

Sexual Harassment Policy

The Labour Party has a zero tolerance approach to sexual harassment and will take all complaints of this nature extremely seriously.

Should you experience any behaviour that you feel amounts to sexual harassment either towards yourself or another member we strongly encourage you to report it to us as soon as you can.

What is sexual harassment?

Sexual harassment is a form of sex discrimination. It takes place when someone is subjected to unwelcome and unwanted sexual behaviour or other conduct related to their gender.

Harassment is defined by law in the Equality Act 2010 as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'. In the case of sexual harassment the relevant protected characteristic is 'sex'.

Behaviour that constitutes sexual harassment includes:

- Unwelcome behaviour of a sexual nature, this may be either physical or verbal,
- Inappropriate or suggestive remarks or verbal sexual advances,
- Indecent comments, jokes or innuendos relating to a person's looks or private life,
- Unwanted physical contact such as hugging, kissing or inappropriate touching,
- Requests for sexual favours,
- The display or circulation of pornography or indecent images.

Often, this kind of behaviour may be brushed off by the harasser as 'banter' or harmless flirting. It is important to remember that the impact the behaviour had on you is the most important factor, it is not so relevant whether the individual intended to cause offence, but rather that offence was caused by the conduct.

Sexual Harassment Procedure

We understand that reporting sexual harassment can be intimidating, so we aim to make the process as clear and straight forward as possible. If you choose to contact us, it will only be treated as a formal complaint if you make it clear that this is the route you would like to take. We are happy to offer informal advice about the possible action and outcomes open to you and will not force you to take any action you do not feel comfortable with.

In the first instance we recommend that you to speak to a the Head of Complaints. You can contact them on: 07595 432542. They will be able to talk over your concerns and offer advice about the best course of action. If you would prefer to contact us initially by email then you may email the Head of Complaints on: complaints@labour.org.uk.

Where we believe a criminal offence has taken place, we will advise you to report the incident to the police. If we have serious concerns about your safety, the Complaints Unit have the duty to contact the police, but we will do our best to let you know before doing so. If your complaint is subject to an ongoing police enquiry, we will not investigate until the police investigation has run its course.

If, after speaking to us, you decide to make a formal complaint; the process will be as follows:

- First, we will seek written statements from you the complainant and the respondent. At this point the respondent will be informed of the details of the complaint made against them. As part of this process each party will be encouraged to provide any relevant evidence and names of witnesses that support their statement. This process will form the preliminary investigation to establish the matters of fact from both sides.
- The statements from the complainant, respondent and any witnesses will then be provided to the sexual harassment panel of the National Executive Committee (NEC). This panel will be made up of 3 members of the NEC Disputes Panel.
- All statements will be anonymised before being put in front of the panel, so they will not know the names of the individuals involved in the case.
- If the party deems it necessary, at the point the complaint is referred to the panel of the NEC, an administrative suspension may be imposed on the respondent until the investigation is complete.
- Should the panel of the NEC decide the case requires further investigation, they will refer the case to the NCC. At this stage the complainant and respondent will be provided with copies of all statements and asked to attend separate interviews with a panel of the NCC.

- The NEC panel may make the decision that the complaint is better dealt with through an informal route rather than through an NCC hearing. Where this is the case, they will lay out their recommendations for the next steps to the Head of Complaints.
- The meetings with the NCC panel will be held at different times and the complainant and respondent will not be required to meet.
- Witnesses may also be invited to attend an interview with the NCC panel.
- Should either the complainant or respondent wish to submit requests for questions to be put to the other party as part of their interview, they will be invited to do so ahead of the meetings.
- After the initial interviews, the NCC panel may feel it is necessary to follow up on any points that were raised; this will usually be done by telephone.
- Once the panel is satisfied that it has all the information it needs, it will make a decision about the appropriate action that should be taken. The NCC's decision will be reported to the Disputes panel of the NEC.

At no point will the complainant be required to confront the respondent face to face. All details of the complaint will be dealt with in the strictest confidence.