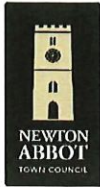


Sexual Harassment Policy

- Since 26th October 2024: employers must take reasonable steps to prevent sexual harassment.
- From 30th October 2026: employers must take all reasonable steps under section 20 of the Employment Rights Act 2025.
- from 30 October 2026, section 21 of the Employment Rights Act 2025 introduces a wider employer liability provision concerning third-party harassment. This extends beyond sexual harassment to relevant forms of harassment under the Equality Act 2010.

Date of Adoption	16 th July 2025. Minute 25/07(126d) Full Council
Reviewed	Annually – Staffing Committee



Sexual Harassment Policy

Newton Abbot Town Council

1. Introduction

Newton Abbot Town Council is committed to providing a safe, respectful, and supportive working environment, free from all forms of harassment, including sexual harassment. This policy outlines the Council's approach to preventing and addressing sexual harassment in accordance with the Equality Act 2010, as amended by the Worker Protection (Amendment of Equality Act 2010) Act 2023 and the Employment Rights Act 2025.

The Council recognises its positive legal duty to take all reasonable steps to prevent sexual harassment and will ensure that all workers, councillors, volunteers, and service users are protected accordingly.

2. Legislative Drivers

A new duty on employers has been imposed under the Workers Protection (amendment of Equality Act 2010) Act 2023. This act introduces a new positive obligation on employers to take reasonable steps to prevent sexual harassment where the unwanted conduct is of a sexual nature. This came into force from October 2024. If sexual harassment of any kind is carried out by a member of staff, the employer could be liable where no action is taken to stop it.

The statutory preventative duty under the Worker Protection (Amendment of Equality Act 2010) Act 2023 commenced on 26th October 2024 and initially required employers to take reasonable steps to prevent sexual harassment of workers in the course of employment, including risks involving third parties. Liability for individual incidents depends on the applicable statutory tests; the preventative duty is a distinct obligation.

This policy is based on guidance provided by the Society of Local Council Clerks (SLCC) and is compliant with the Worker Protection (Amendment of Equality Act 2010) Act 2023. Newton Abbot Town Council is committed to upholding the highest standards of workplace safety and respect.

The Council will take account of the Employment Rights Act 2025: from 30th October 2026 the preventative duty is strengthened to require all reasonable steps, subject to commencement. The Council will assess changes to third-party harassment protections and update procedures accordingly.

3. Statement of Commitment

- Sexual harassment will not be tolerated under any circumstances.
- Sexual harassment is unlawful and contravenes the Council's values and obligations.
- All allegations of sexual harassment will be taken seriously, investigated promptly, and dealt with appropriately.

- Workers must not be victimised for reporting sexual harassment or participating in investigations.

4. Definition of Sexual Harassment

Sexual harassment is defined as unwanted 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.

Examples include (but are not limited to):

- Unwelcome sexual advances or physical contact
- Inappropriate or suggestive comments, jokes or gestures
- Displaying or circulating sexually explicit materials
- Inappropriate or intrusive questions about a person's private life
- Online or digital harassment of a sexual nature

5. Scope

This policy applies to:

- All Council employees
- Councillors and co-opted members
- Volunteers, agency workers and apprentices
- Contractors, suppliers, residents, and service users engaging with the Council

It applies both within the workplace and in any work-related setting outside the office, such as business trips, events, or social functions.

6. Responsibilities

The Council, as the employer, is responsible for:

- Taking all reasonable steps to prevent sexual harassment.
- Promoting a culture of respect and dignity at work.
- Providing training to ensure understanding of sexual harassment and the expected standards of behaviour.
- Responding swiftly and appropriately to any complaints or concerns raised.

Managers and supervisors are expected to:

- Act promptly on any reports or observations of sexual harassment.
- Maintain confidentiality where possible.
- Support workers during the complaint process.

All workers are expected to:

- Treat others with respect and dignity.
- Report any incidents or concerns, whether experienced or witnessed.

7. Third-Party Harassment

The Council acknowledges its duty to take reasonable steps to prevent sexual harassment by third parties such as customers, residents, or contractors.

From 30th October 2026, subject to the relevant statutory commencement provisions, the Employment Rights Act 2025 introduces further protections concerning third-party harassment. The Council will have additional legal responsibilities if employees are harassed by people who do not work for the Council.

a third party could be:

- A member of the public or resident
- A contractor or supplier
- A visitor to Council premises
- Someone attending a Council event or meeting

Steps include:

- Encouraging workers to report incidents.
- Investigating and addressing any complaints.
- Taking appropriate action, which may include warnings to offenders, restricting access, or involving law enforcement if necessary.

Preventive measures will be proportionate to identified risks in public-facing services, meetings, events, lone working, contractors and digital communications. Incidents and controls will be recorded and reviewed.

8. Reporting and Complaints Procedure

Workers who experience or witness sexual harassment are encouraged to report the matter promptly. Reports can be made:

- Informally to your line manager or the Town Clerk; or
- Formally through the Council's Grievance Procedure.

Where the complaint concerns the Town Clerk or the normal reporting route is inappropriate, an alternative independent contact must be identified by the Council. Councillor conduct complaints may need referral under the councillor Code of Conduct to the principal authority Monitoring Officer.

Confidentiality will be maintained where possible. Retaliation or victimisation for making or supporting a complaint is prohibited and will be subject to disciplinary action. If a complaint concerns potential criminal behaviour, support will be provided for reporting to the police if the complainant wishes to do so.

Qualifying disclosures about sexual harassment may be protected under the Employment Rights Act 1996 whistleblowing provisions, as amended in 2026. The Council will also signpost its Whistleblowing Policy. Confidentiality is subject to fair investigation and legal obligations.

9. Investigation Process

- All complaints will be investigated without undue delay.
- Both the complainant and alleged harasser will have the opportunity to present their accounts.
- Support measures, such as temporary reassignments, may be offered during the investigation.
- Appropriate disciplinary action, up to and including dismissal, will be taken where allegations are upheld.

Where the subject is a councillor, the Council will also consider the applicable Code of Conduct and the principal authority Monitoring Officer process; employee disciplinary sanctions do not automatically apply to councillors.

10. Training and Communication

The Council will provide mandatory training on recognising, preventing, and addressing sexual harassment for all employees, managers, and councillors.

Information on this policy and reporting procedures is available to all workers and will be included as part of the induction process.

Training completion and refresher dates will be recorded; training should address third-party conduct, online interactions, bystander action and management responsibilities.

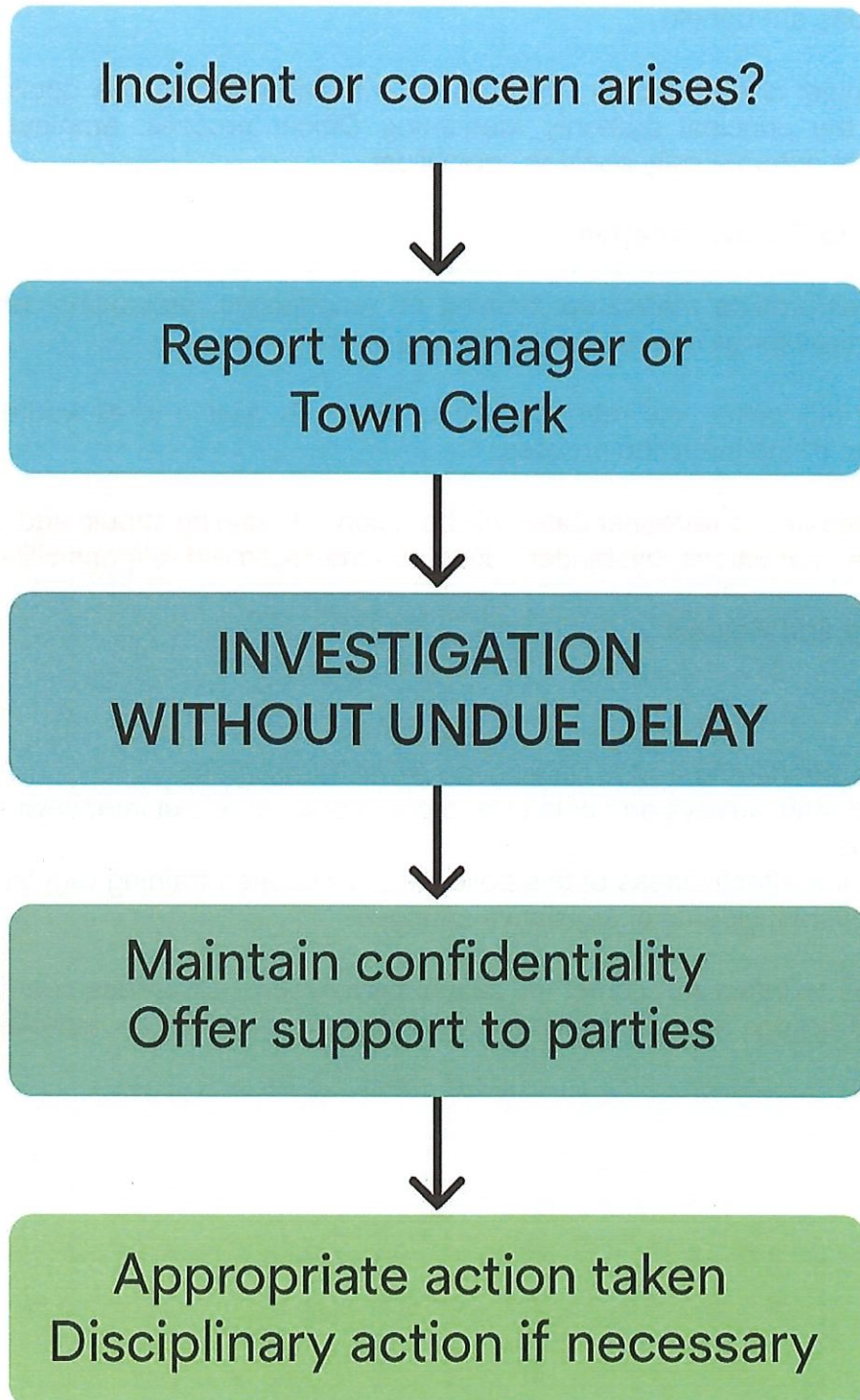
11. Monitoring and Review

The Council will:

- Monitor reports and trends relating to sexual harassment.
- Conduct staff surveys and hold one-to-one meetings or exit interviews to identify any concerns.
- Review the effectiveness of this policy and associated training regularly or following any relevant incidents or legislative changes.

The Council will maintain a documented sexual harassment risk assessment, assign control owners, record actions and review it after incidents, changes in work activities and at least annually.

SEXUAL HARASSMENT REPORTING PROCESS



Newton Abbot Town Council Sexual Harassment - Manager Quick Reference Guide

Your Key Responsibilities

Promote a culture of dignity and respect - Act immediately on any concern or incident - Maintain confidentiality - Support complainants and witnesses - Follow proper investigation procedures - Keep accurate, confidential records - Complete all required training

What to Do if a Concern is Raised

1. Listen: Stay calm and listen carefully. Take all concerns seriously.
2. Reassure: Thank the individual. Confirm the matter will be treated sensitively.
3. Record: Note key details: who, what, when, where. Use factual, neutral language.
4. Explain: Advise on options: informal resolution or formal complaint.
5. Report: Inform the Town Clerk promptly. Seek advice if needed.

Investigation Reminders

- Act promptly and without undue delay.
- Offer protection measures where needed (e.g., alternative working arrangements).
- Treat both parties fairly and impartially.
- Communicate regularly with all involved.
- Conclude promptly and advise on appeal rights.

Dealing with Third-Party Harassment

- Treat complaints against residents, customers, or suppliers equally seriously.
- Take action (e.g., warnings, banning access, police reporting).
- **Consider controls for repeated or serious third-party conduct, including event management, restricted contact and safe working arrangements.**
- Support affected staff.

Golden Rules

- Do not dismiss any complaint.
- Maintain confidentiality - only inform those who need to know.
- Act in line with policy - protect the Council and your team.
- **Where the Town Clerk is implicated, refer the complaint to the Mayor.**
- Lead by example - set the standard for workplace behaviour.
- If in doubt, ask for advice.

Prevention of sexual harassment – Risk Assessment

Assessment details	
Date of Assessment	12 th October 2026
Risk Assessment Reference	2026/10/NATC/LMc
Risk Assessor	Linda McGuirk, Assistant Town Clerk and Deputy RFO
People involved in making this assessment	Phil Rowe, Town Clerk & RFO
People at risk	All employees
Risks identified	
Risks identified of worker to worker sexual harassment	Risk that employees could be sexually harassed by colleagues.
Risks identified of third party sexual harassment	• Councillors • Freelance self-employed workers • Volunteers • Members of the public (busy public building & museum) • Delivery persons
Control measures	
Reasonable steps to be taken to reduce risk	• Communication to staff of zero tolerance approach which means recognising that no worker should have to experience sexual harassment at work • Taking all concerns raised about sexual harassment seriously • Acting to promptly take appropriate action when concerns are raised • Encouraging staff to report any instances of sexual harassment, including third party sexual harassment, that occur • Developing a protocol for how any reports of sexual harassment, including third-party harassment, will be dealt with

	• Self-employed freelancers to be informed of the zero-tolerance policy by email when they contract to work • Notices are displayed in both the public and private areas of Newton's Place • Training provided through BrightHR
Assessment review date	1 st November 2027
Risk assessor signature	<i>Linda McGuirk</i>