

25 – SEXUAL HARASSMENT POLICY

Let Us Play Scheme

(Play Scheme for children with
profound and multiple learning
difficulties)

Registered Charity No. 1072059

Date of Policy Issued/Review	31 July 2025
Name of Chairperson	Juliet Cheriton-Gerard
Signature of Chairperson	
Management Committee Name	Victoria Ashton
Management Committee Signature	
Review Date	30 July 2026

POLICY STATEMENT

LUPS is committed to providing all employees with a safe working environment that is free of any discrimination and harassment, including sexual harassment. We operate a zero-tolerance approach for any form of sexual harassment in the workplace and will treat all incidents seriously. We will investigate all allegations promptly and respectfully and will endeavour to treat them in confidence.

Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal. Nobody will be victimised for making a complaint.

Definition of Sexual Harassment

Sexual harassment is any unwelcome conduct of a sexual nature which makes a person feel offended, uncomfortable, humiliated and/or intimidated. This includes 'quid pro quo' harassment, in which a person is asked to engage in a sexual activity as a condition of their employment, and situations that create an environment which is considered hostile, intimidating and humiliating for the recipient.

Sexual harassment can involve single or multiple incidents. Actions constituting harassment may be physical, verbal (including by digital means) or non-verbal. Examples of these types of behaviour include, but are not limited to:

Physical harassment:

- Unwelcome physical contact including, but not limited to, pinching, inappropriate touching, patting, stroking, kissing, cuddling and fondling.
- Physical violence.
- The use of job-related rewards or threats to solicit sexual favours.

Verbal (including by digital means) harassment:

- Intrusive questions about someone's private life.
- Sexual comments, stories and inappropriate jokes.
- Repeated and unwanted invitations for physical intimacy or dates.
- Comments on an employee's appearance, age, private life, etc.
- Insults based on sex.
- Sending sexually explicit messages by any means.

Non-verbal harassment:

- Displaying sexually explicit, suggestive or erotic materials.
- Sexually suggestive signals or gestures.
- Whistling.
- Leering or staring.

Anybody can be a victim of sexual harassment, regardless of their sex and the sex of the harasser. Sexual harassment can also occur between people of the same sex. Similarly, we recognise that sexual harassment can occur between peers or through power disparities, such as a manager and an employee.

Anybody who is employed by LUPS, visitors, floating site teams or anybody else on-site who sexually harass another person or persons will face reprimand.

Sexual harassment is entirely forbidden whether or not they take place on the worksite (currently St Francis Special School, PO14 3BN) or off-site, such as on social events.

Complaints Procedures

Anybody subject to sexual harassment should, if possible, inform the harasser that the conduct is unwanted and unwelcome. However, we realise that sexual harassment may occur in unequal power relationships (such as between an employee and a supervisor) so it may not be possible for the victim to inform the harasser. If this is the case, he/she can approach one of the designated staff members responsible for handling complaints of sexual harassment. When the designated person receives a complaint of sexual harassment, they will:

- Record the dates and times of the incident(s).
- Record the facts of the incident(s).

- Ask the victim what outcome they want from the complaint.
- Ensure the victim is aware of the complaint procedure and how the company will handle it.
- Discuss and agree the next steps.
- Keep a confidential record of all discussions.
- Respect the choice of the victim and not push them to act differently.
- Explain to the victim that they can take the complaint outside the company, such as to an employment tribunal, if they wish.

Employees will be informed that they are entitled to bring somebody with them, such as a friend or family member, to all meetings regarding the alleged sexual harassment if they wish. If they are under-18, they **must** bring somebody with them to these meetings and discussions.

Complaints can be made formally, or informally.

An **informal** complaint will involve the victim and the alleged harasser having facilitated discussion (in which both parties are entitled to have a chaperone if desired, unless under-18 where it is required) to achieve an informal resolution that is satisfactory to both parties. A confidential record will be kept under GDPR guidelines. The complaint will be handled within 7 days of being made.

A **formal** complaint will be subject to a full investigation, handled by a member of the management team or trustee committee. The person carrying out the investigation will:

- Interview the victim and alleged harasser separately.
- Interview other relevant third parties separately.
- Find out the details of what took place.
- Produce a report detailing the investigations and findings.
- Decide the appropriate outcome for the harasser and liaise with the victim to do so.
- Follow up after the procedure to ensure the behaviour has stopped and the victim is happy with the outcome.
- Keep a record of all actions taken and ensure these remain confidential.
- Make sure that the complaint is addressed in a fair and timely manner and within days of the complaint being made

Complaints may also be made outside of the organisation, for example through an employment tribunal.

Sanctions and Disciplinary Measures

Sexual harassment falls under gross misconduct in the 09 – Disciplinary Procedures Policy.

If a claim is found to have backing, and the alleged harasser is found guilty, they will be immediately terminated from their employment at LUPS.

LUPS has zero tolerance for sexual harassment, and we recognise the serious effect that it can have on staff. Cases that breach the Worker's Protection Act 2024, the Protection from Harassment Act 1997 or the Sexual Offences Act 2003 will be further reported to the police. These cases depend on the severity of the offence, but instances such as sexual assault will always be reported.

Implementation

All existing LUPS staff will be required to read the policy, or have the policy read to them in its entirety, and sign to confirm that they have done this.

All new LUPS staff will have the policy read to them in its entirety in their induction, alongside the other policies of the charity.

Sexual harassment training will be repeated yearly.

It is the responsibility of all managers to ensure that all employees are aware of the policy.

Members of LUPS to Accept Reports

In the case of staff-on-staff complaints, there are three points of contact that reports must be made to, although only one report is necessary. These people are:

- Victoria Ashton, Playscheme Manager
- Alexander Matthews, Playscheme Deputy Manager (Training)
- Charlotte Ashton, Playscheme Deputy Manager (Communications)

Staff are encouraged to report directly to these managers, however if they feel more comfortable to do so in the first instance, they may report to a unit Senior. The Senior must note down the details given and immediately pass this on to a Manager.

In the event where the complaint is against a manager, there are three points of contact that reports must be made to, although only one report is necessary. They will follow the complaints procedures highlighted in the policy in the same manner that a Manager would. These people are:

- Juliet Cheriton-Gerard, Chairperson
- (Peter) Ian Wilson, Trustee
- Wendy Rees, Trustee

Monitoring

LUPS will review this policy yearly.

Staff are encouraged to come forward with any ideas and/or suggestions that they have for this policy. Management will be responsible for rolling out the policy and will make a report on compliance with the policy if needed. They must also report on the number of incidents, how they were dealt with and any suggestions made by the victim(s).

ASSOCIATED POLICIES

- 09 – LUPS Disciplinary Procedures