

 Warwickshire POLICE		POLICY & PROCEDURE
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Sexual Harassment Policy
REFERENCE NUMBER	WP200
Version	1.0

POLICY OWNERSHIP	
DIRECTORATE	ENABLING SERVICES
BUSINESS AREA	HUMAN RESOURCES

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RISK RATING	LOW
EQUALITY ANALYSIS	LOW
TIER	1

Warwickshire Police welcomes comments and suggestions from the public and staff about the contents and implementation of this policy.
Please email policies&procedures@warwickshire.uk

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1. AIM

1.1 Warwickshire Police is committed to providing an inclusive and welcoming working environment for all officers, staff and police support volunteers (PSVs), free of sexual harassment and victimisation and where everyone can feel supported, safe and reach their potential.

1.2 Warwickshire Police has a zero-tolerance policy in relation to sexual harassment.

1.3 Sexual Harassment is unlawful under the Equality Act 2010.

1.4 The aim of this policy is to:

- Advise what constitutes sexual harassment.
- Make clear the professional behaviour expected of all officers, staff and PSVs, contractors, workers and prospective job applicants.
- Empower those to raise a complaint by setting out a clear process.
- To support those who are affected by sexual harassment.
- Make clear the responsibility on the force, and managers, to remove sexual harassment from the workplace.
- Make clear the expectation of all members to be an upstander, taking action against sexual harassment if observed or otherwise believed to be happening in the workplace.
- To ensure individuals know the support available in Warwickshire Police.

2. SCOPE

2.1 This policy applies to members of Warwickshire Police, which includes police staff, student police officers, police officers, special constabulary, volunteers and contractors.

3. DEFINITIONS

3.1 Sexual Harassment: - occurs when a person engages in unwanted conduct of a sexual nature that has the purpose or effect of:

- Violating someone's dignity, whether intended or not.
- Creating an intimidating, hostile, degrading, humiliating or offensive environment for them, whether intended or not.

Although anyone can experience sexual harassment, women are more likely to experience sexual harassment than men and perpetrators of sexual harassment are overwhelmingly men.

3.2 Victimisation - When you are treated poorly or unfairly because you have made a complaint related to a protected characteristic or you have helped

someone else who has raised a complaint and are seen to be siding with them and are then treated badly.

4. RESPONSIBILITIES

4.1 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.

4.2 Individuals are responsible for:

- Being aware of how their behaviour may affect others.
- Treating colleagues with dignity and respect.
- Taking action if inappropriate jokes, comments or gestures are being made.
- Making it clear to others when their behaviour is unacceptable.
- Taking to stop sexual harassment and discreditable conduct and giving support to anyone who may have been harassed.
- Reporting harassment to a supervisor or manager and co-operating as required in investigations.
- If a complaint of harassment is made, not prejudging or victimising either the complainant or alleged perpetrator of the harassment.

Please note that simply ignoring and/or walking away from such incidents, or refusing to get involved, is not acceptable and may even be considered as collusion and/or facilitating the continuance of such behaviour. Taking action, by intervening or by reporting, is everyone's responsibility.

4.3 If the behaviour is so serious it falls outside of the expectations set out within the standards of professional behaviour, consideration should be given to reporting to the Professional Standards Department for a severity assessment to be conducted.

4.4 Managers have a responsibility to:

- Implement the zero-tolerance policy on sexual harassment
- Set a good example by their own behaviour.
- Ensure that there is a proactive and supportive working environment.
- Make sure that staff know the standard of behaviour that is expected of them.
- Intervene to stop bullying or harassment.
- Report promptly to a senior manager/PSD any complaint of harassment, or any incident of harassment witnessed by them and ensure that appropriate steps are taken.

4.5 Warwickshire Police has a responsibility to ensure that sexual harassment will not be tolerated in the workplace, that complaints will be taken seriously, will be dealt with quickly and may be treated as disciplinary offences. They may be considered as gross misconduct which could result in referral through to a misconduct meeting or hearing should the circumstances warrant this response.

5. GENERAL

5.1 Sexual harassment can happen regardless of the individual's or alleged perpetrator's gender identity or sexual orientation.

Warwickshire 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.

Warwickshire Police also recognises that there may be an issue of intersecting protected characteristics in relation to sexual harassment, and that there may be additional concerns for black or minoritised officers and staff, LGBT+, disabled and younger workers where the harassment may be bound up with other forms of discrimination.

5.2 Sexual harassment in the workplace may occur from:

- Someone you work with.
- A manager, supervisor or someone else in a position of authority.
- A member of the public/visitor/contractor

5.3 Sexual harassment includes a wide range of behaviours including but not limited to:

- Sexual comments or jokes.
- Displaying sexually graphic pictures, posters or photos.
- Suggestive looks, staring or leering.
- Propositions and sexual advances.
- Making promises in return for sexual favours.
- Sexual gestures.
- Uninvited questions around dating/status.
- Uninvited discussion of one's sex life or inappropriate discussion of sex life.
- Sexual posts or contact on social media.
- Spreading sexual rumours about a person.
- Sending sexually explicit communications across any platform including but not limited to emails, personal social media (text) messages, MS Teams Chats, Power apps etc.
- Unwelcome touching, hugging, massaging or kissing.
- Predatory behaviour.
- Criminal behaviour, including sexual assault, stalking, grooming, indecent exposure and sending offensive communications.
- Coercion.

5.4 Sexual harassment is usually directed at an individual or minority group, but this is not always the case. It may be perpetrated by one individual, a pair, a small group, a large group, or permeate through a whole section of the force.

5.5 Sometimes there can be a culture of sexual harassment in a workplace that's not specifically aimed at one person – such as sharing sexual images and leering at members of the public. Someone could still make a complaint of sexual harassment in this situation.

5.6. An individual can experience sexual harassment from someone of the same or different sex and the recipient of the behaviour decides whether the approach was unacceptable disrespectful or undignified.

5.7 Sexual harassment can be a one-off event and does not need to be directed at a person. It can be witnessed or overheard. Sexual conduct that has been welcomed or tolerated in the past may, over time, become unwanted and if it continues it can become harassment.

5.8 Warwickshire Police will be liable for sexual harassment committed by our officers, staff or PSVs during their employment/volunteering unless they can show that they took all reasonable steps to prevent the harassment. 'In the course of employment' includes acts committed in any other place where work is conducted such as off-site, at a training course, conference or external meeting, as well as other circumstances in which the officer/staff member is not actually working but relate to work, such as at a leaving party or other social event.

6. TAKING ACTION

6.1 Warwickshire Police aims to provide a professional working environment for its officers, staff and volunteers and has a 'duty of care' to do so.

6.2 Warwickshire Police will take proactive steps to ensure all staff are aware of their responsibilities under this policy.

6.3 Warwickshire Police will be proactive in ensuring reasonable action to prevent sexual harassment in the workplace and to ensure there is support available for anyone who feels they have had their dignity violated or where an individual(s) has created an intimidating, hostile, degrading, humiliating or offensive environment, whether intended or not.

6.4 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 tackling unlawful and discriminatory practices.
- Ensuring there is a clear reporting process in place.
- Ensuring accusations are fully investigated and appropriate action taken.
- Ensuring support is available to individuals affected by sexual harassment.

7. SETTING STANDARDS

7.1 Standards of professional behaviours are set by the Police Conduct Regulations 2020, the Police Staff Council Joint Circular 54 and the Code of Ethics.

7.2 The Code of Ethics is a standard for everyone who works in policing in England and Wales. It sets out the principles and standards of behaviour we expect to see from police professionals. It applies to every individual who works in policing, whether a warranted officer, member of police staff, volunteer or someone contracted to work in a police force.

7.3 For the purpose 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 to challenge and report improper conduct.

7.4 Everyone has the right to a working environment free of harassment, from others within the service and members of the public. Warwickshire Police will proactively support such a working environment.

7.5 A breach of such standards could damage public confidence in the police service.

7.6 Any breach of any of the standards could potentially lead to disciplinary action, which in the most serious cases, may result in dismissal without notice.

8. TRAINING

Training and information is crucial to the success of policies on sexual harassment and in changing the workplace environment.

Training programmes should include:

- Details on the policy, its implementation, and promotion.
- What misogyny, sexism and sexual harassment mean, their effects and consequences.
- What victimisation means.
- How to report incidents and unacceptable behaviour.
- How to address issues of third-party harassment if applicable.

- How to get support.
- The help available to those being harassed.

Records should be kept ensuring that everyone is trained and that they regularly receive refresher training. Officers and staff should also be encouraged to help each other, either by lending support or informing management of their concerns through the appropriate channels. The procedure should also make it clear that staff have a right to be accompanied by a staff association/trade union representative at all stages.

9. CLEAR REPORTING PROCESS

9.1 Individuals are encouraged to come forward if they believe they have been harassed. Warwickshire Police has robust procedures in place designed to promptly take action.

9.2 We recognise that individuals who report sexual harassment may have different feelings about working with or coming into contact with the alleged perpetrator whilst the complaint is under investigation. Warwickshire Police will work with the individual to understand their wishes regarding this and ensure that these are accommodated.

Reporting Procedure

9.3 Individuals who have been harassed or made aware of harassment between a colleague and another individual should raise the issue to a line manager or supervisor of their choice. If the alleged perpetrator of the harassment is the line manager this should be reported to PSD via e-mail professionalstandards@warwickshire.police.uk or via the confidential integrity helpline on 0800 111 4444. Other avenues for reporting concerns are through trade unions staff associations such as UNISON, the Police Federation and Police Superintendents' Association. Referrals can also be made via Op Amethyst by completing a referral form (available on the Op Amethyst intranet pages) and sending it to opamethyst@warwickshire.police.uk

9.5 Sexual harassment can also give rise to situations where there is coercive or predatory behaviour. If intimate relationships arise between colleagues and any person has concerns about any predatory or coercive element to such relationship, they are encouraged to report the issue to a line manager or supervisor. If the alleged perpetrator of the harassment is the line manager this should be reported as per the reporting options outlined in section 9.3 of this document.

9.6 Investigations into complaints or allegations of sexual harassment may also lead to a criminal investigation being instigated. Where there are concerns that a criminal act has taken place, advice must be taken from the Professional Standards Department to allow for a severity assessment of conduct. If a criminal act is suspected any action taken must avoid prejudicing the criminal investigation. Appropriate action will be taken depending on the circumstances.

9.7 Any investigations into allegations of sexual harassment by contractors will be reported to the Professional Standards Department who will conduct an assessment

which may result in revocation of vetting and a criminal investigation (depending on the circumstances).

9.8 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.

10. MISCONDUCT PROCESS

10.1 If the behaviour amounts to a breach of the standards of professional behaviour so serious that it amounts to misconduct/gross misconduct an assessment should be made by the Professional Standards Dept to determine the mode of investigation and any necessary referrals to IOPC.

10.2 If the alleged perpetrator is a member of the Professional Standards Department this will be fairly investigated through an appropriate process with referral to an external force/IOPC.

10.3 All complaints of sexual harassment will be taken very seriously. Warwickshire Police will handle any investigation in a way that's fair and sensitive to:

- The person who made the complaint
- Someone who witnessed it
- Someone who's been accused of sexual harassment

10.4 An individual who sexually harasses someone at work will be held responsible for their actions and if a member of Warwickshire Police faces an investigation into their conduct at work, this could result in disciplinary action up to and including summary dismissal. In addition, there may be personal liabilities in any subsequent civil litigation proceedings.

11. SUPPORT AND ADVICE FOR INDIVIDUALS

11.1 There are many sources of support available. These include:

- Line Managers
- [HR Specialists and Advisors](#)
- Staff Networks including the [Womens Network](#) and [Op Amethyst](#)
- [Staff Association and Trade Union representatives](#)
- [Employee Assistance Programme](#)
- Equality, Diversity & Inclusion (EDI) team
- Health and Wellbeing Team
- [Peer Supporters](#)
- ESTIM
- Whistleblowing policy

12. FURTHER ADVICE

12.1 For further advice regarding this policy please contact HR.

13. RELATED POLICIES AND DOCUMENTS

13.1 This Policy should be read in conjunction with the following Force documents and policies found under these headings:

- [Disciplinary](#)
- [Reflective Practice Review Process](#)
- [Fairness at Work](#)
- [Code of ethics](#)
- [Drug & Alcohol Misuse](#)
- [Integrity line](#)
- [Suspension](#)

14. CONSULTATION

14.1 This policy has been consulted upon nationally and has been provided to all forces by the National Police Chief's Council (NPCC) as a template to achieve standardisation across police forces. The template has been utilised and made relevant to Warwickshire Police.

<i>Head of Dep't/ Chief Officer Consulted</i>	<i>Date Communication Sent</i>

15. DOCUMENT HISTORY

Date	Author / Reviewer	Amendment(s) & Rationale	Approval / Adoption
November 2022	DCI Jill Fowler	Initial draft	
July 2023	HRO Rhian Foster	Review and update	