

Anti-Sexual Harassment

Body Politic



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Body Politic believes that sexual harassment is unacceptable, undermines the dignity of an individual, is morally wrong, unlawful and has a detrimental impact on individuals and the studio. Sexual harassment is unethical, unprofessional and undermines Body Politic's organisational values and aims of creating a friendly, accessible and inclusive organisation. For these reasons, Body Politic takes a zero-tolerance approach to sexual harassment.

Body Politic believes that sexual harassment is not inevitable and can be prevented through practical action to protect people in the studio against harassment and transform workplace cultures. Body Politic is committed to promoting an environment free from all forms of sexual harassment and recognises that it is responsible for protecting all workers and participants from sexual harassment.

This policy aims to protect all individuals who are using Body Politic services, either as a staff member, a participant, or a partner.

What is sexual harassment

Sexual harassment is unlawful. It is defined in the Equality Act 2010 as unwanted conduct of a sexual nature which has the purpose or effect of violating someone's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them, whether the perpetrator intended this or not. In Northern Ireland, the relevant legislation is the [Sex Discrimination \(Northern Ireland\) Order 1976 As Amended](#). Together, these are referred to in this policy as 'equality law'.

Unwanted conduct of a sexual nature covers a range of behaviours and can include:

- Sexual comments or jokes
- The display or circulation of pornography
- Displaying sexually graphic pictures, posters or photos
- Suggestive looks, staring or leering
- Propositions and sexual advances
- Requests or demands for sexual favours

- Sexual gestures
- Intrusive questions about a person's private or sex life or a person discussing their own sex life
- Sexual posts or contact on social media
- Spreading sexual rumours about a person
- Sending sexually explicit emails or text messages, and
- Sexual assault including unwelcome touching, hugging, massaging or kissing

Anyone can experience sexual harassment and an individual can experience sexual harassment from someone of the same sex or different sex. Sexual harassment does not need to be sexually motivated, only sexual in nature. It can still be unlawful even if a person may not have intended their conduct to be offensive. Conduct that is directed at one person may constitute sexual harassment of another person because of the environment it creates.

Sexual interaction that is invited, mutual or consensual is not sexual harassment. However, sexual conduct that has been welcomed in the past can become unwanted and it is not necessary for someone to object first before conduct can be described as unwanted. A series of incidents which, taken separately may seem trivial, can together constitute sexual harassment. Equally, one isolated incident can be sexual harassment.

Sexism at work often goes hand in hand with sexual harassment. Sexual harassment can at the same time be harassment related to a protected characteristic in which case it is covered under this policy. However, where there has been harassment related to sex or gender, but the harassment is not sexual in nature, action should be taken under the Anti-Bullying Policy and the relevant disciplinary or grievance procedures which also cover harassment related to other protected characteristics. This policy concerns itself only with behaviour that constitutes sexual harassment, that is behaviour that is 'sexual in nature'.

Victimisation is also unlawful under the Equality Act 2010. It is defined as treating an individual badly because they have reported sexual harassment, it is believed they will report a case of sexual harassment in the future, or they have helped someone else to report a case of sexual harassment.

Commitments of Body Politic and Staff

Although most are freelance, for the purpose of this policy, all teachers, managers, assistants, or other people occupying the studio in a professional capacity, representing Body Politic, will be referred to as "staff".

Under the Equality Act 2010, employers are liable for harassment or victimisation committed by their workers unless they can show that they took all reasonable steps to prevent such behaviour. Body Politic also commits to take action in situations of sexual harassment where any individual has experienced sexual harassment within Body Politic or in direct relation to work Body Politic conducts.

Body Politic and its staff recognises there are multiple measures that can help prevent sexual harassment, therefore Body Politic commits to:

- Ensuring all staff members understand and agree to their role set out by this policy, prior to commencing work for the studio
- Doing their best to create a safe environment for all individuals using the studio, to disclose sexual harassment allegations in a confidential place, either digitally or in-person, by challenging or tackling incidences of sexual harassment and/or victimisation
- Ensuring all users of the studio, including staff, contractors, members, and pre-arranged guests are aware of this policy
- Taking a zero-tolerance stance towards sexual harassment and encouraging individuals who experience it to report it, and taking all allegations seriously
- Retaining information about formal and informal complaints of sexual harassment and to communicate the findings where a report of sexual harassment has been upheld or where a worker left while an investigation was in process. Personal data in reports aimed at reducing bullying and harassment in places of work and study are of legitimate interest under GDPR. For special category data, this can be justified under “reasons of substantial public interest” which include “equality of treatment, “preventing and detecting unlawful acts” and “safeguarding”.
- Taking appropriate legal action where the sexual harassment is deemed to be a criminal offence, for example rape, sexual harassment of a minor, or sexual assault. In these cases, permission will be sought and, if not granted, the risk of potential harm to the reporter and others will be carefully considered. The wishes of reporting parties are respected and prioritised as a key principle, and only minimal information would be shared if absolutely necessary, after careful discussion.
- Assessing risks arising from disclosures, which would include suspending or terminating an individual's access to the studio and its resources/services
- Staying aware of potential power dynamics which can lead to sexual harassment, including the relationships between managers and staff, or teachers and participants
- Fully cooperate with any sexual harassment investigations taking place and to take action in line with the appropriate remedy as set out in Appendix 2

What to do if I experience or witness sexual harassment

Body Politic commits to dealing with cases of sexual harassment promptly, efficiently and sensitively when they become aware of them. You do not have to be the recipient or target of sexual harassment to make a report about it. If you see it happening or become aware of a problem, you have the right to challenge it and to make a report. *The word “reporter” is used to describe a person who has decided to share their experience of sexual harassment, whether informally or formally in the form of a complaint.*

If a reporter feels confident and able to do so, they can raise their experience directly with the harasser. The reporter can explain directly to the harasser why their behaviour was unacceptable, how their behaviour made them feel and that they would like them to stop it. This can be done verbally or in writing.

However, speaking to the harasser may not be appropriate, or comfortable. In this case, please contact Emma-Jane Greig via email or phone, or arrange a meet-up. At this point, the “Dealing with a Sexual Harassment Allegation” process outlined in Appendix 1 will be followed.

If Emma-Jane Greig can not be impartial in the claim you are making, please contact Rajpal Pardesi or any other staff member from the studio. They will discuss with you how best to approach this situation and, with your permission, will speak with management to understand the situation and take appropriate action.

If you have experienced sexual harassment it is also advised you tell a friend or someone you trust so you are not trying to cope with it alone and keep a diary of incidences. This will give a helpful record of the nature of the sexual harassment and when it occurred. It will be important if you choose to report the sexual harassment to establish a pattern over a period of time.

There is no time limit from the date of the incident within which complaints must be made. Clear timeframes will be set and communicated to the reporter for each stage of the formal process.

If you have experienced sexual harassment, you can contact the following organisations for free and confidential support and advice:

- Oxfordshire Sexual Abuse and Rape Crisis Centre <https://www.osarcc.org.uk/>
- ACAS www.acas.org.uk
- Rights of Women free and confidential legal helpline for women who have experienced sexual harassment at work: 020 7490 0152
- Galop, the LGBT+ anti-violence charity: 0800 999 5428
- Citizens Advice Bureau
- Equality and Human Rights Commission (EHRC)

What do do if I receive a sexual harassment disclosure

If you are approached with a report of sexual harassment, it is crucial you know how to respond and to record information. When a staff member receives a report of sexual harassment, they will:

- Immediately record the dates, times and facts of the incident(s)
- Ascertain the views of the reporter as to what outcome they want
- Ensure that the reporter understands the studio’s procedures for dealing with the complaint, by signposting them to this policy
- Pass the information to Katie Gordon, or Katie McNeil if Katie Gordon is unavailable or unsuitable for the disclose, who will take the action outlined in Appendix 2
- Keep the records confidential and destroy all physical or digital records after the allegation has been passed to management
- Respect the choice of the victim
- Ensure that the victim knows that they can lodge the complaint outside of the company through the relevant country/legal framework

Contact details and more information

Emma-Jane Greig's contact details are:
Email address: emj@bodypoliticdance.com

Rajpal Pardesi's (Chair) contact details
are:
Email - artsrajuk@gmail.com

This document will be given to every staff member, and made available on the Body Politic Website.

This document was last reviewed on: 24/6/2024 by Emma-Jane Greig, Artistic Director & CEO

If you have any comments or would like to speak to us regarding this policy please email info@bodypoliticdance.com

Appendix 1 - Dealing with a Sexual Harassment Allegation

INFORMAL PROCESS

Together with the reporter and/or victim, studio management will take one or more of the following actions:

- Provide advice and support on how to approach the issue with the harasser, including accompanying them
- Help the reporter set out their thoughts in writing
- Raise the matter informally with the harasser on the reporter's behalf
- Help obtain external advice on how to best resolve the issue, which could include speaking to the Yoga Teachers Trade Union, or a charity who supports people with particular protected characteristics
- Help obtain counselling for the reporter and/or victim
- Assure the reporter and/or victim they do not need to raise a formal complaint unless they want to, or unless the case is too serious for an informal route to be appropriate (e.g. the harassment is against a minor, or puts individuals at continued risk)

FORMAL PROCESS

If a reporter does not wish to pursue an informal route, the informal route has been tried and not worked, it is felt the alleged harasser will not respond to an informal process or the case is too serious for an informal process to be appropriate, a formal process is also available and stipulated here.

The designated person who initially received the complaint will refer the matter to the studio manager or studio owner, who will make a formal investigation. The studio manager/studio owner may deal with the matter themselves, refer the matter to an internal or external investigator or refer to the Yoga Teachers Union for support with the Investigation.

The person carrying out the investigation will:

- Interview the victim, the alleged harasser, and other relevant third parties separately
- Decide whether or not the incident(s) of sexual harassment took place
- Produce a report detailing the investigations, findings and any recommendations
- If the harassment took place, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e.- an apology, disciplinary action, suspension, dismissal, or legal action)
- Follow up to ensure that the recommendations are implemented, that the behaviour has stopped and that the victim is satisfied with the outcome
- If it cannot determine that the harassment took place, they may still make recommendations to ensure proper functioning of the workplace
- Keep a record of all actions taken
- Ensure that all records concerning the matter are kept confidential
- Ensure that the process is done as quickly as possible and in any event within

28 days of the complaint being made