



Craigdale
HOUSING ASSOCIATION

SEXUAL HARASSMENT POLICY

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Craigdale Housing Association can provide this document on request, in different languages and formats, including Braille and audio formats.

1. Introduction

Craigdale Housing Association is committed to providing a safe, respectful and inclusive working environment in which everyone is treated with dignity.

Sexual harassment is unacceptable, unlawful and will not be tolerated.

The Association recognises that preventing sexual harassment requires more than responding appropriately when an incident occurs. Craigdale will take proactive steps to identify risks, prevent inappropriate behaviour, encourage concerns to be raised and create a culture in which everyone understands the standards of behaviour expected of them.

This policy reflects the requirements of the Equality Act 2010, the Worker Protection (Amendment of Equality Act 2010) Act 2023 and the Employment Rights Act 2025. Craigdale will take all reasonable steps to prevent sexual harassment in connection with work, including harassment involving third parties.

2. Purpose

The purpose of this policy is to:

- make clear that sexual harassment will not be tolerated;
- explain what sexual harassment is and provide examples;
- establish clear standards of behaviour;
- prevent sexual harassment wherever reasonably possible;
- ensure employees know how to report concerns;
- ensure concerns and complaints are dealt with promptly, fairly, sensitively and consistently;
- protect employees from victimisation for raising or supporting a concern;
- address harassment by third parties including tenants, residents, contractors and partner organisations; and
- establish arrangements for assessing, monitoring and reducing the risk of sexual harassment.

3. Scope

This policy applies to all employees, including temporary and agency staff; Board and Committee members; volunteers, trainees and work placements; consultants and contractors working on behalf of Craigdale; and anyone interacting with Craigdale employees in connection with their work.

It applies to behaviour involving colleagues and third parties, including tenants and household members, applicants, service users, contractors, tradespeople, consultants, suppliers, partner organisations, members of the public and people encountered at meetings, conferences, training or other work-related events.

The policy applies wherever conduct arises in connection with work, including Craigdale premises, home and site visits, meetings, training, conferences, work-related social events and online communication.

4. What is Sexual Harassment?

Sexual harassment is unwanted conduct of a sexual nature which has the purpose or effect of violating another person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Conduct does not have to be intended to cause offence to amount to sexual harassment. The effect of the behaviour on the person experiencing it is important. Previous participation in, or acceptance of, similar behaviour does not mean that future behaviour is welcome. Sexual harassment can be a single incident or a pattern of behaviour.

5. Examples of Sexual Harassment

Sexual harassment can take many forms and may include:

- unwanted physical contact, touching, hugging or kissing;
- sexual comments or remarks about someone's body, appearance or clothing;
- sexual jokes, banter, innuendo or suggestive comments;
- intrusive questions about someone's private or sex life;
- unwanted sexual advances or propositions;
- repeated requests for dates after someone has declined;
- staring, leering or sexually suggestive gestures;
- displaying or circulating sexual images, videos or other material;
- sending sexually explicit or suggestive emails, texts, messages, memes or social media content;
- sharing sexualised material through WhatsApp, Teams or other communication platforms;
- making sexual comments during online or video meetings;
- unwanted comments about sexual orientation or gender;
- spreading sexual rumours about another person;
- making employment opportunities, promotion or other workplace benefits dependent upon sexual attention or activity;
- threatening negative consequences because sexual advances have been rejected; and
- sexual assault or other unwanted sexual contact.

The fact that behaviour is described as "banter", a joke or harmless fun does not prevent it from being sexual harassment.

6. Harassment Related to Sex and Rejection of Sexual Harassment

The Equality Act also protects employees from harassment related to sex and from less favourable treatment because they have rejected or submitted to sexual harassment.

Craigdale will not tolerate any employee being disadvantaged, excluded, intimidated or treated differently because they have rejected sexual advances or raised concerns about sexual behaviour.

7. Third-Party Harassment

Craigdale recognises that employees may experience harassment from people who are not employees of the Association. This is particularly relevant to a housing association where employees regularly interact with tenants, household members, contractors and members of the public, sometimes alone or within people's homes.

Employees are not expected to tolerate sexual harassment as part of their job, regardless of who is responsible for the behaviour.

Where an employee reports inappropriate behaviour by a tenant or other third party, Craigdale will take the matter seriously and consider appropriate action.

- warning the individual that their behaviour is unacceptable;
- changing how future contact is managed;
- requiring contact to take place through specified channels;
- ensuring employees do not attend a property alone;
- providing additional security or support;
- allocating another employee where appropriate;
- taking action under tenancy or unacceptable behaviour procedures;
- raising concerns with a contractor or partner organisation;
- excluding a contractor or individual from Craigdale premises where appropriate;
- terminating contractual arrangements where justified; and
- reporting potentially criminal behaviour to Police Scotland.

Any action will take account of the employee's safety and wellbeing.

8. Preventing Sexual Harassment

Craigdale has a positive responsibility to prevent sexual harassment rather than simply respond to complaints. The Association will take all reasonable steps to identify and reduce risks.

- maintaining and communicating this policy;
- providing appropriate training to employees and Board members;
- ensuring managers understand how to recognise and respond to sexual harassment;
- including expected standards of behaviour within induction arrangements;
- assessing risks associated with lone working, home visits and tenant-facing activities;
- considering risks associated with work-related social events and conferences;
- considering risks arising from electronic and social media communications;
- ensuring employees have more than one route for reporting concerns;
- taking appropriate action when warning signs or concerns emerge;
- considering sexual harassment risks when engaging contractors and partners;
- monitoring incidents and complaints to identify patterns or emerging risks; and
- periodically reviewing whether preventative measures remain effective.

The Association will maintain an appropriate sexual harassment risk assessment/action plan proportionate to its size and activities.

9. Responsibilities

The Board

The Board is responsible for ensuring that Craigdale maintains an appropriate culture and effective arrangements for preventing sexual harassment. The Board will receive appropriate assurance that the policy is being implemented and that relevant risks are being managed.

Chief Executive

The Chief Executive has overall operational responsibility for implementation of this policy, ensuring appropriate preventative measures, training and arrangements for investigating complaints. Where a complaint concerns the Chief Executive, it should be reported to the Chair of the Board.

Managers

Managers must model appropriate standards of behaviour; challenge inappropriate behaviour; take concerns seriously; never dismiss inappropriate conduct as banter or harmless fun; ensure employees know how to report concerns; maintain appropriate confidentiality; seek advice where required; and take appropriate action when they become aware of possible sexual harassment. Managers should not wait for a formal complaint before considering whether action is required.

Employees

All employees are expected to treat colleagues and others with dignity and respect; comply with this policy; consider how their behaviour may affect others; challenge inappropriate behaviour where they feel safe and able to do so; report serious incidents or concerns; and cooperate appropriately with investigations.

10. Reporting Sexual Harassment

Anyone who believes they have experienced or witnessed sexual harassment is encouraged to raise the matter. An employee may raise a concern with their line manager, another manager, the Chief Executive, the Chair of the Board where the concern involves the Chief Executive, or another appropriate person identified by the Association.

Employees may also seek support from their trade union or workplace representative where applicable. No employee will be required to raise a complaint directly with the person whose behaviour is causing concern.

11. Informal Resolution

Where the person experiencing the behaviour wishes to do so, and where appropriate, an issue may sometimes be resolved informally. This could involve explaining to the individual that their behaviour is unwanted, asking a manager to speak to the individual, or agreeing appropriate boundaries for future interaction.

Informal resolution will not be appropriate in every case. Serious allegations should normally be dealt with formally. No employee will be pressured into attempting informal resolution where they do not feel comfortable doing so.

12. Formal Complaints

Formal complaints by employees will normally be considered under Craigdale's EVH Terms and Conditions of Employment and associated grievance arrangements and, where appropriate, Craigdale's Disciplinary Policy/Procedure.

Complaints will be taken seriously, acknowledged promptly, handled sensitively, investigated by an appropriate and impartial person, progressed without unreasonable delay, treated confidentially as far as reasonably possible, and determined on the evidence available.

Craigdale will not dismiss or minimise a complaint simply because there were no witnesses. The person making the complaint and the person against whom allegations have been made will both be treated fairly and with dignity.

Where appropriate, temporary measures may be put in place while an investigation takes place. These will be considered on a case-by-case basis and will not imply that any conclusion has been reached.

13. Confidentiality

Information concerning allegations of sexual harassment will be shared only where there is a legitimate reason to do so. Employees involved in an investigation will be expected to respect the confidentiality of the process.

Absolute confidentiality cannot be guaranteed where information must be shared to investigate a complaint fairly, protect an individual or meet a legal obligation. Confidentiality must never be used to prevent someone from reporting a criminal offence, making a protected disclosure or exercising their legal rights.

14. Victimisation and Retaliation

Craigdale will not tolerate victimisation or retaliation against anyone because they have raised a concern, made a complaint, supported someone making a complaint, acted as a witness, provided information during an investigation or challenged inappropriate behaviour.

Victimisation may itself result in disciplinary action. A complaint made in good faith will not result in action against the person raising it merely because it is not upheld.

15. Malicious Complaints

Craigdale recognises that allegations of sexual harassment are serious. Equally, it is important that employees feel able to raise genuine concerns without fear.

No disciplinary action will be taken simply because an allegation cannot be substantiated. Where there is clear evidence that an allegation has been deliberately fabricated or made maliciously, disciplinary action may be considered.

16. Potential Criminal Conduct

Some forms of sexual harassment may also constitute criminal behaviour. Where an allegation involves potential criminal conduct, including sexual assault, the individual affected will be supported in considering whether they wish to report the matter to Police Scotland.

Craigdale may itself need to contact the police or another authority where there is an immediate risk to someone's safety or another compelling legal or safeguarding reason.

17. Support for Employees

Craigdale recognises that experiencing, witnessing or being accused of sexual harassment can be distressing. Employees will be offered appropriate support throughout the process, which may include

their manager or another senior employee, a trade union representative, occupational health or employee assistance support where available, and appropriate external specialist organisations.

Where an employee requires time away from work because of sexual harassment, Craigdale will deal with this sensitively and will consider appropriate adjustments and support.

18. Whistleblowing

Sexual harassment may also be raised under Craigdale's Whistleblowing Policy where the legal requirements for a protected disclosure are met.

Employees who make qualifying disclosures concerning sexual harassment are protected by whistleblowing legislation from detriment and, where applicable, dismissal.

Nothing in this policy, Craigdale's Dignity at Work Policy or any confidentiality arrangement will prevent a worker from making a protected disclosure, reporting a suspected criminal offence or cooperating with a statutory authority.

19. Contractors and Partner Organisations

Craigdale expects contractors, consultants, suppliers and partner organisations to maintain appropriate standards of behaviour towards Craigdale employees.

Where appropriate, procurement and contractual arrangements will make clear that harassment of Craigdale employees is unacceptable and may result in action being taken under the relevant contract. Concerns about contractor employees will be raised with the contractor and appropriate remedial action required.

20. Work-Related Social Events

Standards of behaviour expected at work also apply at work-related social events, conferences, training events and other activities connected with employment. Alcohol consumption does not excuse inappropriate behaviour. Employees remain responsible for their conduct towards colleagues and others during work-related events.

21. Online, Social Media and Digital Conduct

This policy applies to online and digital conduct connected with work, including email, Microsoft Teams, messaging applications, social media and other digital platforms.

Sexual harassment can occur through private messages as well as public posts or workplace communication channels. Employees must not send, display or share sexualised, offensive or inappropriate material with colleagues or other people they encounter through their work.

Online and digital behaviour must comply with Craigdale's Information, Communications & Technology Policy, Staff Code of Conduct and Data Protection Policy.

22. Training and Awareness

Craigdale will provide proportionate and appropriate training on preventing sexual harassment. Training will cover what constitutes sexual harassment, expected standards of behaviour, third-party harassment, bystander responsibilities, reporting concerns, managers' responsibilities, responding appropriately to disclosures and the Association's preventative legal duties.

Training will be refreshed periodically and where changes in legislation, guidance, risks or organisational circumstances make this appropriate.

23. Monitoring and Review

Craigdale will monitor the effectiveness of this policy and its preventative arrangements. This may include complaints and reported incidents, anonymous or informal concerns, staff surveys and feedback, exit interview information, training completion, identified risk areas, third-party incidents and actions arising from sexual harassment risk assessments.

Information reported to the Board will normally be anonymised to protect the confidentiality of individuals.

The policy will be reviewed at least every three years, or earlier following significant legislative or regulatory change, updated EHRC or ACAS guidance, a significant incident, evidence that preventative arrangements require improvement, or identified changes in organisational risk.

24. Related Policies and Procedures

This policy should be read alongside Craigdale's current policies, strategies and employment arrangements:

- Equalities Strategy;
- Dignity at Work Policy;
- EVH Terms and Conditions of Employment and associated grievance arrangements;
- Disciplinary Policy/Procedure;
- Whistleblowing Policy;
- Staff Code of Conduct;
- Board Code of Conduct;
- Lone Working Policy;
- Information, Communications & Technology Policy;
- Data Protection Policy;
- Complaints: Unacceptable Actions Policy;
- Recruitment & Selection Policy; and
- Domestic Abuse Policy, where relevant.

25. Policy Statement

Craigdale Housing Association believes that everyone has the right to work in an environment where they are treated with dignity and respect.

Sexual harassment has no place within the Association. Craigdale will seek to create a culture in which inappropriate behaviour is prevented, challenged and addressed; employees feel safe to speak up;

concerns are taken seriously; and everyone understands their responsibility for maintaining a respectful workplace.