



Sexual Harassment Policy and Procedure

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People Area	Sexual Harassment Policy and Procedure
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Policy

Cleveland Fire Brigade (CFB) has a legal duty to take reasonable steps to prevent the sexual harassment and victimisation of its employees. CFB is committed to promoting an environment where all employees are treated with dignity and respect and a culture that encourages anyone who is a victim of or is witness to sexual harassment to report any issues or concerns. CFB takes all complaints seriously and sexual harassment or victimisation of any employee will not be tolerated and may result in disciplinary action up to and including dismissal from employment with the Brigade.

1. Scope

- 1.1 This policy applies to all CFB employees, temporary/agency workers, volunteers, work placement students, job applicants and visitors and contractors, working for or on behalf of the service.
- 1.2 It is recognised that sexual harassment may occur not just in, but outside the workplace at work events, external network meetings, social functions or via social media platforms.

2. Purpose

- 2.1 The aim of the policy is to promote an understanding of what constitutes as sexual harassment and to provide framework for employees and managers to deal with any sexual harassment that may occur by employees or any third parties to ensure a safe and supportive environment for all who work at or attend CFB sites.
- 2.2 The policy sets out what would be deemed as sexual harassment and should be read in conjunction with the expected standards of behaviour set out in the Brigades Dignity at Work Policy, Code of Conduct and Values and Ethical Behaviours Framework.

3. Legislative Setting

- 3.1 Sexual Harassment is unlawful under the Equality Act 2010, which has recently been amended to include a new preventative duty. The Worker Protection (Amendment of Equality Act 2010) Act 2023 includes a legal duty for employers to take reasonable steps to prevent sexual harassment of its

workers and employees. The duty covers sexual harassment by other workers and by third parties, such as members of the public.

4. What is Sexual Harassment? Definition and Types

4.1 The definition of Sexual harassment is any unwanted physical, verbal or non-verbal conduct of a sexual nature that has the purpose or effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

4.2 Sexual harassment may occur as a single incident or be a series of multiple incidents taking place either in person face to face or virtually such as via email, message tools or social media.

4.3 Examples of sexual harassment may include but are not limited to:

4.3.1 Physical

- Inappropriate, intimidating or unwanted physical conduct or touching including, hugging, fondling, kissing, stroking, grabbing or purposely brushing up against someone.
- Following someone, purposely standing too close or blocking someone's movement.

4.3.2 Visual

- Sending or displaying material that is pornographic, sexually explicit, or communications that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the any form of social media).

4.3.3 Verbal and/or Written

- Spreading sexual rumours about an individual.
- Sexually offensive or explicit comments or jokes, which may be referred to as 'banter'.
- Unwelcomed/excessive flirting.
- Offensive emails, text messages or social media content.
- Making comments of a sexual nature about someone's appearance, clothing or body.
- Intrusive questions about an individual's sexuality their private or sex life or a person discussing their own sex life.

- Unwelcome sexual advances, propositions, gestures, or suggestive behaviour such as staring, whistling, or leering (which the harasser may perceive as harmless).

4.3.4 **Non-verbal**

- Looking a person's body up and down.
- Suggestive behaviour such as staring, whistling, or leering.

4.4 Sexual Harassment also includes treating someone less favourably because they have in the past either submitted or refused to submit or agree to unwanted conduct of a sexual nature, or treating anyone less favourably due to gender reassignment or sex.

5. **Who does Sexual Harassment affect?**

5.1 Sexual harassment can happen to anyone, regardless of gender identity or sexual orientation. The unwanted behaviour could affect multiple people including victims and witnesses.

5.2 It can be carried out by anyone of the same sex, a different sex or anyone of any gender or non-binary identity. It relates to unwanted behaviour which is of a sexual nature rather than relating to an individual's sex (gender).

5.3 An individual or group of people may be sexually harassed even if they were not the intended target of the behaviour. For example, a group of colleagues overhearing a conversation between other colleagues talking about their own sex/private life. The perpetrator/s may not intend to specifically aim this behaviour at anyone in particular; however, this may still be deemed as sexual harassment.

5.4 The definition of victimisation is being treated unfavourably because a person has taken action to complain about or support a claim of discrimination or harassment. This action, known as a "protected act," can include making a complaint, providing evidence, or supporting someone else's complaint. Victimisation involves experiencing a "detriment," meaning a worse or less favourable situation as a result of that protected act. Victimisation can happen in conjunction with sexual harassment where a person is subjected to a detriment because for example they have, are suspected of, or are intending to:

- Bringing proceedings under the Equality Act 2010.
- Giving evidence or information in connection with proceedings under the Equality Act 2010.

- Alleging that a person has contravened the Equality Act 2010.

This type of victimisation may include behaviour such as:

- Denying someone an opportunity or promotion because it is suspected that they intend to raise a complaint about sexual harassment or have accompanied a colleague to a grievance meeting in relation to sexual harassment.
- Excluding someone because they have raised a grievance in relation to sexual harassment.
- Dismissing an employee because they have, or intend to, give evidence as a witness on behalf of another staff member at an employment tribunal hearing.

5.5 Both sexual harassment and victimisation are unlawful and will not be tolerated. They may lead to disciplinary action up to and including dismissal whether the incident/s occur in the workplace in any CFB site/building, outside of the normal workplace at events related to work, are against a colleague or other person connected to the Brigade outside of a work situation, including on social media or against anyone outside of a work situation where the incident is relevant to their suitability to carry out a role.

6. Third Party Sexual Harassment

- 6.1 Third-party harassment occurs where an individual or group of people are sexually harassed by someone who does not work for the service, but with whom the individual or group of people have come into contact with during the course of their employment in connection with their role and work.
- 6.2 Third-party harassment may include, for example: unwelcome sexual advances from a visitor, contractor or supplier visiting a CFB site, or unwanted sexual advances from members of the community made whilst an employee is visiting an external premise or location to undertake their role during the course of their employment.
- 6.3 If any third-party harassment of employees occurs, the Brigade will take reasonable steps to prevent it from happening again. This may include excluding the harasser from CFB sites/buildings, warning the harasser about their behaviour, and reporting any criminal activity to the police.

7. What to do if you Experience Sexual Harassment

- 7.1 Working in an emergency response service can be challenging and demanding. Often colleagues like a joke or to use 'banter' to either lighten the

mood or to build working relationships. That said, consideration must be given to the fact that comments which one employee may find funny another may take offense to even if this was not the intention. Unwelcomed behaviour or comments of a sexual nature can quickly create a hostile environment and may lead to formal investigation in accordance with the Brigades Dignity at Work and Disciplinary Policy and Procedure.

- 7.2 If you feel you are being sexually harassed, you are encouraged, if you feel comfortable to do so, to raise the problem informally with the person responsible. If you feel able to do so, you should explain clearly to them that their behaviour is not welcome and makes you uncomfortable and if the behaviour was not intended to cause offense this may resolve the issue.
- 7.3 If you do not feel comfortable or are unable to raise this informally with the perpetrator, you should speak to your line manager in the first instance, who can provide confidential support and assistance in resolving the issue. It is recommended to document what has happened, including dates, times and names, and any potential witnesses to the incident/s.
- 7.4 If you feel unable to speak to your line manager please speak to a member of the Brigades Human Resources team who can provide confidential support and assistance in resolving the issue. Employees are also able to raise their concerns via other reporting methods such as the 'Raising a Concern' button on the internal SharePoint or by contacting Safecall, Independent Reporting Line, 0800 915 1571 or via their ePortal at www.safecall.co.uk/report.
- 7.5 If informal resolution is not appropriate or has been unsuccessful please refer to the services Grievance Policy & Procedure.
- 7.6 If you are not certain whether an incident or multiple incidents constitute as sexual harassment, you should contact your line manager or supervisor in the first instance or a member of the Human Resources Team for confidential advice or seek advice from ACAS or Victim Support. Contact details can be found at Appendix 1.
- 7.7 Employees are encouraged to inform their Trade Union of any issues they are experiencing or any complaints that have been raised at their earliest possible opportunity to allow the appropriate support to be offered and to allow for internal investigation at an early stage.

8. What to do if you Witness Sexual Harassment

- 8.1 If you witness sexual harassment or victimisation in the workplace, depending on the circumstances you are encouraged to take appropriate steps such as:
 - Offer support to the affected colleague/s.

- Intervene where you feel able to do so to state that you feel the behaviour you have witnessed is unacceptable.
- Support the colleague/s to report the behaviour or advise the colleague/s that you are reporting the behaviour on their behalf to your line manager, supervisor or member of the Human Resources team.
- Co-operate in any investigation into the incident.

9. Responsibilities

- 9.1 The service has a duty to ensure that this Policy is shared with all CFB employees and that all employees are aware of the procedures within.
- 9.2 Line Managers play a key role in identifying harassment in the workplace and are expected to intervene should they witness instances of sexual harassment. Managers do not have to wait until complaints are brought to their attention if they are aware of behaviour of other Managers or employees, which may cause offence. If the incident is not serious in nature then having an informal conversation with the perpetrator and raising awareness may be sufficient to stop the behaviour. In more serious cases, formal action may be appropriate.
- 9.3 If an issue is raised informally, the line manager must ensure the matter is taken seriously and time is taken to listen to the employee/s, ensuring that any discussions take place in private room free from distractions.
- 9.4 The line manager should discuss the employee/s concerns, take an informal approach or in more serious circumstances a formal approach where appropriate. Advice should be obtained from the services Human Resources team.
- 9.5 The line manager should ensure that lines of support that are available to the employee/s are explored with the employee/s, such as the Employee Assistance Program or the Occupational Health provision.
- 9.6 Employees who witness sexual harassment or victimisation or have a reasonable belief that it is happening have a duty to intervene or report it in order to prevent the situation escalating.

10. Formal complaints

- 10.1 Any sexual harassment complaint received will be dealt with timely and respectfully and investigated in line with the services Dignity at Work Policy & Procedure. In the case of minor complaints, it may be sufficient for the

recipient to raise the problem in the first instance with the perpetrator pointing out the unacceptable behaviour.

- 10.2 In cases where it is considered inappropriate or impracticable for the parties to work in proximity to each other, it may be necessary to relocate one or more of the parties temporarily as a neutral act and without apportioning any blame at this point. This would be determined on a case-by-case basis.
- 10.3 Consideration will be given to any request made for changes to working arrangements during an investigation. For example, the complainant may request a temporary change to duties or working hours to avoid or minimise contact with the alleged harasser.
- 10.4 In cases where informal resolution is not appropriate or has failed, the services Commissioning Manager will appoint a senior manager to be the investigating officer. The Brigades Human Resources Team will provide support throughout the investigation.
- 10.5 A meeting with the investigating officer, will be arranged with the employee so that they are able to give their account of events. The employee has the right to be accompanied by a colleague or a recognised trade union representative, who must respect the confidentiality of the investigation.
- 10.6 Where a complaint is about a CFB employee, the service may consider suspending them on full pay or making other temporary changes to working arrangements pending the outcome of the investigation, if circumstances require. The investigating officer will also meet with the alleged harasser who may also be accompanied by a colleague or trade union representative to hear their account of events. They have a right to be told the details of the allegations against them, so that they are able to respond.
- 10.7 Where a complaint is about someone other than a CFB employee, such as a contractor or visitor, the service will consider what action may be appropriate to protect anyone involved pending the outcome of the investigation. Where appropriate, the service will attempt to discuss the matter with the third party.
- 10.8 It may be necessary to interview witnesses to any of the incidents mentioned in relation to a sexual harassment complaint. If so, the importance of confidentiality must be emphasised to them.

11. Potential Outcome Following a Formal Complaint

- 11.1 Employees who raise a grievance would usually be asked how they would like the issue to be resolved however if the services Commissioning Manager feels there is a case to answer following investigation and the harasser is a CFB employee this will be dealt with as a case of potential misconduct or

gross misconduct under the services Disciplinary Policy & Procedure. The investigation into the complaint may be put on hold pending the outcome of the Disciplinary Procedure. Where the disciplinary outcome is that sexual harassment has indeed occurred, prompt action will be taken to address it. If the harasser is a third party, such as a contractor or other visitor, the service will consider what action would be appropriate to deal with the problem, including whether it is appropriate to take reasonable steps to ban them from CFB sites.

- 11.2 Regardless of whether a complaint is upheld, the Brigade will consider how best to manage the ongoing working relationship between both parties. It may be appropriate to arrange some form of mediation or counselling, or to change the duties, working location or reporting lines of one or both parties.

12. Malicious or Fictitious Complaints

- 12.1 If any employee deliberately provides fictitious information as part of an investigation into sexual harassment may be subject to action under the services Disciplinary Policy and Procedure.

13. Confidentiality and Record Keeping

- 13.1 Details of any complaint or investigation relating to sexual harassment or victimisation is to be treated in the strictest confidence. Information should only be shared with any party involved directly with the complaint and investigation. Any breach of confidentiality may result to action taken under the services Disciplinary Policy and Procedure.
- 13.2 Information relating to a complaint may be placed on an employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.

14. Raising Awareness

- 14.1 Sexual harassment training will be made available from the Human Resources team to increase all employees' knowledge of what constitutes as sexual harassment as well as how to report any alleged concerns or incidents. This training is also to ensure that managers have the knowledge to recognise sexual harassment and have the confidence to intervene at the earliest opportunity and to understand the appropriate routes for resolution and when informal or formal methods can be used to best effect. Training can ensure that manager feel comfortable to support those impacted by sexual

harassment, including bystanders who may witness harassment as well as those who are accused of it.

15. Policy review

- 15.1 This Policy and Procedure will be reviewed every three years or periodically where changes to legislation may occur.

16. Appendices

16.1 Appendix 1: Support Links

Internal and External Support

The service offers support and guidance for anyone affected by, or accused of, sexual harassment. If you require access to confidential support please contact the Human Resources team via telephone on 01429 874020 or by email hr@clevelandfire.gov.uk. The team are able to refer CFB employees to our external Occupational Health provider for further support, or to an external counselling and emotional support provider.

Alternatively, please contact our external Employee Assistance Programme (EAP) which can be accessed online at <https://www.pam-assist.co.uk>

Support and guidance can also be obtained from your trade union.

Further information and support can be found at following external services:

- The Equality Advisory and Support Service: www.equalityadvisoryservice.com
- Protect: www.protect-advice.org.uk
- Victim support: www.victimsupport.org.uk
- Rape crisis: www.rapecrisis.org.uk
- Rights of women (England and Wales) (www.rightsofwomen.org.uk).
- Anti-abuse charity have experience in supporting LGBT+ people who are victims of sexual violence, hate crime and other forms of abuse. You can contact them on their national helpline 0800 999 5428. <https://galop.org.uk/>
- ACAS Sexual Harassment Specialist Support [Specialist help and support - Sexual harassment - Acas](#)
- Support for people of all genders affected by rape or any kind of sexual assault or abuse at any time in their lives [SARSAS home](#)
- Samaritans – provide support for anyone who is struggling to cope, and who needs someone to listen to without judgement or pressure [How we can help | How Samaritans can help you | Samaritans](#)

16.2 Appendix 2: Equality Impact Assessment

EQUALITY IMPACT ASSESSMENT – INITIAL SCREENING

EQIAs enable us to consider all the information about a service, policy, practice or activity from an equalities perspective and then put an action plan in place to achieve the best outcome for our employees and service users. EQIAs analyse how the work that we undertake can impact different groups. This will help us to make better decisions and evidence how we have reached these decisions.

Analysis Rating: please tick one box (the analysis rating is identified after the analysis has been completed – See EQIA procedure)	RED		AMBER		GREEN	
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SECTION 1 – INITIAL SCREENING

Directorate:	Strategic Planning & Resources
Department/Section:	Human Resources
Title of EQIA – Name of Service or Policy Conducted on:	Sexual Harassment Policy & Procedure
Date Of Assessment:	25 th September 2025
Assessment carried out by:	Louise Bate, HR Manager

Is this Policy/Service/Project: Existing ☐ New/Proposed ☒ Changing ☐ Other ☐

Applicable to: Our staff ☒ Our Communities ☐ Other ☐

PURPOSE AND OBJECTIVES

What are the aims of the service / policy?	<p>The aim of the policy is to promote an understanding of what constitutes as sexual harassment and to provide framework for employees and managers to deal with any sexual harassment that may occur by employees or any third parties to ensure a safe and supportive environment for all who work or attend CFB sites.</p> <p>The policy sets out what would be deemed as sexual harassment and should be read in conjunction with expected standards of behaviour set out in the Brigades Dignity at Work Policy, Code of Conduct and Values and Behaviours Framework.</p>
Who is responsible for the service / policy? Who is responsible for the assessment?	Human Resources are responsible for completing this assessment and ensuring the periodical review of the policy and making amendments in line with employment laws and legislation.
Who implements the policy? Are external contractors involved?	<p>It is the responsibility of managers to ensure consistent application of the policy and for all Brigade employees to understand what constitutes as sexual harassment comply with their responsibilities laid out in the Policy and Procedure.</p> <p>External contractors and visitors must demonstrate expected behaviours.</p>
Are there any related policies or processes that will need to be changed associated to this one?	Dignity at Work, Grievance and Disciplinary Policies and Procedures that should reference this policy and interlink.
To what extent does the service / policy have an impact on people? Who is affected by it and how?	This policy may impact on all Brigade employees. Those who may experience sexual harassment and/or victimization, those may be accused and those that may be witness to it. The policy may not just impact CFB employees, this may impact visitors to CFB premises such as contractors, and visitors.
What analysis has been done to identify if the service / policy is meeting the needs of all of these groups of people?	Feedback and consideration of best practices through other regional fire services. Guidance from ACAS and the NFCC.

ESTABLISHING RELEVANCE

In this section you should review the data and evidence above and consider the actual and potential impact of the policy, service, activity or practice on employees, residents, groups and other service users. Findings should be noted in the table below. You should also consider whether the decision will, or is likely to, influence CFB's ability to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act and other relevant legislation.
- Advance equality of opportunity between different groups of people
- Foster good relations between people who share a protected characteristic and those who do not.

Using the information available, identity the impact of this service / policy in relation to people across the Protected Characteristics:

Protected characteristics groups from the Equality Act 2010	Negative Impact	Neutral Impact	Positive Impact	Explain your answer
Age		X		This policy is applied equally to all Brigade employees regardless of age.
Disability		X		This policy is applied equally to all Brigade employees regardless of disability.
Gender Reassignment		X		This policy is applied equally to all Brigade employees regardless of gender reassignment.
Pregnancy and Maternity		X		This policy is applied equally to all Brigade employees regardless of Pregnancy and Maternity.
Race		X		This policy is applied equally to all Brigade employees regardless of race.
Religion and Belief		X		This policy is applied equally to all Brigade employees regardless of religion and belief.
Gender		X		This policy is applied equally to all Brigade employees regardless of gender.
Sexual Orientation		X		This policy is applied equally to all Brigade employees regardless of sexual orientation.
Marriage and civil Partnerships		X		This policy is applied equally to all Brigade employees regardless of marriage and civil partnerships.
Is a full Equality Impact Assessment required? Yes or No If not why?	<p><i>If you have identified a negative potential impact for group, then you must complete a full Equality Impact Assessment. If you have identified a neutral or positive impact on any groups then no further action is required.</i></p> <p>N/A</p>			

