



Yacht Havens Sexual Harassment Policy

Yacht Havens is committed to providing an inclusive, supportive and safe environment for everyone who works here. This policy applies to all employees, casual workers and third party contractors.

Everyone has a part to play in being aware of, preventing and dealing with sexual harassment. The Policy sets out the expectations for the behaviour of our staff as well as what we can do to protect all staff from sexual harassment.

Sexual harassment is defined as:

- Unwanted conduct of a sexual nature;
- Which has the purpose or effect of:
 - Violating a person's dignity, or
 - Creating an intimidating, hostile, degrading, humiliating, or offensive environment for that person.

Unwanted conduct that has one of these effects can be harassment even if the effect was not intended. A single one-off event or a series of incidents can amount to sexual harassment. A person can be affected by sexual harassment even if the conduct is not targeted at them.

Unwanted conduct covers a wide range of behaviour which is unwanted or unwelcome. Types of behaviours which constitute sexual harassment include, but are not limited to:-

Physical conduct: Unwelcome physical contact including patting, pinching, stroking, kissing, hugging.

Verbal conduct: Banter, Mimicry. Comments on a worker's appearance, age, private life, etc. Sexual comments, stories, jokes or pranks and sexual advances.

Non-verbal conduct: Display of sexually explicit or suggestive material or imagery

There may be other sexual behaviour, which though not unwanted, is still inappropriate in the workplace. We do not permit sexual contact in the workplace and any such behaviour may still be addressed as a breach of the sexual harassment policy.

Harassment can be a single incident or an ongoing pattern, and it may take many forms, including:

- Verbal comments, jokes, or 'banter' of a sexual nature
- Sexual nicknames or gossip
- Inappropriate questions or intrusive comments relating to sex
- Unwanted physical contact or touching
- Coercion, such as threats of dismissal or loss of promotion

Sexual harassment can be intentional or unintentional; what largely matters is the impact on the complainer, not just the intent of the alleged harasser, although the impact must be reasonable in the circumstances.

The behaviour does not need to be directed towards a specific individual for them to be able to raise a sexual harassment claim and an individual can experience unwanted conduct from someone of the same or a different sex.

Sexual interaction that is invited, mutual or consensual is not sexual harassment because it is not unwanted. However, sexual conduct that has been welcomed in the past can become unwanted.

Sexual harassment can be a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager and a junior colleague. In cases where sexual harassment is found to have occurred, such abuses of power will be taken into account in deciding what disciplinary action to take.

When does this policy apply?

This policy will apply to any unwanted conduct that occurs in the course of a person's work and which takes place at their place of work, including in their home while working from home, on their commute, or at/while travelling to a place which is not their place of work.

What if the alleged perpetrator is not a member of staff?

The sexual harassment of staff will not be tolerated, whether caused by those that work for the company or third parties including customers, suppliers, clients or visitors to our premises. Any instance of work-related sexual harassment should be reported in line with this policy, regardless of who the alleged perpetrator is. We act in accordance with the EHRC's Guidance on third party sexual harassment and employer's liability.

What should I do if I am the recipient of unwanted conduct of a sexual nature?

In some cases, you may feel able to ask the perpetrator to stop the behaviour. If that is ineffective, or you do not feel able to do this, an informal discussion with your manager can be a useful way of talking through what has happened and deciding what further action you wish to take. If you are unable to discuss with your manager, or if your manager is the perpetrator, please report to Helen Grew.

What should I do if I have witnessed unwanted conduct of a sexual nature?

You do not have to be the recipient or target of sexual harassment to raise a concern or make a complaint. If you see it happening or become aware of it, you should report it provided it is safe to do so and you feel able to do so.

Reporting to your Manager

An informal discussion with your manager can be a useful first step in talking about what has happened. This may be followed by a formal report. There is no obligation to make a formal report, but as outlined below, for legal reasons, formal action to address specific incidents will normally only be taken once a formal report has been received.

What should I do if I have sexually harassed someone or been accused of doing so?

If you have, or are concerned that you have, engaged in unwanted conduct of a sexual nature (intentionally or otherwise), and if, at any time, you are asked by someone who considers your behaviour to amount to sexual harassment to stop, you must not persist in that behaviour.

If you have been questioned, accused, charged or prosecuted for a criminal offence (including one of sexual harassment, assault or rape) in relation to anything that has happened in a work context you must report this to your manager and/or Helen Grew immediately. This applies even if you deny the alleged conduct or do not consider the alleged conduct to be connected to work. A failure to report this could amount to gross misconduct in itself.

Alleged sexual harassment may be investigated by us under this process and in line with our Disciplinary policy.

Informal Reporting

If a person reports sexual harassment but does not want to take the matter any further, the individual receiving the complaint will keep in contact with them to periodically check whether the situation has improved.

Although the wishes of the complainant to keep the report on an informal footing will be adhered to wherever possible, there may be some circumstances where the harassment is of such a serious nature that the company will need to take action because of the high immediate risk to the safety of the complainant, or others with whom the perpetrator may come into contact with in line with the company's Disciplinary policy.

Formal Reporting

If informal action does not stop the sexual harassment, or a formal report is made, a formal procedure will be initiated in line with the grievance process outlined in our Grievance policy.

Where possible, the employee should set out in writing details of the complaint including dates and times of the alleged incident(s) and an account of the behaviour. They should also include what their desired outcome is.

All complaints will be handled and investigated in a timely and confidential manner and the complainant will be invited to a meeting as soon as possible.

We will ensure that the complainant, and the alleged perpetrator, are not required to work together while the complaint is under investigation. In a serious case, as a precautionary measure for the protection of the complainant or to prevent interference in the investigation, the alleged perpetrator may be suspended while investigation and any subsequent disciplinary procedure are undertaken.

At the end of the investigation, the investigator will provide a detailed response in writing to the complainant specifying outcomes wherever appropriate. If the complaint is upheld, this will include details of the action taken to address the specific complaint and of any preventative or structural measures taken to safeguard against future incidents of a similar nature.

Outcome and Sanctions for Committing Sexual Harassment

In some cases the outcome of a complaint under this procedure may be an informal resolution, such as an apology or mediation. If this is the case the information will be provided to the complainant and any alleged perpetrators.

If a complaint of sexual harassment is upheld, then it may progress to a disciplinary process. The outcome of that disciplinary process could range from no sanction, to a formal warning/ final warning, and/or dismissal (with or without notice). These steps will be taken in accordance with our staff disciplinary procedure.

Right of Appeal

The complainant has the right to appeal against the decision following the investigation. Any appeal must be made in writing, stating the reasons for the appeal to Helen Grew. On receipt of an appeal, a meeting will be arranged with another Director in the Group to consider. The decision of the Director hearing the appeal shall be final.

Reporting to the Police

A person may also report concerns about sexual harassment to the police when they consider it appropriate to do so. Personal safety is paramount and where a person has any concerns about criminal behaviour we recommend reporting to the police.

Protection from Victimisation

All workers shall be protected from intimidation, victimisation or discrimination for making a complaint of sexual harassment or for assisting in an investigation. Retaliating against a worker for complaining about or assisting in an investigation of sexual harassment is a disciplinary offence.

Support for Those affected by Sexual Harassment

We recognise that sexual harassment can cause stress, anxiety or other mental health as well as physical health problems and the person will be encouraged to seek help and support under the terms of this policy. There will be no discrimination against individuals suffering from stress caused by sexual harassment. We also recognise that those who may be accused of sexual harassment, witnesses to incidents or otherwise affected such as by being a by-stander, can experience stress, anxiety or other mental or physical health problems.

Further Information and Support Services

For any questions or concerns please email:-

- HR at HR@yachthavens.com
- Helen Grew, Director helen.grew@yachthavens.com 01590 646878
- If you're struggling and need someone to talk to, you can contact:
- **AXA** – Call 0800 027 1384 or contact them through the live chat function available on your AXA [membership portal](#).
- **Help@Hand App** - Personalised attention and round the clock access to appropriate mental health professionals. Download the **help@hand** App (via Apple Store or Google Play),
- **Samaritans** - To talk about anything that is upsetting you, you can contact [Samaritans](#) 24 hours a day, 365 days a year. You can call [116 123](tel:116123) (free from any phone), email jo@samaritans.org or [visit some branches in person](#).