that while Protocol has a responsibility to address any reports of sexual harassment, client employers also have a responsibility to provide a harassment-free environment.

3.0 Responsibilities

3.1 All agency workers are responsible for ensuring they understand and comply with this policy and they must:

- Treat colleagues, clients, and third parties with respect
- Refrain from any behaviour that could be interpreted as sexual harassment
- Report any incidents they witness or experience

4.0 Definition

4.1 What is sexual harassment?

Sexual harassment is a form of unlawful discrimination under the Equality Act 2010. It includes any unwanted physical, verbal or non-verbal behaviour that is of a sexual nature or that is related to gender reassignment or sex and that violates someone's dignity, creates an intimidating, hostile, degrading, humiliating, or offensive environment, or is intended to do so.

4.1.1 Sexual harassment can include but is not limited to:

- Unwanted physical contact, including touching, hugging, kissing, or groping
- Unwelcome comments about someone's appearance, clothing, or body
- Sexually suggestive remarks, jokes, or gestures
- Sending or displaying sexually explicit content (texts, images, emails, etc.)
- Unwanted requests for sexual favours or dates
- Stalking or pressuring someone into sexual activity
- Verbal or physical threats of a sexual nature

4.1.2 Sexual harassment may occur in person, online, over the phone, or through other forms of communication.

4.1.3 A person may be sexually harassed even if they were not the intended target, for example if they see content of a sexual nature on a colleague's computer in the workplace.

4.2 What is Victimisation?

Victimisation includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:

- 4.2.1. Bringing proceedings under the Equality Act 2010.
- 4.2.2. Giving evidence or information in connection with proceedings under the Equality Act 2010.
- 4.2.3. Doing any other thing for the purposes of or in connection with the Equality Act 2010.
- 4.2.4. Alleging that a person has contravened the Equality Act 2010.

Victimisation may include, for example:

- 4.2.5. Denying someone an opportunity because it is suspected that they intend to make a complaint about sexual harassment.
- 4.2.6. Excluding someone because they have raised a grievance about sexual harassment.
- 4.2.7. Failing to promote someone because they accompanied another staff member to a grievance meeting.
- 4.2.8. Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing.

5.0 Circumstances covered by this policy

This policy covers behaviour which occurs in the following situations:

- a) a work situation
- b) a situation occurring outside of the normal workplace or normal working hours which is related to work, for example, a working lunch, a business trip or social function
- c) outside of a work situation but involving a person connected to the Company, including on social media
- d) against anyone outside of a work situation where the incident is relevant to your suitability to carry out the role.

6.0 What to do if you are subject to sexual harassment

We are committed to ensuring that there is no sexual harassment in the workplace.

Allegations of sexual harassment involving a situation at a client site must be reported.

6.1 Informal Complaint

If you experience sexual harassment and you feel comfortable to do so, you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally then you should send a written request to the harasser.

6.2 Formal Written Complaint

If the informal approach is unsuccessful or if the sexual harassment is more serious, you should report the incident in writing to Protocol at complaints@protocol.co.uk

If possible, you should keep notes of what happened so that the written complaint can include:

- a) the name of the alleged sexual harasser;
- b) the nature of the alleged sexual harassment;
- c) the dates and times when the alleged sexual harassment occurred;
- d) the names of any witnesses;
- e) any action already taken by you to stop the alleged sexual harassment.

6.3 What to do if you witness sexual harassment

If you witness sexual harassment, you are encouraged to take appropriate action to address it. You should not take any action that may put you at risk of sexual harassment or other harm. If you feel able, you should intervene to prevent the matter continuing. If you are not able to do this, your action may include offering support to the person who has been sexually harassed and encouraging them to report the incident. Alternatively, you can report the incident directly on their behalf.

6.4 Third-Party Sexual Harassment

Third-party sexual harassment occurs when someone is subjected to sexual harassment by someone who is not part of Protocol's or the client's workforce but who is encountered in connection with work. Third-party sexual harassment is unlawful and will not be tolerated.

If you have been subjected to third-party sexual harassment, you are encouraged to report this as soon as possible via the reporting channels detailed above.

We will not tolerate sexual harassment by any member of our workforce against a third party. Instances of sexual harassment of this kind may lead to the termination of your assignment.

7.0 Action

Protocol will take appropriate steps to address and resolve the situation. Depending on the nature of the sexual harassment, these steps may include:

- Informing the client about the incident and discussing the steps they will take to investigate and address the allegation
- Issuing a formal warning to the individual or organisation responsible for the behaviour
- Reporting any criminal behaviour to the police

If the decision is that the allegation of sexual harassment is well founded, any action taken against the harasser will be taken by the client company where you are working.

If, due to the investigation, it is concluded that your complaint is both untrue and has been brought with malicious intent, your assignment may be terminated.

If you are involved in any act of sexual harassment, your assignment will be terminated with immediate effect.

8.0 Support and Resources

Protocol encourages anyone affected by sexual harassment to seek support from internal and external resources, including:

- The Equality Advisory and Support Service (www.equalityadvisoryservice.com)
- External counselling services
- Support groups such as the Samaritans