

## Introduction

This policy reflects our obligations under the Worker Protection (Amendment of Equality Act 2010) Act 2023 and anticipates further duties under the Employment Rights Bill 2024.

We support our colleagues to be healthy and happy so that they feel good and can function well both at work and personally. All colleagues are entitled to be treated with dignity and respect in our place 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. Nviro will not tolerate it.

We take action to prevent sexual harassment from occurring and have clear reporting procedures for our colleagues to make a complaint about sexual harassment. If you have been sexually harassed or you have witnessed sexual harassment, we encourage you to tell us so that we can deal with the matter swiftly.

## Policy Aim

This policy aims to give clear guidance on Nviro's zero-tolerance approach to sexual harassment in the workplace and how to report incidents of unfair and inappropriate behaviour if it is witnessed or if someone falls victim to such behaviour.

This policy accompanies the Equality, Diversity Inclusion Policy and Anti-harassment and Anti-bullying Policy.

This policy does not form part of the contract of employment, and we reserve the right to amend or withdraw it at any time.

## Definitions

### Sexual Harassment

Sexual harassment is unwanted conduct of a sexual nature which 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 in relation to gender reassignment or sex.

Sexual harassment may be committed by a fellow worker or a third party. It does not need to occur in person. It can occur via digital means, including social media or messaging channels (eg 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:

- Inappropriate jokes or comments.
- Wolf-whistling.
- Repeatedly asking someone out after they've said no.
- Gossip and speculation about someone's sexual orientation or transgender status, including spreading malicious rumours.
- Sending or displaying explicit images or videos via email or social media
- Leering, staring, or making sexual gestures.
- Unwelcome touching, such as rubbing shoulders or groping.

- Blocking someone's path in a suggestive manner.
- Physical assault or sexual violence.
- Intimidation

## Victimisation

Victimisation is subjecting someone to detriment because they have done, are suspected of doing, or intend to do, an act which is protected under discrimination and harassment laws. These are outlined below. The person doesn't need to have done the protected act for detrimental treatment to be considered as victimisation.

The protected acts are:

- making a claim or complaint under the Equality Act (eg for discrimination or harassment)
- helping someone else to claim by giving evidence or information in connection with proceedings under the Equality Act
- alleging that someone has breached the Equality Act
- doing anything else in connection with the Equality Act

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
- excluding someone from work meetings because they gave evidence as a witness for another employee as part of an employment tribunal claim about harassment.

## Third-party Harassment

Harassment by someone outside of our workforce (e.g. clients, suppliers, public) is unlawful. Nviro may be held liable if reasonable steps are not taken to prevent it.

## Responsibilities

Nviro's People Director has overall responsibility for the operation of this policy but may delegate elements of implementation or decision-making to other members of senior management. Our managers will maintain an open-door policy, and we encourage all colleagues to come forward with any concerns in relation to sexual harassment. All our colleagues have a responsibility to behave in line with the requirements of this policy.

Instances of sexual harassment or victimisation may lead to disciplinary action up to, and including, termination of employment.

## Circumstances which are covered

This policy covers behaviour which occurs in the following situations:

- any work situations, towards colleagues, or third parties.
- a situation occurring outside of the normal workplace or normal working hours which is related to work, e.g. a working lunch, a business trip or social functions;

**Nviro Limited Board Approved. Policy last reviewed November 2025 (reviewed on an annual basis)**

- outside of a work situation but involving a colleague or other person connected to the Company, including on social media;
- against anyone outside of a work situation where the incident is relevant to your suitability to carry out the role.

## Risk Assessment

Managers must conduct regular risk assessments to identify potential harassment risks in the workplace and take proactive steps to mitigate them. This includes lone working, client-facing roles, and digital communications.

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

We are committed to ensuring that there is no sexual harassment or victimisation in our workplace. Allegations of sexual harassment and victimisation will be treated as a disciplinary matter. Every situation will be considered on an individual basis and in accordance with the principles of our disciplinary procedures, a copy of which is available on elementsuite.

## What to do if you witness sexual harassment

If you see someone being sexually harassed at work, you could step in and try to stop it from happening, if you feel it's safe to do so.

It may be possible for you to support a victim by doing one of the following:

- support a complaint made by the person who experienced the sexual harassment
- report what you've seen or experienced using the procedures below
- give evidence as a witness, for example, as part of a grievance procedure
- make a sexual harassment complaint yourself because what you've seen has violated your dignity or created an intimidating, hostile, degrading, humiliating or offensive environment for you

## Informal Stage

We recognise that complaints of sexual harassment or victimisation can be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances, you are encouraged to raise such issues with a senior colleague of your choice (whether that person has a direct supervisory responsibility for you) as a confidential helper. This person may not be the same person who will be responsible for investigating the matter if it becomes a formal complaint.

If you experience sexual harassment and you feel comfortable doing so, you should make it clear to the harasser directly that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally, then you should make a written request to the harasser, and your confidential helper can assist you in this.

In addition, you may also choose to raise concerns during your regular communication with your manager, e.g. in a one-to-one meeting. Your manager will listen to you and take your concerns seriously if you do this but may encourage you to follow the reporting procedures set out below. If you don't have a one-to-one meeting scheduled with your manager, you can ask to meet with them at any time to discuss any concerns that you may have.

Your manager or your confidential helper, can intervene during the informal stage, usually with your authorisation to do so. Where an intervention takes place, a Record of Conversation form should be completed and be kept on the harasser's personnel file. If the welfare or safety of the aggrieved or others is at risk or where the allegations are particularly serious, we may have to approach the individual and instigate a formal investigation. In such a case we will, where possible, discuss this with the aggrieved first.

## Formal Stage

Where the Informal approach fails or if the sexual harassment or victimisation is more serious, you should bring the matter to the attention of the HR Department as a formal written complaint and again, your confidential helper can assist you in this.

Alternatively, you can report instances by emailing [communications@nviro.co.uk](mailto:communications@nviro.co.uk). Our online means of reporting sexual harassment are continually monitored by the HR Department, and you will be contacted within five working days of your report.

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
- any action already taken by you to stop the alleged harassment.

On receipt of a formal complaint, we will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another work area or suspension with contractual pay until the matter has been resolved.

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. The meeting will normally be held within five working days of receipt of your complaint. You have the right to be accompanied at such a meeting by your confidential helper or another work colleague of your choice, and you should 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.

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. Any undue delay during the investigation will be communicated to you.

## Appeal

You have the right to appeal against the findings of the investigator within five working days of receiving the outcome. If you wish to appeal, you will be informed of the appealing officer at the same time as the outcome is delivered to you. You will then be invited to a further meeting. As far as reasonably practicable, Nviro will be represented by a more senior manager than the manager who attended the first meeting (unless the most senior manager attended that meeting).

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, where necessary.

You will not be victimised for having brought a complaint.

## Whistleblowing & Non-Disclosure Agreements

Disclosures of sexual harassment are protected under the whistleblowing law. Nviro does not use non-disclosure agreements to silence victims or prevent lawful reporting. All colleagues are encouraged to speak up without fear of retaliation.

## Third-party sexual harassment

Third-party sexual harassment occurs when a member 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 our customers, suppliers and members of the public.

Third-party sexual harassment of our colleagues is unlawful and will not be tolerated. The law requires employers to take steps to prevent sexual harassment by third parties and we are committed to doing so.

The law does not provide a mechanism for individuals to bring a claim of third-party harassment alone. However, the failure of an employer to take reasonable steps to prevent third-party sexual harassment may result in legal liability in other types of claims.

To prevent third-party sexual harassment from occurring, we will communicate with our existing clients and inform them of our zero-tolerance approach to ensure they understand the seriousness of such behaviour and potential consequences of these actions, as well as detail our commitment to them, their colleagues and their building users. In addition, all our new clients will receive our Client Partnership Agreement, which asks that they agree to Nviro's zero-tolerance approach to sexual harassment, to align with our values and treat our colleagues in the same way we commit to treating theirs.

If you have been subjected to third-party sexual harassment, you are encouraged to report this as soon as possible in the same way as detailed above.

Should a customer sexually harass one of our colleagues, we will warn the client or customers about their behaviour, and any criminal acts will be reported to the police. Where deemed necessary, we will put in special and appropriate measures to continue to protect our colleagues. We will expect our clients or customers to carry out their own internal investigations in line with their own Sexual Harassment Policy and Disciplinary Policy, and we commit to fully cooperating with their investigations.

We will not tolerate sexual harassment by any member of our workforce against a third party. Instances of sexual harassment of this kind may lead to disciplinary action, including termination of employment.

## Disciplinary action

If the decision of the formal stage, is that the allegation of sexual harassment or victimisation is well founded, the harasser/victimiser will be liable to disciplinary action in accordance with our disciplinary procedure up to, and including, summary dismissal. A colleague who receives a formal warning or who is dismissed for sexual harassment/victimisation may appeal by using our disciplinary appeal procedure.

When deciding on the level of disciplinary sanction to be applied, we will take into consideration any aggravating factors affecting the case. One example of aggravating factors is an abuse of power over a more junior colleague.

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.

## Training

We provide training to all our colleagues on sexual harassment to ensure there is a clear understanding of:

- what sexual harassment is, how it may occur and that it will not be tolerated
- expected levels of behaviour
- how they can report any incidents of having been sexually harassed or having witnessed it
- how acts of harassment will be dealt with under the disciplinary procedure, which can potentially result in dismissal.

We ensure that all levels of management are trained on implementing this policy, including preventing and managing sexual harassment in the workplace and the procedure to follow if an allegation is reported.

We will regularly review the effectiveness of our training, and we will provide online refresher training on an annual basis.

## Monitoring & Evaluation

Nviro will monitor harassment reports, conduct anonymous surveys, and review exit interviews to assess the effectiveness of this policy. Findings will be used to improve training, support, and preventative measures.

## Support

If you need emotional support or help following an incident at work relating to this policy, we have a team of mental health first aiders who can provide guidance and access to support. Details on how to contact the team can be found here - [Mental Health First Aiders - Nviro](#). Alternatively, you can access our employee assistance programme WeCare, for free, confidential advice and support. This offers a wide range of services that may be beneficial to you and your family, including mental health support, financial and legal guidance and a 24/7 GP. Further information can be found on elementsuite under the Benefits tile.