

Sexual Harassment

Training for Employees

What is sexual harassment?

- Sexual harassment occurs when there are any unwanted behaviours or comments of a sexual nature. This has the effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive working environment for the individual concerned. Although it can happen anywhere, sexual harassment can be particularly prevalent in workplaces.
- Sexual harassment is a widespread and growing issue and can have a serious impact on those experiencing or witnessing it. Any unwanted behaviour or comments of a sexual nature are sexual harassment, and they don't have to be directed specifically at you for it to be offensive.
- For example, have you ever overheard a group of colleagues making a sexual joke about a woman on TV and you have found it degrading? Or maybe you have listened into some office "banter" about an openly gay work colleague and felt uncomfortable because of it.
- As an employee, it's critical that you understand what constitutes sexual harassment so that you can identify it, call it out and work together with your colleagues and your managers to prevent it.

Forms of Sexual Harassment

- Sexual harassment can take many forms. This includes, but is not limited to:
 - Sexual comments and jokes
 - Physical behaviour including unwelcome sexual advances, touching and sexual assault
 - Displaying images of a sexual nature, such as a sexually explicit poster or offensive calendar
 - Sending emails or messages with sexual context
 - Facial expressions, hand gestures and body movements of a sexual nature
 - Unwanted questions about your private or sex life
 - Your body being stared or leered at
 - Offensive comments on social media sites

Examples in everyday life

- Have you ever been walking down the street and been wolf-whistled at? Maybe someone's called for your attention and laughed or jeered at you from afar
- Has somebody made comments about your clothing and how it makes you look? Perhaps they have encouraged you to wear a specific clothing item like a short dress or tight-fitting t-shirt.
- Have you been the subject of a sexual joke? Maybe your work colleagues have had "banter" about your sexuality or laughed about your "lack of knowledge" or experience
- Has somebody touched your body without permission? It might be an unwanted hand on your arm or leg at work, or maybe someone has grabbed your waist on a night out.

Sexual Harassment in the Workplace

- Although sexual harassment can happen anywhere, it is incredibly common in many places of work, where it is often brushed off as “banter” within teams and so goes unnoticed and unreported.
- However, humiliation and intimidation begin when somebody is made to feel their physical attributes or their sexuality are their main value in the workplace, undermining their skills, talents and hard work.
- In 2016, the TUC published some groundbreaking research on sexual harassment of women in UK workplaces. They found that:
 - Over half of all women polled had experienced some form of sexual harassment
 - Nearly a third of women have been subject to unwelcome jokes of a sexual nature
 - Nearly one quarter of women had experienced unwanted touching (such as a hand on a knee or lower back)
 - Nearly one in five women reported that their direct manager or someone else with direct authority over them was the perpetrator
 - Four out of five women did not report their sexual harassment to their employer.
- If you would like to read the full report please click [here](#).

Sexual Harassment in the Workplace

- Sexual harassment is not just a problem for women, however. A growing number of men and other gender identities are reporting cases of sexual harassment at work too.
- The TUC found that 7 out of 10 LGBT workers have experienced sexual harassment at work
- A UK Government Equalities Office survey reported that a third of men asked had experienced sexual harassment in the previous 12 months
- In a report for Diversity Dashboard, 51% of men stated they had been sexually harassed
- The studies conducted by the TUC found that four out of five women and two thirds of LGBTQ+ people surveyed had chosen not to report their experiences of sexual harassment to their employer.

Sexual Harassment in the Workplace

- Why do you think people don't report their experiences of sexual harassment at work?
People may not report their experiences for a number of reasons. They may be:
 - Unsure about whether the behaviour was actually sexual harassment
 - Unaware of how to report it
 - Scared that reporting it would have a negative impact on their career
 - Conscious that nothing may change after it has been reported, so it is pointless to do so
 - Worried about revealing their sexuality or gender identity
 - Fearful that nobody will believe them
 - Worried that others may belittle them for it
 - Unwilling to endure any backlash
 - Embarrassed by the behaviour or the situation

Quiz

- Which of the following are examples of sexual harassment? Continue to see if you were right
 - Commenting on the way someone's clothes fit their body
 - Asking to give someone a hug because they look upset
 - Asking a new employee unwanted questions about their sex life
 - Making jokes about a colleague's sexuality

Answers

- Which of the following are examples of sexual harassment? Commenting on the way someone's clothes fit their body
 - Asking to give someone a hug because they look upset - INCORRECT
 - Asking a new employee unwanted questions about their sex life - CORRECT
 - Making jokes about a colleague's sexuality - CORRECT

Sexual Harassment Myths

- There are many misconceptions about what sexual harassment is, and it can be misinterpreted making it harder for victims to report. Some common myths include:
 - “It’s always men harassing women” – this is incorrect as anyone regardless of their sex or gender identity can be the harasser or the victim. Harassment can also occur between people of the same or different identities.
 - “Harassment requires touching” – this is incorrect as sexual harassment doesn’t have to be physical. Harassment can also be spoken words, written words or creating a feeling of hostility, embarrassment or discomfort.
 - “It wasn’t harassment, it was just a joke” – this is incorrect. Sexual harassment is often justified as being “banter” or a joke, but if it causes the recipient to feel humiliated or uncomfortable in any way, then it is harassment.
 - “It wasn’t harassment, it was a compliment” – this is incorrect as even if somebody intends their comment or action to be flattering it can still be offensive if it is unwanted. Something can still be classed as sexual harassment even if it wasn’t intended to be.

Sexual Harassment Myths Cont.

- “Excluding someone isn’t harassment” – this is incorrect as actively excluding an employee from activities, office chat or other matters regardless of their sexual identity or gender is also harassment.
- “Sexual harassment only happens when there is a power difference, like between a manager and an employee” – this is incorrect. Sexual harassment can result from a power imbalance but it is just as likely to happen between peers.
- “If I ignore the harassment, it will stop” – this is incorrect. In most cases, the harassment is likely to continue if you try to ignore it as you may be seen as an “easy target” with no threat of the person or people involved being reported. Sexual harassment should never be ignored, either by the victim or witnesses, as this allows the behaviour to continue and may mean more people become affected by it.
- “The behaviour has to happen more than once for it to be harassment” – this is incorrect. Sexual harassment may consist of repeated acts or it may just be a single incident. There is no set amount of times that it needs to happen for it to be defined as sexual harassment.
- “The person being harassed is the only victim” – this is incorrect as anyone who witnesses or is aware of the harassment is also likely to be a victim, as the discomfort or humiliation can be just as impactful on them. The behaviour doesn’t have to be directed at a specific person either.

When does sexual harassment happen?

- Sexual harassment can happen anyway and at any time for example:
 - In person – someone might physically harass or assault you, make comments in front of you or behave in an offensive way around you.
 - Online – such as through emails, social media, text messages or a workplace internal messaging system.
 - Without you present – for example if somebody makes a sexual joke about you when you are not around.
 - Outside of the workplace – it doesn't just have to happen on workplace premises for it to be workplace harassment if someone from work is involved.

Who perpetrates sexual harassment?

- Sexual harassment in the workplace can occur between anyone. It can happen to all gender identities, all ages, all races and people of all sexualities. It can also occur between those of different genders, ages, races or sexualities or between those of the same. You may be harassed by:
 - A colleague in your own team
 - A manager or supervisor
 - An employee from another part of the business
 - A customer or patient
 - A contractor
 - Anyone else who you meet at work, such as a cleaner or delivery driver
- Sometimes sexual harassment can come from an organisation's owner or someone in a position of power or influence, such as a line manager. This can limit people reporting cases of sexual harassment as they may feel that nobody else has enough power to do something about it or that they have no one they can trust or speak to.
- It is also important to note that sexual harassment isn't always motivated by a desire for sex. While sex may be one cause of sexual harassment, other motivations are often dominance, power and bullying.

The impact of sexual harassment

- Sexual harassment can negatively impact the subject of the harassment, your work environment and the company you work for.
- The impact on the victim can include:
 - Physical health problems caused by stress such as headaches, nausea, high blood pressure, muscle aches and other medical conditions linked to suffering from stress.
 - Mental health problems like anxiety and depression with symptoms such as loss of appetite, problems sleeping, loss of confidence and reduced self-esteem.
 - A loss of enthusiasm to do their job or regular absenteeism. Victims sometimes find it easier to leave their job rather than to carry on enduring sexual harassment or report it.
- The impact on the business can include:
 - Greater employee turnover if people leave due to the harassment
 - More employee sickness or short term absence
 - A hostile environment or atmosphere at work
 - Low employee morale and decreased productivity
 - A poor reputation for the company if problems are not handled correctly

Quiz

- Do you think the statements below are true or false? Continue to see if you were right.
- Harassing behaviour has to happen more than once for it to be reportable as harassment
- Sexual harassment happens only when the target person is present, either in person or via messages
- Sexual harassment can occur between anyone of any gender identity and in any job role
- The target person will often suffer mental health or physical health problems as a result of being subject to sexual harassment
- The law only protects you against physical harassment like touching and assault

Answers

- Harassing behaviour has to happen more than once for it to be reportable as harassment - FALSE
- Sexual harassment happens only when the target person is present, either in person or via messages - FALSE
- Sexual harassment can occur between anyone of any gender identity and in any job role - TRUE
- The target person will often suffer mental health or physical health problems as a result of being subject to sexual harassment - TRUE
- The law only protects you against physical harassment like touching and assault - FALSE

Sexual Harassment

In the Workplace

Definitions of Sexual Harassment

- There are many behaviours associated with sexual harassment and you can probably name a few actions that are unacceptable and would be defined as sexual harassment off the top of your head. Alongside this however, there are also two main “types” of sexual harassment that it's good to be aware of: “quid pro quo” harassment and the creation of a hostile environment.

Quid Pro Quo Harassment

- Quid pro quo translates from Latin to this for that. In quid pro quo sexual harassment, there is usually a promise of work related benefit in return for sexual favours. “I’ll give you this promotion if you send me explicit photos” as an example. Other types of benefits the employee may receive if they participate in sexual behaviour include things like pay rises and extra holiday.
- This type of harassment generally involves an imbalance of power between the harasser and the victim, such as a manager who has authority over an employee.
- On the other hand, quid pro quo harassment may also include threats of work related punishment if the employee doesn’t consent to the acts. For example, demotion, denial of benefits and even dismissal.

Creation of a Hostile Environment

- The other type of sexual harassment is the creation of a hostile environment based on sex. A hostile environment exists when an employee is subject to a pattern of unwanted sexual behaviour in the workplace, and supervisors or managers take no steps to discourage it.
- For example, a woman works in a male-dominated workplace with a typically “laddish” culture where explicit posters are displayed in the staffroom and on the screensavers of the work computers. These things are offensive for the female staff member but normal for the male staff that work there and because the manager is also male, the posters are not removed and instead are encouraged.
- Examples of behaviours that can create a hostile environment include:
 - Publicly displayed pictures, images, screensavers etc. that are of a sexual nature
 - The telling of obscene, dirty or sexual jokes or stories
 - Repeated touching of a sexual nature
 - The use of derogatory terms with a sexual meaning
 - Emails, text messages and other communications with sexual material included
 - Anything else that is of a sexual nature and that is unwanted by the recipient

Who is vulnerable to harassment?

- Anybody can be a victim of sexual harassment and harassers often choose their victims carefully. They may target specific people who:
 - Are subordinate to them and in a lower position of authority
 - Are younger than them
 - They think are passive and not assertive
 - They perceive to have poor education and so are naïve
 - Have low self-esteem
 - Have other areas of vulnerability such as a disability

Characteristics of Perpetrators

- Remember, sexual harassment is not always about sex; at the core of the problem is often an abuse of authority.
- While peer on peer harassment exists, the dynamics of sexual harassment usually involve an aggressor who holds a position of power, or a higher position than the employee in the business. Repeat harassers often test out new victims with minor issues to see how they react. For example, making the odd sexual joke about their target person to see if they are passive in response or seeing how they react to provocative materials. As with anything, behaviours and motives vary between individual perpetrators and you cannot assume someone is or isn't capable of sexual harassment based on a stereotype. There are typically assumed to be 4 characteristics of perpetrators

Public vs Private

- Public harassers are blatant about their seductive and sexist attitudes. They like to tell sexual jokes and can be overtly sexual in their approach. Their attitudes are designed to bring attention and make them seem powerful. Private harassers are much more reserved with their remarks and may make them privately only with them and the target person in earshot. They try to give the image of being reserved and conservative. However when private harassers are with their target, their demeanour changes dramatically. The victim often finds themselves in a “my word against yours” situation if they try to make a report.

Untouchable vs Risk Taker

- The untouchable doesn't consider the consequences of their actions and is often narcissistic. They believe that are in control, free from any risks and are too powerful for punishments and reprimands. They may also flaunt their sexual liaisons to show they challenge the system. They may hold a position of authority as well. The risk taker is much more of a contradictory personality. They know what they are doing is wrong and their actions are a statement, but they fear the punishment of their behaviour. They operate on both the high of breaking the rules and the immorality of their actions.

Seducer-Demander vs Passive-Initiator

- The seducer-demander uses their position to actively plot sexual encounters. They rely on the quid pro quo tactic to ask for favours and use the power of their position to facilitate sexual encounters. The passive-initiator is someone who takes advantage of a power imbalance between themselves and a subordinate such as a new employee. They may make flirtatious comments but will not make the first move for sexual contact. Instead, the subordinate will make the first sexual contact, believing the passive initiator is genuinely flirting with them. This then allows the passive initiator to claim they did not start the sexual relationship (and therefore claim they did nothing wrong). This case is often seen in a manager-employee, lecturer-student or teacher-student type relationship.

Sexual Conqueror v Infatuated

- The sexual conqueror seduces many people and is interested more in the number of conquests than the details of each one. In many cases, they won't even be able to match a face to a name. The infatuated begins by developing a crush on someone who is subordinate to them. The attraction for their victim comes from them being lower in the business hierarchy which makes the infatuated feel stronger and more powerful. It can also work in reverse whereby they chase someone who is higher up to try and improve their self esteem. The infatuated, and sometimes the victim often have very low self esteem and so use the relationship to make themselves feel better and more powerful.

Quiz

- Which of the following characteristics often make a person vulnerable to sexual harassment? Continue to see if you were right
 - They are young
 - They have an assertive personality
 - They have a disability
 - They have low self esteem
 - They are well educated

Answers

- Which of the following characteristics often make a person vulnerable to sexual harassment?
 - They are young - CORRECT
 - They have an assertive personality - INCORRECT
 - They have a disability - CORRECT
 - They have low self esteem - CORRECT
 - They are well educated - INCORRECT

Identifying Sexual Harassment

- Sometimes sexual harassment is obvious like explicit jokes being made of explicit content being shared through emails, texts or social media without consent. However, it can be more subtle and it's important that you can still identify these cases. Consider the following examples:
 - An employer asks one of their workers if they had sex with their boyfriend last night, which intimidates and humiliates the employee causing them to burst into tears.
 - A hotel manager propositions a male member of her cleaning team. He refuses her advances and she later denies him for the promotion he was in line for.
 - A bisexual, male employee had a short-lived relationship with his straight, female line manager. When he ended the relationship the line manager told everyone on the management team about the male employee's sexual preferences.
 - At the office Christmas party, a female employee grabs another female employee's bum then blames it on alcohol and "just a bit of fun" back at work the next day.

Danger Zone Behaviours

- Many behaviours can be justified as jokes or interpreted as sexual harassment – but what's important is how the behaviour is perceived not how it was intended. Sexual behaviour is unwelcome whenever the person who is subjected to it considers it unwelcome.
- There are 13 particular danger zone behaviours which may indicate sexual harassment to look out for. These are:
 - 1) Inappropriate emails and sexually explicit internet use, including social media apps
 - 2) Comments on personal appearance
 - 3) Massaging, stroking and other touching
 - 4) Unwanted and repeated requests for dates
 - 5) Sexual jokes and innuendos
 - 6) Sexually explicit profanity
 - 7) Nicknames and stereotypes
 - 8) Invading someone's personal space
 - 9) Intrusive, personal or sexually explicit questions
 - 10) Public displays of sexually explicit pictures, calendars, cartoons etc.
 - 12) Spreading rumours about someone's sexual conduct
 - 13) Ridiculing someone's sexual orientation
 - 14) Suggestive looks, gestures or sounds
- This list is not exhaustive but gives you a brief overview of things to look out for.

Risk Factors

- There are also certain risk factors that make the likelihood of sexual harassment more common in some workplaces than others. A UNISON report in 2019 found that there are certain interlinked factors that are likely to increase the chances of sexual harassment taking place. These are:
 - Male dominated environments or women in typically “male” jobs – this is because women are statistically more likely to experience sexual harassment and perpetrators of sexual harassment are overwhelmingly men
 - Industries where sexual harassment is widely seen as “part of the job” – research shows that if sexualised behaviour is tolerated in the workplace there is more likely to be an occurrence of sexual harassment
 - Lone working – lone workers are more vulnerable to all forms of harassment as they may be isolated and unprotected against it.
 - Casual contracts – there is evidence that those working in insecure or casual work agreements such as zero hours contracts or low paid self employment experience higher levels of sexual harassment

Risk Factors Cont.

- Organisational tolerance of sexism and sexual harassment – managers, supervisors and employers avoid taking action to prevent unacceptable behaviours or even participate in it themselves
- Large power differentials – sexual harassment is often found to be linked with power either through the abuse of power by the perpetrator who feels more powerful than the target or when the perpetrator feels powerless and uses the sexual harassment as a means of disempowering the target
- Weak oversight of middle management – managers don't take reports seriously or turn a blind eye to what they see
- Lack of encouragement to report incidents – this has been found to be down to a fear that the employee will be victimised, that the perpetrator will be protected, that the issue will not be taken seriously and because there is no clear reporting procedure or a feeling that HR won't do anything about it

Positive Workplace Culture

- Having a positive workplace culture, where everyone feels respected and supported, is a simple way to reduce the likelihood of sexual harassment taking place.
- All employers want their workplace to be somewhere where employees are happy and enjoy coming to work. Similarly employees want to feel valued and recognised, have clear lines of communication throughout the company and feel part of a community. When these are achieved, the organisation has a positive workplace culture. While the responsibility for creating a great place to work falls predominantly on employers and managers, it is the responsibility of every employee to ensure they work and behave in a manner that's in line with the company culture and values.

Quiz

- Which of the following are examples of sexual harassment? Continue to see if you were right.
- Repeatedly questioning whether an openly gay, male colleague has ever been with a woman
- Showing a new employee the pornography found on a colleague's laptop to see how they react
- Telling someone that they look nice today and their outfit suits them
- Asking a more senior colleague if they'll go out for drinks after work, one on one

Answers

- Which of the following are examples of sexual harassment?
 - Repeatedly questioning whether an openly gay, male colleague has ever been with a woman - CORRECT
 - Showing a new employee the pornography found on a colleague's laptop to see how they react - CORRECT
 - Telling someone that they look nice today and their outfit suits them - INCORRECT
 - Asking a more senior colleague if they'll go out for drinks after work, one on one - INCORRECT

Making a Complaint

- If you think you're a victim of sexual harassment, then it is important that you speak out. It doesn't matter if you have been subject to something yourself, seen something in the workplace or overheard harassment happening to someone else and it doesn't matter how trivial the matter appears to be or who is involved. If you are being harassed at work or a situation has made you feel uncomfortable, offended or humiliated you should:
 - Tell your line manager as soon as possible. Put your complaint in writing if you've only spoken verbally and keep a copy of your letter of email. If your manager is the harasser then talk to somebody else in a position of authority. If you do not feel able to do any of this, use your company whistleblowing procedure.
 - Talk to your HR team or trade union who will be able to give you advice on what to do next.
 - Collect evidence of the harassment. If the behaviour is persistent, keep a diary recording of the incidents. If the behaviour is a one-off then write down a description of what you remember happening and when it occurred.
 - Contact the police straight away if you have been the victim of a crime, such as a physical attack, assault or persistent cyber harassment.
- If after reporting the behaviour you find offensive, the harassment doesn't stop, then you can consider raising a formal grievance. Using your workplace grievance policy ensures that you have a framework for reporting your concerns. Ask your manager or HR team about this if you require more information.

Quiz

- You discover some sexually explicit photographs have been put up in the staff rest area and they are making some of your colleagues visibly upset, what should you do? Continue to see if you were right
 - Contact the police straight away
 - Quietly take the photographs down and never mention it again
 - Inform your line manager or HR team of the incident as soon as possible
 - Raise a formal grievance with your line manager or HR team

Answer

- You discover some sexually explicit photographs have been put up in the staff rest area and they are making some of your colleagues visibly upset, what should you do? Continue to see if you were right
 - Contact the police straight away - INCORRECT
 - Quietly take the photographs down and never mention it again - INCORRECT
 - Inform your line manager or HR team of the incident as soon as possible - CORRECT
 - Raise a formal grievance with your line manager or HR team - INCORRECT

Your Responsibilities

- As an employee, you should take an active role in the prevention of sexual harassment. To do this, there are five key areas in which you can take responsibility.

1. **Understand**

- a. Become familiar with your workplace's anti-harassment policy. Understand where it is kept, how to view it and what information it contains.
- b. Think about what you consider to be sexual harassment and whether your ideas about attitudes, actions and behaviours are in line with your company's policy.
- c. Ensure that your own behaviour corresponds with the expectations of your company's policy. If you have any concerns talk to your manager or HR team.

2. **Observe**

- a. Be aware and conscious of your own behaviours at work. Could any of your own actions be classed as sexual harassment?
- b. Be sensitive to individuals who may be offended by different types of behaviour. Something that's acceptable in your own friendship group may be offensive for others.
- c. Be aware of sexual harassment that is both obvious and subtle. Don't ignore behaviours that feel wrong no matter how small they are.
- d. What for, and discourage sexual harassment behaviours that you see happening in the workplace – if you are unsure if a behaviour constitutes harassment, speak to your line manager or HR.

Your Responsibilities Cont.

3. Examine

- a. Pay attention to any behaviour that you feel could be sexual harassment and recognise how people react to it.
- b. Examine your own behaviours and comments. Do you ever unintentionally make somebody feel uncomfortable?
- c. Never take sexual harassment lightly. If you think you're being sexually harassed or witness it happening you must report it.

4. Confront

- a. Confront the harasser as soon as possible and as soon as you notice the behaviour or comment. Tell them that you or others find their actions offensive.
- b. Explain that their behaviour affects both you and others negatively and that it's having an impact on your work.
- c. Be specific and tell them the particular behaviours such as gestures or words that you find offensive.

5. Support

- a. Offer your support to someone you know is being harassed and encourage them to talk about it and take action to stop it continuing.
- b. If you see or hear an incident of sexual harassment, or it's causing a hostile working environment, offer your help to the victim.
- c. If the victim raises a complaint or grievance then support them throughout their complaint process.

When is Sexual Harassment a Criminal Offence?

- There can be an overlap between behaviour that is sexual harassment and that which is a criminal offence. Behaviours that are criminal offences and therefore punishable by law include:
 - Sexual assault
 - Indecent exposure
 - Stalking
 - Offensive communications
- If you are a victim of any of these you should report it to the police as soon as possible. Similarly, if someone else is a victim of these you should encourage them to contact the police and offer them appropriate support. The police will also be able to offer victim support for serious cases. In cases where the police are involved, your employer must liaise with them about the disciplinary process they have in place for gross misconduct issues such as these.

Quiz

- A colleague repeatedly makes comments about a new employee's body and you find their choice of words offensive. What's the best way to handle the situation? Continue to see if you were right
 - Observe your colleague to see if they stop the behaviour
 - Confront your colleague and tell them their words are offensive
 - Ignore your colleague, pretend you are not offended and laugh along if you can

Answers

- A colleague repeatedly makes comments about a new employee's body and you find their choice of words offensive. What's the best way to handle the situation?
 - Observe your colleague to see if they stop the behaviour - INCORRECT
 - Confront your colleague and tell them their words are offensive - CORRECT
 - Ignore your colleague, pretend you are not offended and laugh along if you can - INCORRECT

Complete

- You have now completed the training, thank you for your time in taking part.
- For any further information please reach out to the HR team.

