

Name of Policy: Prevention of Sexual Harassment

RESPONSIBLE COMMITTEE: Domestic and Establishment

RESPONSIBLE OFFICER: Principal Bursar

LINKED DOCUMENTS: College: Harassment

LINKED DOCUMENTS:

[Worker Protection \(Amendment of Equality Act 2010\) Act 2023](#)

[Employment Rights Act 1996 \(legislation.gov.uk\)](https://legislation.gov.uk)

Annual Review date: First meeting of Hilary Term

1. INTRODUCTION

The Worker Protection (Amendment of Equality Act 2010) Act 2023 introduced a legal duty for employers to take reasonable steps to prevent sexual harassment of workers in the course of their employment. St John's College wishes to prevent any sexual harassment of its staff by colleagues or third parties, such as visitors to College, and if any sexual harassment of staff does occur to be made aware of it and to deal with it.

All members of St John's College are entitled to be treated with dignity and respect. The purpose of this policy is to protect all staff against any form of sexual harassment, making everybody feel safe and supported, and having access to redress if such behaviour does arise.

Sexual harassment takes many forms (see section 2 for a definition and examples), but whatever form it takes, it is unlawful under the Equality Act 2010. St John's will not tolerate any forms of sexual harassment.

The College has a separate harassment policy for other forms of (non-sexual) harassment, that can be viewed in conjunction with this Policy, see the [Harassment Policy](#).

2. SCOPE AND DEFINITION

St John's will act to prevent sexual harassment from occurring and has put in place clear reporting procedures for our staff to make a complaint regarding sexual harassment as well as mandatory training.

The principles of protection from sexual harassment set out in this policy apply to all College employees, including those covered by the University of Oxford Statute XXXIX.

2.1. Definition of sexual harassment

Sexual harassment is 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. It also covers treating someone

less favourably because they have submitted to or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex.

Sexual harassment may be committed by a fellow employee, worker, an agent of an organisation, or a third party. It does not need to occur in person, it can occur via digital means, including social media sites or channels e.g. WhatsApp. Someone may be sexually harassed even if they were not the target of the behaviour. Examples of sexual harassment (which College staff should not engage in) include, but are not limited to:

- a) sexual comments or jokes, which may be referred to, but not limited to, as 'banter'
- b) displaying sexually graphic pictures, posters or photos
- c) suggestive looks, staring or leering
- d) propositions and sexual advances
- e) making promises in return for sexual favours
- f) sexual gestures
- g) intrusive questions about a person's private or sex life, or a person
- h) discussing their own sex life
- i) sexual posts or contact in online communications, including on social media
- j) spreading sexual rumours about a person
- k) sending sexually explicit emails, text messages or messages via other
- l) social media
- m) unwelcome touching, hugging, massaging or kissing.

2.2. Victimisation

Victimisation may also occur in the context of sexual harassment. Victimisation means treating a worker or employee badly (subjecting them to a detriment) because they have done a protected act, for example making a complaint of harassment. Victimisation also means subjecting a worker or employee to a detriment because it is believed that they have done or are going to do a protected act.

The protected acts are:

- a) making a claim or complaint under the Equality Act 2010 (for example, for discrimination or harassment)
- b) helping someone else to make a claim by giving evidence or information in connection with proceedings under the Equality Act 2010
- c) alleging that someone has breached the Equality Act 2010, or
- d) doing anything else in connection with the Equality Act 2010.

Examples of victimisation may include:

- a) failing to consider someone for promotion because they have previously made a sexual harassment complaint
- b) dismissing someone because they accompanied a colleague to a meeting about a sexual harassment complaint

- c) excluding someone from work meetings because they gave evidence as a witness for another employee as part of an employment tribunal claim about harassment.

Anyone who raises a concern about sexual harassment will be protected against any form of victimisation.

3. BEHAVIOURS

This policy covers behaviour which may occur in the following situations:

- a) a work situation
- b) a situation occurring outside of the normal workplace or normal working hours which is related to work, for example, a working lunch, a business trip or social functions
- c) a situation outside of work involving a colleague or other person connected to St John's, including on social media
- d) a situation outside of work where the incident is relevant to an individual's suitability to carry out a role at St John's.

4. PRINCIPLES

Human Resources has overall responsibility for the operation of this policy, but may delegate elements of implementation or decision-making to managers. Our managers will maintain an open-door policy. All employees and workers have a responsibility to behave in line with the requirements of this policy.

If you have been sexually harassed or you have witnessed sexual harassment, we encourage you to tell the College so that we can deal with the matter swiftly.

You may first want to discuss the situation with a College or University harassment advisor. The harassment advisor will clarify all the options you have available to you and help you decide on the best way to proceed. Contact details for the College harassment advisors are available on the intranet. Contact details for the University harassment advisors and other sources of support are available [here](#).

Any College member of staff who commits sexual harassment or victimisation will be subject to disciplinary action up to and including termination of employment.

5. PROCEDURE

5.1. Informal complaint

It is recognised that complaints of sexual harassment or victimisation can be of a sensitive or intimate nature and that it may not be appropriate for the issue to be raised through the normal grievance procedure. In these circumstances, individuals are encouraged to raise such issues with a harassment adviser, a senior colleague, as a confidential helper, or to talk to HR regarding the steps to follow. This person cannot be

the same person who will be responsible for investigating the matter if it becomes a formal complaint.

When possible, the individual is encouraged to make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If the individual feels unable to do this verbally, a written request to the harasser may be appropriate.

5.2. Formal complaint

Formal complaints should be made following the procedure of the College harassment policy, which can be found here: [College policies | St John's College, Oxford](#)

5.3. Witness to sexual harassment or victimisation

If you witness sexual harassment or victimisation, you are encouraged, if appropriate, to act to prevent the matter continuing, and should report what you have observed. However, you should not take any action that may put you at risk of sexual harassment or other harm.

If reporting the incident, the matter should be brought to the attention of the Head of HR, ideally in writing.

Concerns will be handled by Human Resources department, or referred to a senior manager who will sensitively talk to the person who has potentially been subject to sexual harassment to determine how they want the matter to be handled.

6. THIRD-PARTY SEXUAL HARASSMENT

Third-party sexual harassment occurs when one of St John's employees, workers or job applicants is subjected to sexual harassment by someone who is not part of our workforce or an agent of St John's, but who they have come into contact with in connection with work. This includes visitors, suppliers, members of the public, guests, friends and family of students or colleagues, delegates at a conference etc.

Third-party sexual harassment of St John's workforce is unlawful and will not be tolerated. In line with our legal duty, we will take action to prevent sexual harassment by third parties.

The law does not provide a mechanism for individuals to bring a claim of third-party harassment alone. However, an employer's failure to take reasonable steps to prevent third-party sexual harassment may result in legal liability.

St John's has assessed that the risk of third-party harassment on its premises or within a work-related situation (as defined at section 3 above) is likely on the basis of the number of students, visitors, contractors and suppliers, families and other third parties who attend the site and are engaged in College events, activities and online, including on social media.

In order to prevent third-party sexual harassment from occurring, St John's will:

- a) attach signage to the walls of the areas within the workplace where third parties are present to warn that sexual harassment of our staff is not acceptable
- b) inform third parties i.e. suppliers, of our zero-tolerance sexual harassment policy within our supplier documentation and refer them to this policy.

If a member of staff has been subjected to third-party sexual harassment, they are encouraged report this as soon as possible to Human Resources. Should a third-party sexually harass a member of St John's workforce, we will warn them about their behaviour and potentially ban them from St John's premises. Any criminal acts will be reported to the police.

St John's will not tolerate sexual harassment by any of our employees against a third party. Instances of sexual harassment of this kind may lead to disciplinary action including potential termination of employment. When deciding on the level of disciplinary sanction to be applied, St John's will take into consideration any aggravating factors affecting the case. One example of an aggravating factor is an abuse of power over a more junior colleague. If, due to the investigation, it is concluded that a complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against the individual who made the claim.

7. POTENTIALLY CRIMINAL CONDUCT

This Procedure may not be applicable where the allegations relate to behaviours that may attract criminal sanction. This would include, but not be limited to, cases of serious assault or threat of assault. In these circumstances, the Head of HR will decide which procedure is appropriate.

8. TRAINING

St John's will provide mandatory training to all our staff on sexual harassment to ensure there is a clear understanding of, amongst other things, what sexual harassment is and how it may occur. This will make clear that sexual harassment will not be tolerated, what the expected levels of behaviour are, how individuals can report any incidents of having been sexually harassed or having witnessed acts of harassment.

St John's will ensure that all levels of management are trained on implementing this policy, including preventing and managing sexual harassment in the workplace, and the procedure to follow if an allegation is reported.

9. FURTHER SUPPORT

Further support is available by contacting the Employee Assistance Provider, they offer a confidential 24-hour telephone counselling service. Details can be found on the intranet under Wellbeing and Support.



POLICY HISTORY

<i>Date of GB approval</i>	<i>Brief summary of changes</i>	<i>Confirmation that linked documents have updated if necessary</i>	<i>College policy register updated</i>
MT 2025	Policy drafted, reviewed by Committee and approved by GB	Yes	Yes (I Burke)
HT 2026	Removed previous clauses 5, 6, 7 as already covered in other clauses; amendments to clause 6 (third-parties) and other minor edits; reviewed by Committee and approved by GB	Yes	Yes (I Burke)