

Sexual Harassment Policy

Policy Statement

An Comunn Gàidhealach is committed to creating a workplace and working environment free from sexual harassment and will not tolerate harassment by or against employees, casual workers, agency workers, freelancers, volunteers or other third parties.

This policy aims to protect everyone working with or for An Comunn Gàidhealach from sexual harassment, provide clear guidance on reporting incidents, explain how reports of sexual harassment will be handled, and support people who experience or witness sexual harassment.

An Comunn Gàidhealach will take all reports seriously and address them promptly, sensitively and fairly.

Definition of Sexual Harassment

Sexual harassment is any unwanted physical, verbal or non-verbal behaviour 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.

This could include, but is not limited to:

- Sexual comments, remarks or jokes
- Unwelcome sexual advances, touching or other forms of sexual assault
- Displaying photographs, pictures or drawings of a sexual nature
- Sending messages, emails or other communications containing sexual content
- Verbal, non-verbal or physical acts of a sexual nature
- Making promises or offering benefits in return for sexual favours
- Intrusive questions about a person's sex life, or discussing one's own sex life in an unwanted manner
- Treating someone less favourably because they have submitted to, or refused to submit to, such behaviour in the past
- Continuing to suggest social activity after it has been made clear that such suggestions are unwelcome

Behaviour can still be considered sexual harassment even if the person responsible did not intend to cause offence or distress. Sexual harassment does not have to be intentionally directed at a specific person.

Scope of the Policy

This policy applies to everyone working with or for An Comunn Gàidhealach, including employees, casual workers, agency workers, freelancers, volunteers and third parties.

This policy also applies to conduct that takes place at off-site gatherings, events, performances, festivals, social activities, work-related travel, online or on social media, or anywhere else where an individual is representing or carrying out work on behalf of An Comunn Gàidhealach.

This policy does not form part of anyone's contract of employment or terms of engagement with An Comunn Gàidhealach, and An Comunn Gàidhealach may amend it at any time.

Reporting an Incident

All reports of sexual harassment will be taken seriously and handled sensitively. Experiencing or witnessing sexual harassment can be extremely distressing. An Comunn Gàidhealach aims to support people who make reports and make the reporting process as straightforward as possible.

If you experience sexual harassment or witness another person being sexually harassed, please report it to the designated contact within An Comunn Gàidhealach.

If you report sexual assault to the police, An Comunn Gàidhealach will provide all reasonable and appropriate support while the matter is being dealt with.

If you do not feel comfortable reporting an incident directly to An Comunn Gàidhealach, you may seek support from an appropriate external organisation, professional body, trade union or other independent support service.

Employees, freelancers and volunteers may also report an incident to a third party, such as their trade union, if they would prefer to do so.

Third-Party Harassment

If you experience sexual harassment by a third party, such as an audience member, performer, contractor, supplier or other person connected with an event or activity, you should report the behaviour to An Comunn Gàidhealach.

Where appropriate, An Comunn Gàidhealach will take steps to address the alleged behaviour and protect other people who may come into contact with the individual concerned.

Reporting third-party harassment helps An Comunn Gàidhealach identify concerns, take appropriate action and reduce the risk of similar behaviour affecting others.

Complaints Procedure

If An Comunn Gàidhealach receives a report of sexual harassment, or has reason to believe that sexual harassment may be taking place, it will take appropriate steps to address the allegations.

Informal Complaints

Where appropriate, employees, casual workers, agency workers, freelancers and volunteers who experience or witness sexual harassment may be given the option of resolving the matter informally in the first instance.

An informal approach will only be appropriate where the person affected feels comfortable with this approach and where it is considered suitable in the circumstances.

No individual will be required to resolve a complaint informally.

Formal Complaints

Employees, casual workers, agency workers, freelancers and volunteers will be given the option to make a formal complaint through the relevant disciplinary and grievance procedures if they wish to do so, or if informal action is inappropriate or fails to resolve the situation.

Investigations

Any meetings will be arranged as soon as reasonably possible after a complaint is received.

Investigations may include:

- Collecting as many relevant details as possible
- Appointing an appropriate and impartial investigator
- Conducting interviews with the person making the complaint, witnesses, the alleged harasser and other relevant parties
- Gathering and documenting relevant digital or other evidence
- Reviewing any relevant policies, procedures or records

Investigations will be conducted as fairly, sensitively and promptly as reasonably possible.

Following the Investigation

The outcome of an investigation, and any action taken to address the complaint, will be communicated to the person reporting the incident and, where appropriate, the alleged harasser as soon as reasonably possible.

The information shared will be limited to what is appropriate and necessary, taking into account confidentiality, privacy and data protection requirements.

Appeals

Individuals will have the right to appeal against decisions made as a result of a formal complaint, in accordance with the relevant disciplinary or grievance procedure.

Appeals will be dealt with impartially and, wherever possible, by someone who has not previously dealt with the complaint.

Confidentiality and Protection from Victimisation

Employees, casual workers, agency workers, freelancers and volunteers who make complaints or participate in an investigation will not suffer any form of victimisation as a result of raising a genuine concern or participating in the process.

Information relating to complaints and investigations will be treated confidentially and processed in accordance with applicable data protection legislation, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018.

Confidentiality will be maintained wherever possible, although information may need to be shared where necessary to investigate or address a complaint, protect individuals from harm, or comply with legal or safeguarding obligations.

Any breach of confidentiality or victimisation will be treated seriously and may be dealt with under the relevant disciplinary or grievance procedure.

Training

Appropriate training will be provided for employees and other individuals who have specific responsibility for implementing this policy or who may be involved in receiving, investigating or responding to complaints of sexual harassment.

An Comunn Gàidhealach will also seek to promote awareness of sexual harassment and the standards of behaviour expected of everyone involved in its activities.

Guidance and Support

An Comunn Gàidhealach will work with appropriate partner agencies, professional bodies, trade unions, safeguarding organisations and other specialist services to provide guidance and support in dealing with complaints of sexual harassment.

Anyone affected by sexual harassment is encouraged to seek appropriate support, whether through An Comunn Gàidhealach, their employer, trade union, professional body, a specialist support organisation or the police where appropriate.