



Personal Safety and Harassment Policy

Version 7 (31.1.22)

INTRODUCTION

While we are not a regulatory body, we do promote safe and inclusive practices among all ukactive members. We want all facilities to provide a safe and welcoming environment for everyone wishing to access them. Any form of harassment toward people is totally unacceptable and we expect operators to take a **zero-tolerance approach to all types of harassment of both customers and staff.**

The safety of staff, customers and visitors (referred to as users within this document) within our sectors facilities and premises is paramount, as such we have developed a draft policy for our members to use as a basis to **create their own policy on Personal Safety and Harassment - not all elements will be suitable/possible for all.**

Although harassment can take place by any individual in any setting, this example policy is focused on harassment received by staff and/or users within our sectors facilities and premises, this could be by another user or a member of staff – this policy is not focused on harassment received by a member of staff from another member of staff.

If a member of staff is receiving harassment within the workplace the organisation will have different employment-based policies and processes in place to deal with this, although some of the below could overlap.

n.b. Customers and visitors are referred to as ‘users’ within this document

HARASSMENT CAN BE DEFINED AS

- Aggressive pressure or intimidation.
- Unwelcome attention based on personal characteristics.
- Conduct which threatens, intimidates, alarms or makes a user uncomfortable putting them at fear for their safety.
- Physical violence, or direct or inferred sexual threat.
- Threatening, offensive, unwelcome, abusive verbal language or behaviour.

HARASSMENT CAN BE

- Direct – to the user as an individual from another individual or group of individuals.
- Indirect – witnessed towards someone else, or a group you are not/ or do not wish to be related or linked to.

Harassment doesn't have to be about you to affect and impact you.

HARASSMENT EXAMPLES

There are many forms of Harassment, some examples of these are (this list is not exhaustive):

- Negative, unwelcome, aggressive or detrimental comments about race, heritage or ethnicity.
- Comments, jokes or suggestive statements about someone's sexual orientation, gender or identity.
- Derogatory comments or actions regarding a person's ability or disability – physical or mental.
- Exclusive or negative comments, suggestions or behaviours towards a person because of their age.
- Unkind, negative comments that will offend or embarrass someone because of their size, appearance or fitness levels.

IN FACILITY HARASSMENT EXAMPLES

Harassment may take on many forms, but in a facility environment all of the above can be seen through unwanted, unreasonable and unnecessary behaviours that have a negative impact on another person or even group of people.

SEXUAL HARASSMENT EXAMPLES

There are many forms of Sexual Harassment, some examples of this are (this list is not exhaustive):

- Unwelcome physical contact – touching, patting, pinching, stroking, kissing, hugging, fondling or inappropriate touching.
- Physical violence, including sexual assault (as defined by the Crown Prosecution Service/Sexual Offences Act).
- Sexual comments, jokes or stories that offend or humiliate a person or group of people.
- Unwanted comments on a person's looks, dress, sexuality, age or gender in a derogatory or objectifying way.
- Repeated unwanted flirting or flirting at an inappropriate time which could be deemed to undermine or damage a person's reputation.
- Lewd behaviour such as leering, whistling or gesturing.

IN FACILITY SEXUAL HARASSMENT EXAMPLES

Harassment may take on many forms, but examples of this in a facility environment are:

- Uninvited correction of another facility user's form or technique when training.
- Taking unsolicited photographs or videos of another person.
- Excessive watching or staring at another person – directly or via mirrors.
- Continuously exercising next to or near to another person or following them around the facility.
- Sending or sharing of unwelcome personal images to any other person.
- Unwanted flirtation or sexual advances.
- Commenting on other people's body, looks or clothing (appearance).

WHAT TO DO IF YOU HAVE EXPERIENCED HARASSMENT OR INAPPROPRIATE BEHAVIOUR

If you feel you have been the victim of harassment by a user or employee, where appropriate you should discuss this with them directly. If this is not possible or you are uncomfortable to do so, you should report it to the Facility Management team immediately either face to face or via a confidential email address/phone number (if you would like to speak to a specific individual/gender, please ask). The organisation will then commence an investigation which will follow the company procedures and could include:

1. Taking a detailed statement from you about the incident.
2. Discussing allegations with the individual they are against. This will only be done with your consent.
3. Reviewing the initial allegations with the senior manager/executive team to agree any immediate action.
4. If considered appropriate, the user or employee may be suspended from the facility whilst a full investigation is carried out.
5. A full investigation meeting will be arranged with you, with notes of the discussion taken
7. CCTV footage will be reviewed (if available)
8. Statements/notes will be taken from any witnesses (if available).
9. A review and recording of any written or other evidence (text, email, social media posts etc) may be conducted.
10. If, after investigation there is sufficient evidence to support the allegations a decision will be made to progress to a disciplinary hearing (employee) or terminate membership (user) or close proceedings if there is insufficient evidence to support the allegations.
11. Inform all parties of the outcome, and file securely if needed
12. If possible, offer mediation to enable and support both parties to move forwards.
13. If the incident is referred to the Police, we will cooperate in full with all requests.

POSSIBLE OUTCOMES OF EMPLOYEE DISCIPLINARY ACTION

If following an investigation of a minor incident, there is a belief that the individual had acted with poor judgement or made an innocent error – coaching and education may be the appropriate course of action to take.

If, however, the investigation provides evidence that there has been direct or indirect intentional harassment, a formal sanction will be issued. Sanctions will be in line with the employing organisations procedures guidance, which could include:

- A first written warning for a first offence.
- A final written warning for a second offence or for a severe first offence.
- Dismissal if other sanctions are on the individuals record and an incident occurs.
- Summary Dismissal for Gross Misconduct cases.

Internal processes remain confidential as with all employee management, however, the lessons learned and evidence may be redacted and used in further staff training and education to promote best practice in the future.

POSSIBLE OUTCOMES OF USER INVESTIGATION

If following an investigation of a minor incident, there is a belief that the user had acted with poor judgement or made an innocent error – a warning, apology and education may be the appropriate action to take.

If, however, the investigation provides evidence that there has been direct or indirect intentional harassment, a formal sanction will be issued. Sanctions will be in line with the following guidance:

- A warning of potential ban for a second offence or a severe first offence.
- Immediate ban of the user.
- Referral of the incident, with consent of the aggrieved, to the police.

Internal processes remain confidential, however, the lessons learned and evidence may be redacted and used in further staff training and education to promote best practice in the future.

SUPPORT TO MEMBERS WHO HAVE EXPERIENCED HARASSMENT

1. If you are not happy with the process or the outcome, you can request for the case to be escalated to a more senior manager in-line with the organisations procedures to review your case.
2. We hope you will be comfortable to return to the facility and will support you as much as we can.
3. You will be offered an opportunity for a mediated conversation with the individual the allegation was against if they are remaining in the facility, if they are agreeable to the session and if you feel this would be beneficial.

4. If possible, and you would prefer to train at another one of our locations, we would support the transfer of your membership.

5. For further support available, please visit [Support for Victims of Harassment \(Police\)](#)

Further Information

- [Equality Act 2010](#)
- For Northern Ireland: Employment Equality (Sexual Orientation) Regulations (NI) 2003, Equality Act (Sexual Orientation) Regulations (NI) 2006, Fair Employment Treatment (NI) Order 1998, Race Relations (NI) Order 1997, Sex Discrimination (NI) Order 1976, Disability Discrimination Act 1995, Employment Equality (Age) Regulations (NI) 2006
- [A practical guide with insight, guidance and tangible solutions to support fitness and leisure operators in getting more women and girls active within their facilities.](#)
- [ACAS – Discrimination, bullying and harassment](#)