

## **SEXUAL HARASSMENT POLICY**

### **Policy statement**

KLG seeks to provide a work environment in which all employees are treated with respect and dignity and that is free from sexual harassment. The law requires employers to take reasonable steps to prevent the sexual harassment of their employees in the course of their employment. The duty applies both in relation to sexual harassment of employees by other employees (colleagues) and by third parties, such as clients, customers, contractors and suppliers. While an individual cannot bring a claim against their employer or another employee for third party sexual harassment alone as the law currently stands, it can still result in legal liability for both employers and individual employees when raised in other types of claims. In accordance with the law and its duties under the Equality Act 2010, the Company is committed to taking appropriate and reasonable steps to prevent sexual harassment of their employees in the workplace by other employees as well as by third parties such as clients, customers, contractors and suppliers.

The Company recognises that sexual harassment can occur in the course of employment both in and outside the workplace, such as on business trips, or at work-related events or social functions, or on social media and will not tolerate it however it occurs. All employees are expected to support the Company by complying with this policy.

### **Scope of this policy**

This policy applies to all of the Company's employees and workers, including agency workers (referred to in this policy as 'employees'). It applies to sexual harassment carried out by colleagues and third parties such as a client, customer, contractor, or supplier.

### **What is sexual harassment?**

An employee unlawfully harasses another employee if they engage in unwanted conduct of a sexual nature, or that is related to gender reassignment or sex and where the conduct has the purpose or effect of violating the other employee's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that other employee. It also includes treating someone less favourably because they have submitted to or refused to submit to unwanted conduct of a sexual nature. It encompasses a wide range of behaviour, such as unwelcome sexual advances, requests for sexual favours, engaging in other unwelcome verbal, non-verbal or physical conduct of a sexual nature, subjection to obscene or other suggestive comments and sexual jokes or pictures. On the other hand, sexual interaction that is invited, mutual or consensual is not sexual harassment because, in that circumstance, it is not unwanted.

A person may be sexually harassed even if they were not the intended target, for example where sexually explicit material is displayed on computer screens, or in the case of remarks, banter or jokes of a sexual nature which creates an offensive environment for other employees. An individual can experience unwanted conduct from someone of the same or different sex.

### **Examples of sexual harassment**

Examples of sexual harassment that the Company will not tolerate include but are not limited to:

- sexual comments, gestures or jokes (whether or not aimed at someone in the workplace)
- displaying sexually graphic pictures, images, posters or photographs, including on the internet
- sexual posts or contact on social media; or sending sexually explicit emails or text messages
- intrusive questions about a person's private or sex life, sexual orientation, or transgender

- status; or a person discussing their own sex life
- spreading sexual rumours about a person
- unwelcome touching, hugging, massaging or kissing, or other advances of a sexual nature i.e. where the recipient does not welcome it

### **Victimisation**

Unlawful sexual harassment also includes victimisation, which is subjecting a person to a detriment because they have done, or are suspected of doing or intending to make a complaint of sexual harassment, or because they have supported someone else who has made such a complaint, for example by giving a witness statement that supports the allegations, or because they have made or intend to make an employment tribunal claim in relation to it.

A detriment on this basis can also include (but is not limited to) excluding someone from a workplace activity, failing to promote them; or dismissing them from employment.

### **Reporting sexual harassment and investigation of complaints**

All allegations of sexual harassment will be dealt with seriously and respectfully. They will also be dealt with in confidence to the extent that this is practical and appropriate in the circumstances. The Company will not ignore or treat lightly grievances or complaints of sexual harassment from employees. The Company encourages employees who are either subjected to sexual harassment or victimisation, or who witness sexual harassment or victimisation to report it in accordance with this policy. The following paragraphs of this policy set out how these instances can be reported and how the Company seeks to resolve them.

#### **Informal resolution**

The Company does not place any onus on employees to resolve issues of sexual harassment personally with the alleged harasser or informally, unless they would prefer to do so. Where an employee believes they are being, or have been, sexually harassed, the Company encourages the employee to consider whether they feel able to raise the problem informally with the person responsible for carrying out the unwanted conduct by explaining clearly to them that their behaviour is unwelcome and unwanted. However, the Company also recognises that actual or perceived power and status disparities and/or the sensitive nature of the issue may make such confrontation impractical. Alternatively, the employee should speak to their line manager in the first instance to seek an informal resolution if appropriate. Where the complaint is against their line manager the employee should raise the issue with a different and preferably more senior, manager.

#### **Formal resolution**

In the event that such informal, direct communication is either ineffective or impractical or the situation is too serious to be dealt with informally, the following steps should be followed in reporting a complaint of sexual harassment, whether that complaint is against a fellow employee or against a third party such as a client, customer, contractor or supplier:

1. Any employee who believes they have been or are being sexually harassed in violation of this policy, or who wishes to report an incident of sexual harassment, should report the situation to HR immediately.
2. Such reports should be made promptly so that investigation may proceed and any action taken without delay.
3. All allegations of sexual harassment will be taken seriously. The allegation will be promptly investigated and, as part of the investigatory process, the employee will be interviewed and asked to provide a written witness statement setting out the nature and details of the incident or complaint and the basis for it. Confidentiality will be maintained during the investigatory process to the extent

that this is practical and appropriate in the circumstances. However, in order to effectively investigate an allegation, the Company must be able to determine the scope of the investigation and the individuals who should be informed of or interviewed about the allegation. For example, the identity of the complainant and the nature of the allegations must be revealed to the alleged harasser so that they are able to fairly respond to the allegations. The Company reserves the right to arrange for another manager to conduct the investigation other than the manager with whom the employee raised the matter. Where your complaint is about someone other than an employee, such as a customer, client, supplier or visitor, the Company will consider what action may be appropriate to protect you and anyone involved pending the outcome of the investigation, bearing in mind the reasonable needs of the business and the rights of that person.

4. Once the investigation has been completed, the employee will be informed in writing of the outcome and the Company's conclusions and decision as soon as possible. The Company is committed to taking appropriate action with respect to all complaints of harassment which are upheld. If appropriate, disciplinary proceedings will be brought against the alleged harasser (see below).
5. If an employee's complaint is upheld and the harasser remains in the Company's employment, the Company will take all reasonable steps to ensure that the employee does not have to continue to work alongside the harasser if they do not wish to do so. The Company will discuss the options with the employee.
6. If an employee's complaint is not upheld, arrangements will be made for the employee and the alleged harasser to continue or resume working and to repair working relationships. Where the complaint is not upheld and the employee is not satisfied with the outcome they may appeal in writing to a more senior manager or to a Director of the Company within five working days of the decision.
7. Employees will not be penalised or victimised for raising a complaint, even if it is not upheld, unless the complaint was both untrue and made in bad faith.

Alternatively, the employee may opt to use the Company's grievance procedure to make a complaint of sexual harassment.

### **Employee support**

The Company offers employees access to confidential counselling which is available on request for anyone affected by, or accused of, sexual harassment. Employees may also contact the Company's Mental Health Advisor (Abbey Swanson) if they wish to talk to someone internally.

Employees who have been affected by sexual harassment (including sexual harassment unrelated to their employment) may also contact the following organisations for support:

The Equality Advisory and Support Service (for free advice or guidance on equality, discrimination or human rights issues: [www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com))

Protect: [www.protect-advice.org.uk](http://www.protect-advice.org.uk)

Victim support: [www.victimsupport.org.uk](http://www.victimsupport.org.uk)

Employees who wish to obtain free employment advice in relation to their own situation may also contact the ACAS helpline: <https://www.acas.org.uk/contact>

### **Disciplinary action**

Any employee of the Company who is found to have sexually harassed another employee in violation of this policy will be subject to appropriate disciplinary action under the Company's disciplinary procedure. Such behaviour may be treated as potential gross misconduct and could render the

employee liable to summary dismissal. In determining what disciplinary action to take, aggravating factors such as abuse of power over a more junior colleague will be taken into account.

In addition, line managers who had knowledge that such harassment had occurred in their departments but who had taken no action to eliminate it may also be subject to disciplinary action under the Company's disciplinary procedure. Employees should be aware that they can also be held personally liable for harassment in law.

### **Training**

The Company will take such measures as may be necessary to ensure the proper training, supervision and instruction to enable line managers to deal more effectively with complaints of sexual harassment. Line managers will be responsible for ensuring they prevent sexual harassment within the departments for which they are responsible.

The Company will also provide training to all employees to help them understand their rights and responsibilities under this policy and what they can do to create a work environment that is free of sexual harassment.

### **Other measures**

The Company will carry out a sexual harassment risk assessment to determine reasonable measures that can be implemented to minimise the risk of exposure by employees to sexual harassment in the workplace and also by third parties that employees may have contact with. Such risk assessment will be kept under regular review to help ensure it remains relevant and effective.

### **Data protection**

The Company may periodically conduct confidential staff surveys and other forms of monitoring, in order to assess the effectiveness of this sexual harassment policy, the risk of sexual harassment occurring and appropriate measures for preventing sexual harassment within the workplace. When carrying out any monitoring, the Company will ensure that personal data is handled in accordance with its data protection policy and any internal privacy notices in force at the relevant time. Inappropriate access or disclosure of personal data will constitute a data breach and should be reported immediately to the [Company's Data Protection Officer] OR [Data representative] in accordance with the Company's data protection policy. Reported data breaches will be investigated and may lead to sanctions under the Company's disciplinary procedure.

### **Review**

This policy is reviewed at least annually and whenever necessary to ensure that it remains effective.

Date of policy : 05/05/2026

Date last reviewed 05/05/2027