



Prevention Of Sexual Harassment Policy

2022
Version 1

Policy Refresh
Policy Department, PFEW

The PFEW Policy Department has embarked on a concerted effort to formulate and/or revise policy documents, titled "Policy Refresh", on key topics concerning its members.

These strategic documents are evidence-based, aligned with PFEW's Business Areas, as well as championed by National Board members.

It is aimed for PFEW to maintain clear policy positions on key topics, that allows members to have clarity on PFEW's official position statements that are backed by evidence.



PREVENTION OF SEXUAL HARASSMENT POLICY

Version 1

Policy Principles and Rationale

A new policy is required by the Police Federation of England and Wales (PFEW) to address the Prevention of Sexual Harassment. PFEW takes sexual harassment very seriously and will seek to deal robustly with it.

This policy was developed in response to concerns within the police and the wider society in regards to addressing sexual harassment.

PFEW Objectives

- To educate PFEW representatives and staff in identifying sexual harassment and understanding how it can occur, how it can be prevented and what to do if someone feels that they have been subject to, or witnessed, sexual harassment in the workplace.
- Provide guidance identifying sexual harassment and harassment on grounds of sex.
- To clearly state the professional behaviour expected of all PFEW representatives, contractors, staff, volunteers, and job applicants.
- Make clear the responsibility on PFEW leaders, Chief Constables, and managers within forces, to prevent sexual harassment in the workplace.
- To clearly establish the expectation of all within PFEW and the police service in general, to combat sexual harassment in the workplace.
- To ensure individuals know of the support available to members from PFEW, and for staff and representatives within PFEW, and that, whilst as a staff association we have a role in representing our members who are accused of sexual harassment, this does not detract from us supporting those who are subject to sexual harassment.

Background

- i. **Definitionsⁱ** – The Equality Act of 2010 defines sexual harassment 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.”¹ It covers indecent or suggestive remarks, unwanted touching, requests or demands for sex and the dissemination of pornography.

- ii. Sexual harassment is a form of unlawful discrimination under the Equality Act 2010. For police officers, such behaviour would potentially be a breach of the standards of professional behaviour, while for staff, the behaviour could amount to gross misconduct.
- iii. This policy should be read in conjunction with **the Code of Ethics** for Policing (2014) and **Standards of Professional Behaviour** as set out in schedule 2 of the Police (Conduct) Regulations 2020.

Policy Statement

PFEW believes that a workplace free from all forms of harassment is everybody’s right. PFEW will not tolerate harassment by or against our members within their force, or by or against our staff and representatives within PFEW.

PFEW accepts that sometimes sexual harassment does not have to be intentionally directed at a specific person and that an act can still be considered sexual harassment even if the alleged harasser did not mean for it to be, which includes one-off incidents and ongoing incidents.

Sexual harassment includes a wide range of behaviour, such as: sexual comments or jokes; 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 your 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.² This is not an exhaustive list.

PFEW will encourage forces to review their current training and guidance on the appropriate use of social media, including duties under the Standards of Professional Behaviour and Code of Ethics that extend to officers’ private lives. This includes ensuring all officers and staff conform to the expectations of their behaviour under the Code of Ethics.

¹ [Equality Act 2010 \(legislation.gov.uk\)](https://legislation.gov.uk)

² [NASUWT | Sexual Harassment Policy Checklist](#)

In addition, PFEW would encourage forces to review their current training and guidance on “banter”, where remarks that may be viewed by some as ‘friendly’, can create a hostile, intimidating, humiliating or offensive environment for others, and therefore be seen as ‘ignorant’ or ‘malicious’ by others, which may be considered bullying and harassment.

PFEW will take allegations of harassment or bullying seriously and address them promptly and confidentially. Sexual harassment under a disciplinary procedure would include potential gross misconduct.

PFEW intends to set out how it will ensure the effective communication of the policy and expectations to all employees, PFEW representatives, contractors, volunteers, and job applicants.

PFEW will work with forces and key stakeholders to provide guidance and feedback on this policy and the issue of sexual harassment within the police service.

PFEW would like to see forces employ use of educational products which help officers and staff understand sexual harassment.

Related policies and procedures

This is an overarching policy statement that details PFEW’s values in relation to the prevention of sexual harassment. It is / will be supported by more detailed policy and guidance in the following areas:

- Guidance to Branch Boards and representatives on supporting members who are subjected to sexual harassment. This guidance outlines that as a Staff Association, PFEW has a key role in enabling our members to raise issues with their force, receive appropriate support, and where necessary bring claims against their force
- HR policy for PFEW staff on reporting and receiving support in relation to sexual harassment within PFEW. This policy outlines how staff can raise issues within PFEW and be supported.

Scope of the Policy

This policy applies to all PFEW members, representatives, employees, contractors, volunteers, and job applicants.

Key Stakeholders

- The National Police Chiefs' Council (NPCC)
- The Association of Police and Crime Commissioners (APCC)
- Home Office, UK Government
- PFEW Membership
- Local Branch Chairs and Secretaries
- Her Majesty's Inspectorate of Constabulary and Fire Service (HMICFRS)
- College of Policing
- Police Superintendents' Association (PSA)

This is not an exhaustive list

Policy Review

Recommend to review after the 12 month period.

Policy Document – Versions

Version 1	Drafted by PFEW Policy Department	Policy Approved in August 2022.	Policy to be revised in August 2023.
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Approved by National Board in August 2022.

Section 26 - Harassment

(1) A person (A) harasses another (B) if—

(a) A engages in unwanted conduct related to a relevant protected characteristic, and

(b) the conduct has the purpose or effect of—

(i) violating B's dignity, or

(ii) creating an intimidating, hostile, degrading, humiliating or offensive environment for B.

(2) A also harasses B if—

(a) A engages in unwanted conduct of a sexual nature, and

(b) the conduct has the purpose or effect referred to in subsection (1)(b).

(3) A also harasses B if—

(a) A or another person engages in unwanted conduct of a sexual nature or that is related to gender reassignment or sex,

(b) the conduct has the purpose or effect referred to in subsection (1)(b), and

(c) because of B's rejection of or submission to the conduct, A treats B less favourably than A would treat B if B had not rejected or submitted to the conduct.

(4) In deciding whether conduct has the effect referred to in subsection (1)(b), each of the following must be taken into account—

(a) the perception of B;

(b) the other circumstances of the case;

(c) whether it is reasonable for the conduct to have that effect.

(5) The relevant protected characteristics are—

- age;
- disability;
- gender reassignment;
- race;
- religion or belief;
- sex;
- sexual orientation.

[Equality Act 2010 \(legislation.gov.uk\)](https://www.legislation.gov.uk)