

WEA Sexual Harassment policy (Students and volunteers)

1. Policy statement and aims

The WEA is committed to:

- providing a teaching and learning environment where students can achieve their full potential free from all forms of sexual harassment and where they treat each other with dignity and respect.
- ensuring that no student is treated less favourably as a result of any of the protected characteristics under the Equality Act 2010, including gender and gender reassignment.
- raising staff and student awareness of sexual harassment.
- providing a supportive culture which encourages the reporting of incidents.
- reinforcing a clear management expectation that staff take seriously all reports of sexual misconduct and report and act on them without delay.
- investigating incidents sensitively and appropriately in line with the procedures in the Safeguarding policy.
- applying appropriate sanctions if, following investigation, sexual harassment has taken place.

2. Scope of the policy

This policy applies to all students and volunteers of the WEA. It includes sexual harassment that may occur beyond the WEA's normal business hours, such as on social media or during other forms of social activity.

Note that the separate (HR) Harassment policy applies to all WEA employees.

Both policies share the overriding principle that sexual harassment will not be tolerated in the WEA.

3. A definition of sexual harassment

The Equality and Human Rights Commission (EHRC) defines sexual harassment as unwanted conduct of a sexual nature. It has the purpose or effect of violating the dignity of a worker, or creating an intimidating, hostile, degrading, humiliating or offensive

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environment for them. Something can still be considered sexual harassment even if the alleged harasser did not mean for it to be. It also does not have to be intentionally directed at a specific person.

Sexual harassment may be a single, but serious incident, or may be a number of incidents that are persistent in nature. The behaviour may/may not be directed towards a person/people with a protected characteristic under the Equality Act 2010: age, disability, gender re-assignment, marriage or civil partnership, pregnancy or maternity, race (including colour, nationality, ethnic origin and caste), religion or belief, sex or sexual orientation.

Sexual harassment includes a wide range of behaviour such as:

- sexual comments or jokes, sometimes described as “banter”;
- displaying sexually graphic pictures, posters or photos;
- suggestive looks, staring or leering;
- propositions and sexual advances;
- making promises in return for sexual favours;
- sexual gestures;
- intrusive questions about a person’s private or sex life, and discussing own sex life;
- sexual posts or contact on social media;
- spreading sexual rumours about a person;
- sending sexually explicit emails or text messages;
- unwelcome touching, hugging, massaging or kissing;
- criminal behaviour, including sexual assault, stalking, indecent exposure and offensive communications.

Sexual violence is any sexual act or attempt to obtain a sexual act by violence or coercion which takes place without consent.

Consent is providing permission for something to happen or agreement to do something with a full understanding of the facts and without coercion. Consent cannot be deemed to have been given if it is provided under pressure or in situations where someone is not capable of providing it. Consent can be withdrawn at any time. Consent therefore involves:

- the capacity to consent.
- freedom to consent.
- steps taken to obtain consent.
- reasonable belief in consent.

4. Procedure and guidance

Preventing sexual harassment:

Sexual harassment will not be tolerated. Behaviour that normalises or trivialises sexual harassment will not be tolerated. The WEA is committed to raising awareness of sexual harassment by:

- **Staff training:** All tutors, education staff and volunteers receive mandatory training in Safeguarding procedures, including sexual harassment. Safeguarding leads and regional safeguarding officers are able to update their training via attendance on external training courses.
- **Guidance for staff:** Additional guidance on domestic abuse/sexual harassment is provided for staff for reference.
- **Raising awareness among students:** Tutors are responsible for ensuring that their students receive information on behaviour at the start of the course during induction, including ensuring that students know how to report any concerns /incidents about sexual harassment and to whom.

Roles and responsibilities:

There are clear lines of responsibility for managing disclosures of sexual harassment within the WEA.

All staff and volunteers must apply relevant WEA policies and understand the incident reporting procedures outlined in the Safeguarding policy:

<https://www.wea.org.uk/about-us/policies>

The **Director of Quality and Student Support** is responsible for the overall strategic management of Safeguarding and sexual harassment.

The **WEA National Safeguarding and Complaints Managers** are responsible for managing and reviewing any sexual harassment disclosures or concerns involving students, in association with the relevant Regional Safeguarding Designate who is responsible for investigating any incidents or concerns and liaising with the external agencies and/or the police, as appropriate. The National Safeguarding and Complaints Managers will liaise with HR as appropriate, if the complaint involves an employee, or with the Head of Region and volunteer manager, if the complaint involves a volunteer.

Head of HR and HR business partners are responsible for managing and reviewing any sexual harassment disclosures involving employees, in liaison with the Safeguarding and Complaints managers, as appropriate.

The Volunteer and Membership Managers are responsible for managing and reviewing any sexual harassment disclosures involving volunteers, in association with the relevant Head of region who is responsible for investigating any incidents or concerns according

to the Volunteer Policy and Code of Conduct, and in liaison with the Safeguarding and Complaints managers, as appropriate.

Reporting sexual harassment:

- The WEA will listen to, and take seriously all disclosures of sexual harassment and sexual violence.
- The WEA will address these concerns/disclosure promptly and sensitively, but will not promise confidentiality either to the individual reporting it, or to those involved.
- Reporting procedures will follow existing Safeguarding procedures.
- Reporting sexual harassment will be made explicit in the Safeguarding policy.
- All reports alleging sexual harassment by a student towards another student will be investigated by the relevant Safeguarding Designate in consultation with the WEA national safeguarding leads.
- A student disclosing sexual harassment will be supported by the WEA and, where appropriate, be referred to external agencies and/or the case will be referred to the police.
- In cases where the evidence and investigation shows that sexual harassment has taken place and the perpetrator is a student, the perpetrator may be suspended or excluded according to the WEA “Unacceptable student behaviour procedure.”
- A report alleging sexual harassment by a student towards a member of staff will be investigated by the relevant safeguarding team member and the HR Business partner, according to HR and safeguarding procedures.
- A report alleging sexual harassment by a member of staff towards a student, will be investigated by the relevant Safeguarding team member and the HR Business partner, according to HR and safeguarding procedures.
- A report alleging sexual harassment by a WEA volunteer will be investigated according to the WEA volunteer policy (Appendix 2 Volunteer Code of Conduct).

Monitoring/recording sexual harassment

- Disclosures/concerns about sexual harassment will be reported on a SAFE 1 Safeguarding report form, which will also record actions taken by the WEA and by whom, and outcomes of the investigation.
- A summary of the case will be recorded on the Safeguarding Central record.
- A review of cases of sexual harassment will be undertaken by the Safeguarding team on a termly basis.
- National Safeguarding Lead Designates will provide a Safeguarding report, including a review of any cases of Sexual harassment to the WEA trustees, termly.

Relevant WEA policies

The following policies can be accessed from: <https://www.wea.org.uk/about-us/policies>

Safeguarding Policy
 Prevent Policy
 Sexual Harassment Policy
 On line safety policy
 Complaints procedure
 Student Computer and Digital Use Policy
 Unacceptable Student Behaviour Procedure
 Data Protection Policy
 Student learner agreement
 Equality, Diversity and Inclusion

The following policies can be accessed from the WEA intranet:

[HR - Home \(sharepoint.com\)](#)

WEA Acceptable Use Policy (WEA equipment and information services)
 Whistleblowing Policy
 WEA Code of Conduct
 Discipline Policy
 WEA Harassment policy (employee)

The following policy can be accessed from the WEA intranet:

[Volunteering \(sharepoint.com\)](#)

WEA volunteer policy (Appendix 2: Volunteer Code of Conduct)

Relevant legislation

Equality Act 2010
 Public Sector Equality duty
 Human Rights Act 1998
 Protection from Harassment Act 1997
 Sexual Offences Act 2003

Date of this Review	Date of next Review	Policy reviewed and updated by:	Policy approved by:
July 2023	July 2024	Safeguarding and Complaints Managers	Director of Quality and Student Services