



NSA policy for officeholders and volunteers on sexual harassment

The NSA Employee Handbook includes a policy on sexual harassment that is specific to staff members. This policy is an additional document for NSA officeholders and other volunteers. It includes but is not limited to Trustees, regional officeholders (including those paid an honorarium), committee members and individuals who volunteer at NSA events, including sheep events.

Introduction. All individuals within the care of NSA, which includes officeholders and volunteers, are entitled to be treated with dignity and respect in NSA places of work. This means freedom from sexual harassment, feeling safe and supported, and having access to redress if such behaviour does arise. Sexual harassment takes many forms but whatever form it takes, it is unlawful under the Equality Act 2010 as amended. NSA does not tolerate it, takes action to prevent sexual harassment from occurring and has clear reporting procedures for complaints to be made. If you have been sexually harassed, or you have witnessed sexual harassment, we encourage you to tell us so we can deal with the matter swiftly. The NSA Chair has responsibility for the operation of this policy but delegates some elements of implementation and decision making to staff within the NSA Senior Management Team. All officeholders and volunteers have a responsibility to behave in line with the requirements of this policy. Instances of sexual harassment or victimisation may lead to enforcement, including termination of NSA membership.

Scope. NSA deplores all forms of sexual harassment and seeks to ensure working environments are safe and supportive to all. This extends to NSA employees, workers, agency workers, officeholders, volunteers and contractors in all areas of the association.

Definitions

- Sexual harassment is 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 that person. It also covers treating someone less favourably because they have submitted to or refused to submit to unwanted conduct of a sexual nature, or that is related to gender reassignment or sex.
- Sexual harassment may be committed by a fellow worker, an agent of an organisation, or a third party. It does not need to occur in person. It can occur via digital means including social media sites or channels e.g. Whatsapp. Someone may be sexually harassed even if they were not the target of the behaviour. Examples of sexual harassment include, but are not limited to: sexual comments or jokes, which may be referred to 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 or a person discussing their own sex life; sexual posts or contact in online communications including on social media; spreading sexual rumours about a person; sending sexually explicit emails, text messages or messages via other social media; and unwelcome touching, hugging, massaging or kissing.
- Victimisation is subjecting someone to detriment because they have done, are suspected of doing, or intend to do an act that is protected under discrimination and harassment laws. It is not necessary for the person to have done the protected act in order for detrimental treatment



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NSA is funded by its membership of sheep farmers and its activities involve it in every aspect of the sheep industry.

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to be considered as victimisation. The protected acts are: making a claim or complaint under the Equality Act 2010 (for example, for discrimination or harassment); helping someone else to make a claim by giving evidence or information in connection with proceedings under the Equality Act 2010; making an allegation that someone has breached the Equality Act 2010; or doing anything else in connection with the Equality Act 2010. Examples of victimisation may include: failing to consider someone for promotion because they have previously made a sexual harassment complaint; dismissing someone because they accompanied a colleague to a meeting about a sexual harassment complaint; and excluding someone from work meetings because they gave evidence as a witness for another employee as part of an employment tribunal claim about harassment.

Circumstances which are covered. This policy covers behaviour that occurs: in a work situation; in a work situation occurring outside of the normal workplace or normal working hours, for example, an NSA event, committee meeting or social function; outside of a work situation but involving a colleague or other person connected NSA, including on social media; and against anyone outside of a work situation where the incident is relevant to your suitability to carry out the role.

What to do if you are subject to sexual harassment or victimisation

- **Informal complaint.** You are encouraged to raise the issue with an NSA employee of your choice. NSA recognises complaints of sexual harassment or victimisation can be of a sensitive or intimate nature so it is important you raise the issue with someone you feel comfortable with but, wherever possible, please raise the issue with someone on the NSA Senior Management Team or NSA Management Team. This is because a more junior member of staff may not feel equipped to deal with it. The person you raise the issue with on an informal basis will act as a confidential helper. They cannot be the same person who will be responsible for investigating the matter if it becomes a formal complaint. If you experience sexual harassment and feel comfortable to do so, you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally, you should hand a written request to the harasser, and your confidential helper can assist you.
- **Formal complaint.** Where the informal approach fails or you do not wish to use the informal procedure, you should bring the matter to the attention of an employee within the NSA Senior Management Team or, if you deem it necessary, the NSA Chair. Again, your confidential helper can assist you in this. If possible, you should keep notes of what happened so that the written complaint can include: the name of the alleged harasser; the nature of the alleged harassment; the dates and times when the alleged harassment occurred; the names of any witnesses; and any action already taken by you to stop the alleged harassment. On receipt of a formal complaint, NSA will take steps to ensure there is no contact between you and the alleged harasser to enable an uninterrupted investigation to take place. The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and carry out a thorough investigation. This may be online and will normally be within five working days of receipt of your complaint. You have the right to be accompanied at such a meeting by your confidential helper and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence may be dealt with under the disciplinary procedure for NSA employees. On conclusion of the investigation, which will normally be within 10 working days of the meeting with you, the decision of the investigator, detailing the findings, will be sent in writing to you. You have the right to appeal against the findings of the investigator. If you wish to appeal you must inform the NSA Chair within five working days. You will then be invited to a further meeting, led by the NSA Chair. Following the appeal meeting, you will be informed of the final decision, normally within 10 working days, which will be confirmed in writing. Regardless of the outcome of the procedure, we are committed to providing the support you may need. This may involve

mediation between you and the other party or some other measure to manage the ongoing working relationship. You will not be victimised for having brought a complaint.

What to do if you witness sexual harassment or victimisation. If you witness sexual harassment or victimisation, you are encouraged to take appropriate action to address it. You should not take any action that may put you at risk of sexual harassment or other harm. If you feel able, you should intervene to prevent the matter continuing. If you are not able to do this, your action may include offering support to the person who has been sexually harassed and encouraging them to report the incident or reporting the incident yourself. If reporting the incident and the person involved is an NSA employee, you should bring the matter to the attention of their line manager. If the individual involved is not an NSA employee, you should bring the matter to the attention of an employee within the NSA Senior Management Team. They will sensitively talk to the person subject to sexual harassment to determine how they want the matter to be handled.

Third-party sexual harassment. Third-party sexual harassment occurs when one of our workforce is subjected to sexual harassment by someone who is not part of our workforce but who is encountered in connection with work. This includes members, officeholders, volunteers, attendees at events, self-employed contractors, customers and suppliers. Third-party sexual harassment of our workforce is unlawful and will not be tolerated. The law requires employers to take steps to prevent sexual harassment by third parties. The law does not provide a mechanism for individuals to bring a claim of third-party harassment alone. However, failure for an employer to take reasonable steps to prevent third-party sexual harassment may result in legal liability in other types of claim. Steps taken by the association to prevent third-party sexual harassment from occurring is included in the NSA Risk Register (sexual harassment appendix). Examples include:

- Display signage in appropriate locations saying NSA takes a zero tolerance approach to harassment of staff, including sexual harassment. This will include at sheep events, conferences and other NSA-organised events.
- Include in event/ticket purchase confirmation emails that NSA takes a zero tolerance approach to harassment of staff, including sexual harassment.
- Inform self-employed contractors NSA takes a zero tolerance approach to harassment of staff, including sexual harassment.
- Include acceptable standard of behaviour in officeholder inductions and information for event volunteers, including clear information on what sexual harassment looks like.

If you have been subjected to third-party sexual harassment in your role as an NSA officeholder or volunteer, you are encouraged to report this as soon as possible to NSA. Any criminal acts will be reported to the police.

Disciplinary action. If the decision is that the allegation of sexual harassment or victimisation is well founded, the harasser/victimiser will be liable to the following action.

- For an employee. Disciplinary action in accordance with the NSA disciplinary procedure up to and including summary dismissal.
- For an officeholder or volunteer. The NSA employee who investigated the complaint will make a recommendation to the NSA Chair, who will then make a decision on behalf of the Board. They may choose to consult with their fellow Trustees via email or an interim Board meeting. Action can include one or more of the following: removal of an officeholder position (and removal of an honorarium if one is paid); removal from a regional and/or event organising committee; termination of NSA membership, following the process in the NSA Articles of Membership; and/or prevention from attending future NSA meetings, events and other activities. Any criminal act will be reported to the police.

If, due to the investigation, it is concluded that your complaint is both untrue and has been brought with malicious intent, disciplinary action will be taken against you, following the processes above.