



# Sexual Harassment Policy



## Paddles Up Training Sexual Harassment Policy

### Content

Introduction.....	3
Scope.....	3
What is Sexual Harassment?.....	3
Victimisation.....	4
Third-Party Sexual Harassment.....	5
If You Are Being Sexually Harassed.....	7
Raising a Formal Complaint.....	8
If you Witness Sexual Harassment or Victimisation.....	9
Formal Investigations.....	10
Action Following the Investigation.....	11
Appeals.....	12
Protection and Support For Those Involved.....	12
Confidentiality, Outcomes and Record Keeping.....	14
Policy Review Arrangements.....	15
Contact us.....	15

Paddles Up Training (PUT) is committed to providing an environment free from sexual harassment. Everyone has the right to work and learn in an environment that promotes respect, fairness, equality, and dignity.

We recognise that sexual harassment can occur anywhere, for example, on social media, online workshop or on a course. Sexual harassment is unlawful under Equality legislation and illegal under UK law in examples such as stalking. PUT recognises its responsibility under the Worker Protection Act 2023, to make every effort to prevent sexual harassment in the workplace. PUT takes its legal and moral obligations very seriously and is committed to a zero-tolerance approach to sexual harassment, victimisation and third-party sexual harassment



## **Introduction**

This policy aims to provide a framework for addressing and eradicating sexual harassment concerns and/or complaints and to ensure PUT develops and promotes a culture free from harassment.

Anyone who is a victim of, or witness to, sexual harassment is encouraged to report it in accordance with this policy to enable PUT to take appropriate action and provide support.

## **Scope**

This policy applies to all employees, consultants, self-employed contractors, casual workers, agency workers, volunteers, interns, Course Tutors/ Assessors, Course Candidates and mock students.

## What is Sexual Harassment?

Sexual harassment is any unwanted physical, verbal or non-verbal conduct of a sexual nature that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Sexual harassment can be a one-off incident or an ongoing pattern of behaviour.

Types of behaviour which constitutes sexual harassment, include, but are not limited to:

- Unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing.
- Continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome.
- Sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips, private messaging platforms such as Whatsapp and images sent by mobile phone or posted on the internet).
- Flirting, gesturing or making sexual comments or remarks about someone's body, clothing or appearance.
- Unwelcome sexual advances or suggestive behaviour (whether or not the harasser may perceive this as harmless).
- Offensive emails, text messages or social media content.

Sexual harassment does not have to be intentional to be classed as harassment, it can be an unintentional act, and an individual can be affected by sexual harassment even if the conduct is not targeted at them, for example, an individual overhears sexual comments or jokes in the office.

What some people might consider as joking or 'banter' is sexual harassment if:

- The behaviour is of a sexual nature.
- It's unwanted.

- It violates someone's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them.

## **Victimisation**

Victimisation is when a person treats another person less favourably than others as a result of them having made a claim of sexual harassment or by assisting someone else in their claim. This may include for example:

- Denying someone an opportunity because it is suspected that they intend to or have made a complaint about sexual harassment.
- Failing to promote someone because they supported another staff with a complaint about sexual harassment.
- Sexual harassment and victimisation are unlawful and will not be tolerated. They may lead to disciplinary action up to and including dismissal if they are committed:
  - In a work situation;
  - During any situation related to work, such as at a social event with colleagues;
  - Against a colleague or other person connected to us outside of a work/course situation, including on social media;
  - Against anyone outside of a work/ course situation where the incident is relevant to your suitability to carry out your role.

We will take into account any aggravating factors, such as abuse of power over a more junior colleague when deciding the appropriate disciplinary action to take.

If any sexual harassment or victimisation of staff occurs, we will take steps to remedy any complaints and prevent it from happening again. These may include updating relevant policies, providing further staff training and taking disciplinary action against the perpetrator.



### **Third-Party Sexual Harassment**

Third-party harassment occurs when a person is harassed or sexually harassed by someone who does not work for PUT, but with whom you may come into contact during a course or service provided by or on behalf of PUT.

Third-party harassment could include, for example, unwelcome sexual advances from a visitor to the premises, or where employees are visiting another location in the course of their employment.

Third-party sexual harassment is not tolerated and can result in legal liability. All staff are encouraged to report any incidents they experience or witness, in accordance with this policy.

Any sexual harassment by a member of staff against a third party may lead to disciplinary action up to and including dismissal.

We are committed to taking proactive steps to prevent third-party sexual harassment of our staff. Should any incidents occur, we will address the complaints promptly and implement measures to prevent recurrence.



## 6. Responsibilities

PUT will:

- Ensure that the appropriate training and resources are in place to educate the workforce on sexual harassment and how to prevent it. Training will be provided during induction, with refresher sessions every three years.
- Thoroughly and sensitively manage and address incidents of sexual harassment reported through the channels outlined in this policy.
- Ensure that there are appropriate sanctions and follow-up actions for instances of sexual harassment to ensure that perpetrators are held accountable for their behaviour.
- Ensure the policy is reviewed in line with changes in best practice and legislation.
- Promote and take steps to ensure a working environment free from sexual harassment, so that we have a culture that promotes respect, fairness, equality and dignity.

Providers will:

- Work to create a work environment where sexual harassment is unacceptable and not tolerated.
- Respond constructively and supportively when someone raises a concern regarding harassing behaviours or is accused of such behaviours.
- Support the victim in determining how to address the issue as to whether the matter should be addressed informally or formally.
- Support the informal resolution process (if the complaint warrants informal action) and ensure the complainant is supported in addressing their complaint.
- Ensure any allegations of harassment are handled with sensitivity and impartiality and that individuals accused of harassment are provided with appropriate support throughout the investigation, maintaining confidentiality and fairness.

Learners should:

- Contribute to a dignified environment in which harassment is considered unacceptable and consider personal behaviours that might be interpreted as such.
- Raise awareness of any concerns at the earliest opportunity by supporting the individual and/or reporting this to the Provider or PUT team.

### **If You Are Being Sexually Harassed.**

#### **Informal Resolution**

If you are being sexually harassed, consider whether you feel able to raise this informally with the person responsible. You should explain clearly to them that their behaviour is not welcome or makes you uncomfortable. If this is challenging for any reason, you should speak, the Course Tutor/ Assessor. If you feel unable to speak to your Tutor/ Assessor or the complaint concerns them, you should speak informally to a Paddles Up Training Employee. If this does not resolve the issue, you should follow the formal procedure below.

If there is uncertainty whether an incident or series of incidents constitutes sexual harassment, contact the Paddles Up training Responsible Officer for confidential advice.

When addressing the issue informally we encourage you to keep a record of the incident(s), any notes, and what actions you have taken to resolve the issue informally. If the issue cannot be resolved informally your notes and records can support the formal process.

Our duty of care to all individuals means that if the complaint is considered to be of a serious nature, then we may proceed straight to the formal process.



## Raising a Formal Complaint

If you wish to make a formal complaint about sexual harassment, you should submit it in writing to The Paddles UP Training Responsible Officer.

- The complaint should be put in writing by letter or email and should include:
- The name of the alleged harasser.
- The nature and details of the alleged harassment.
- The dates and times when the alleged harassment occurred.
- The names of any witnesses.
- Any action already taken to stop the alleged harassment.

If you wish to make a formal complaint about victimisation, you should submit it by following the complaints procedure on the Policies page of the PUT website using this form:

<https://forms.paddlesuptraining.com/live/form/PaddlesUpTrainingForms/formperma/SzPoAt5Kh7-gGyqoY6IGFmBv7SvKOtTFmcgKJf92h9A>

It should include as much information as possible including:

- The name of the person or persons you believe have victimised you.
- The reason you believe you have been victimised.
- The nature of the victimisation, the date(s) and time(s) at which it occurred.
- The dates and times when the alleged victimisation occurred.
- The names of any witnesses.
- Any action already taken to stop the alleged victimisation.

As a general principle, the decision of whether to progress a complaint is yours. In some cases, we may only be able to take limited action if we do not have the details or a formal complaint. However, we have a duty to protect all staff and Learners and may pursue the matter independently if, in all the circumstances, we consider it appropriate to do so.

## **If you Witness Sexual Harassment or Victimisation**

Anyone who witness's sexual harassment or victimisation is encouraged to take appropriate steps to address it. Depending on the circumstances, this could include:

- Intervening where you feel able to do so.
- Supporting the victim to report it or reporting it on their behalf.
- Reporting the incident where you feel there may be a continuing risk if you do not report it.
- Co-operating in any investigation into the incident.

## **Formal Investigations**

We will investigate complaints in a timely, respectful and confidential manner. An impartial person will be appointed to oversee the investigation.

We will arrange a meeting with you, so that you can give your account of events. You have the right to be accompanied by a colleague or a trade union representative of your choice, who must respect the confidentiality of the investigation.

Where your complaint is about an employee, we may consider suspending them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require. The investigator will also meet with the alleged harasser to hear their account of events. They have a right to be told the details of the allegations against them so that they can respond and have the right to be accompanied as set out above.

Where your complaint is about someone other than an employee, such as a Tutor, Assessor or a 3rd party (for example a mock student on a course) we will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person. Where appropriate, we will attempt to discuss the matter with the third party.

It may be necessary to interview witnesses to any of the incidents mentioned in your complaint. If so, the importance of confidentiality will be emphasised to them.

### **Action Following the Investigation**

At the end of the investigation, the investigator will submit a report to an impartial senior manager who will review the report and any corresponding documents. The senior manager may take the opportunity to meet with both parties to fully understand the complaint or seek clarification in the accounts provided. You have the right to bring a colleague or a trade union representative to the meeting. A copy of the report and the senior manager's findings will be given to you and to the alleged harasser.

After the senior manager has reviewed all the information a decision will be made on the next steps and the potential outcomes are as follows:

- The complaint is not upheld.
- The complaint is upheld and there are mutually agreed outcomes put in place.
- The complaint is upheld and justifies referral to a disciplinary hearing. This will be conducted in accordance with the PUT or Paddle UK Procedure depending on the role holder and their contracted status.

If the harasser is a third party, PUT will consider suitable action to address the complaint and aims to minimise risk wherever possible.

Whether or not your complaint is upheld, we will consider how best to manage the ongoing relationship between you and the person concerned. It may be appropriate to arrange some form of mediation or counselling, or to change the assessor, assessment location etc.

## **Appeals**

If you are not satisfied with the outcome you may appeal in writing, within 28 working days on which the decision was sent or given to you.

The Appeals process will be managed by the appropriate policy, this will vary depending on if the appellant is a course candidate, a course provider, contractor or employee of Paddles Up Training

## **Protection and Support For Those Involved**

Any one who makes complaints, reports that they have witnessed wrongdoing, or participates in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action in accordance with our Disciplinary Procedure.

## **Confidentiality, Outcomes and Record Keeping**

Confidentiality is an important part of the procedures provided under this policy. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis where it supports the procedure and investigative process.

We expect all those involved in any sexual harassment complaint to keep all details fully confidential, to ensure the investigation is not hindered and to respect the privacy and rights of those involved. Any breach of confidentiality may result in disciplinary action under PUT/ Paddle UK's Disciplinary Procedure.

When appropriate and possible, where a complaint is upheld, we will advise the complainant of the action that has been taken to address their specific complaint and any measures put in place to prevent a similar event from happening again.



Information about a complaint by or about a staff member may be placed on their employee file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with our Data Protection Policy.

PUT is committed to ensuring that no one is discouraged from using this procedure and no one will be victimised for having brought a complaint forward.

### **Policy Review Arrangements**

We will review this policy on an ongoing basis as part of our continuous improvement activity and revise it as and when necessary, in response to customer and learner feedback, changes in our policies and processes and actions from allegations.

In addition, we may update this policy considering operational feedback to make sure our arrangements for dealing with suspected cases of malpractice and maladministration remain effective.

### **Contact us**

If you have any queries about the contents of the policy, contact our customer service team:

Tel: 0300 0119 500

Email: [coaching@paddlesuptraining.com](mailto:coaching@paddlesuptraining.com)

Darryll Shaw

Paddles Up Training Responsible Officer