

Lincolnshire Police and the Office of the Police and Crime Commissioner (OPCC) Joint Policy Document



Sexual misconduct policy PD 260

Policy document information

Reference number:	PD 260
Policy sponsor:	DCC
Policy owner:	Head of PSD
Author:	D/Supt Paul Coleman
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Version history

Version	Date	Reason for issue
1	Nov 2022	New Policy
2	Nov 2024	Revised and Updated Policy

Code of Ethics

All staff involved in carrying out functions under this policy and associated procedures and appendices will do so in accordance with the principles of the Code of Ethics. The aim of the Code of Ethics is to support each member of the policing profession to deliver the highest professional standards in their service to the public.

Legislative compliance

This document has been drafted to comply with the principles of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the staff and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with the Equality Act 2010 and meet our legal obligation in relation to the equality duty. In addition, Data Protection, Freedom of Information and Health and Safety Issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all relevant legislation and internal policies.

Other legislation/law which this policy has been drafted to comply with:

- [Human Rights Act 1998 \(in particular A.14 – Prohibition of discrimination\)](#)
- [Equality Act 2010](#)
- [Crime and Disorder Act 1998](#)
- [Health and Safety at Work etc. Act 1974 \(legislation.gov.uk\)](#)
- [Data Protection Act 2018](#)

- [Freedom Of Information Act 2000](#)

Security classification

Policy to be published on Intranet: Yes

Policy to be published on Force Website: Yes

Authorised Professional Practice (APP)

This policy has been checked against APP and there is none in relation to the subject matter of this policy.

1. Policy aims (Purpose)

- 1.1. Lincolnshire Police is committed to providing an inclusive and welcoming working environment for all officers, staff, and support volunteers, free of sexual harassment and victimisation and where everyone can feel supported, safe and reach their potential.

Note: All references made in this document to Lincolnshire Police, including members of staff, volunteers, contractors, workers, and prospective applicants, will apply equally to the Office of the Police and Crime Commissioner for Lincolnshire.

- 1.2. Lincolnshire Police has a zero-tolerance policy in relation to sexual harassment.

- 1.3. Sexual Harassment is unlawful under the Equality Act 2010.

- 1.4. The aim of this policy is to: -

- Advise what constitutes sexual harassment.
- Make clear the professional behaviour expected of all officers, staff and volunteers, contractors, workers, and prospective job applicants.
- Empower those to raise a complaint by setting out a clear process.

- To support those who are affected by sexual harassment.
- Make clear the responsibility on the force, and managers, to eradicate sexual harassment from the workplace.
- Make clear the expectation of all members to be an upstander, challenging sexual harassment if observed or otherwise believed to be happening in the workplace (Upstander - A person who stands up for something, as contrasted to a bystander who remains inactive).
- To ensure individuals know the support available in Lincolnshire Police.

2. Policy statement (Key information)

2.1. Scope

This policy applies to members of Lincolnshire Police and the Office of the Police and Crime Commissioner for Lincolnshire, which includes staff, police officers, special constabulary and volunteers, workers, and contractors.

2.2. Definitions

2.2.2. The Equality Act 2010 prohibits three types of sexual harassment in the workplace.

The main type of sexual harassment is unwanted conduct of a sexual nature perpetrated on a particular person, for example unwelcome sexual advances.

Also prohibited is sex-related harassment, which means unwanted conduct related to the protected characteristic of sex. The unwanted conduct does not have to be directed towards the complainant or related to his or her actual sex. This could include telling jokes about women or making derogatory sexist remarks about women.

Less favourable treatment based on a person's rejection of or submission to sex-related harassment or sexual harassment is also unlawful. This could cover circumstances where a woman is rejected for promotion by her boss after turning down his sexual advances.

Sexual harassment is not limited to face-to-face interaction, either. Harassment online, by phone, or by letter is also against the law.

2.3. Responsibilities

2.3.1. We all have a responsibility to create and maintain a work environment free of harassment and victimisation and to treat our colleagues with dignity and respect. Please see the Professional Standards Reporting (whistleblowing Policy) PD48 for further information.

2.3.2. Individuals are responsible for: -

- Being aware of how their behaviour may affect others.
- Treating colleagues with dignity and respect.
- Taking a stand against inappropriate jokes, comments or gestures.
- Making it clear to others when their behaviour is unacceptable.
- Intervening to stop sexual harassment and discreditable conduct and giving support to anyone who may have been harassed.
- Ensuring victims and/or witnesses are safeguarded.
- Reporting harassment to a manager, Federation/Unison, Crimestoppers, Professional Standards Department in person or anonymously. Options for such include 'Bad Apple', the confidential reporting line, Crimestoppers or via the IOPC.
- Disclosure can also be made to a member of Op Bluebell who can provide advice and support.
- Co-operating as required in investigations.
- Where a complaint of harassment is made, remaining unbiased, and not prejudicing either the reporting person or the subject of the report.

2.3.3. Please note that simply ignoring and/or walking away from such incidents or refusing to get involved is not acceptable and we expect that behaviours of this nature are challenged and/or reported as per the Standards of Professional Behaviour, in particular - *Challenging & Reporting Improper Conduct*.

2.3.4. Managers/supervisors have a responsibility to: -

- Implement the zero-tolerance policy on sexual harassment
- Set a good example by their own behaviour.
- Ensure that there is a proactive and supportive working environment.
- Make sure that all personnel know the standards of behaviour, the code of ethics and force values, recognising what is expected of them.
- Intervene to stop sexual harassment.
- Report promptly any incident of harassment to their Senior Leadership Team and or Professional Standards Department, as well as ensuring any appropriate safeguarding and other actions are completed.

2.3.5. The Force has responsibility to ensure that sexual harassment is not tolerated in the workplace and that complaints are taken seriously. They may be treated as criminal or as disciplinary offences and may even be considered as gross misconduct (a breach of the standards of professional behaviour that is so serious as to justify dismissal).

2.4. General

2.4.1. Sexual harassment can happen regardless of the individual's or alleged perpetrators gender identity or sexual orientation.

2.4.2. Sexual harassment in the workplace may occur from: -

- Someone you work with.
- A manager, supervisor, or someone else in a position of authority.

- A member of the public/visitor.

2.4.3. Sexual harassment includes a wide range of behaviours including but not limited to:

- Sexual comments or jokes.
- Displaying sexually graphic pictures, posters, or photos.
- Suggestive looks, staring or leering.
- Propositions and sexual advances.
- Sexual gestures.
- Uninvited discussion of one's sex life or inappropriate discussion of sex life.
- Sexual posts or contact on social media.
- Spreading sexual rumours about a person.
- Sending sexually explicit emails or text messages
- Unwelcome touching, hugging, massaging, or kissing.
- Predatory behaviour.
- Criminal behaviour, including sexual assault, stalking, grooming, indecent exposure and sending offensive communications.
- Coercion.

2.4.4. Sometimes there can be a culture of sexual harassment in a workplace that's not specifically aimed at one person, such as sharing sexual images and leering at members of the public. Someone could still make a complaint of sexual harassment in this situation.

2.4.5. Sexual harassment can be a one-off event and does not need to be directed at a person. It can be witnessed or overheard. Sexual conduct that has been tolerated in the past may, over time, become unwanted and if it continues then it becomes harassment.

2.4.6. Forces will be liable for sexual harassment committed by their officers, staff or volunteers during their employment/volunteering unless they can show that they took all reasonable steps to prevent the harassment. 'In the course of employment' includes acts committed in any other place where work is conducted such as offsite, at a training course, conference, or

external meeting, as well as other circumstances in which the officer/staff member is not actually working but relate to work, such as at a leaving party or other social event.

2.5. Taking action

2.5.1. Lincolnshire Police wants to provide a professional working environment for its officers, staff and volunteers and has a 'duty of care' to do so.

2.5.2. Lincolnshire Police will ensure reasonable action is taken to prevent sexual harassment in the workplace and ensure there is support available for anyone who feels they have had their dignity violated or where an individual(s) has created an intimidating, hostile, degrading, humiliating or offensive environment, whether intended or not.

2.5.3. Reasonable action includes: -

- Setting standards and a culture so all are made aware that such behaviour will not be tolerated.
- Providing opportunities for teams to discuss sexual harassment and the importance of tackling unlawful and discriminatory practices.
- Ensuring there is a clear reporting process in place.
- Ensuring accusations are fully investigated and appropriate action taken.
- Ensuring support is available to individuals affected by sexual harassment.

2.6. Setting Standards

2.6.1. Standards of Professional Behaviours are set by the Police Conduct Regulations 2020, the Police Staff Council Joint Circular 54, and the Code of Ethics.

2.6.2. The Code of Ethics is a first for everyone who works in policing in England and Wales. It sets out the principles and standards of behaviour we expect

to see from police professionals. It applies to every individual who works in policing, whether a warranted officer, member of police staff, volunteer or someone contracted to work in a police force.

2.6.3. For the purpose of this policy the following standards are highlighted.

- Members are expected to act with self-control and tolerance, treating members of the public and colleagues with respect and courtesy.
- Members should not abuse their powers or authority and respect the rights of all individuals.
- All members are to challenge and report improper conduct regardless of rank and or role.

2.6.4. Everyone has the right to a working environment free of harassment, from others within the service and members of the public. Lincolnshire Police will proactively support such a working environment.

2.6.5. A breach of such standards could damage public confidence in the police service.

2.6.6. Any breach of any of the standards of professional behaviour could potentially lead to disciplinary action, which in serious cases may result in dismissal without notice.

2.7. Training

2.7.1. Training and information is crucial to the success of policies on sexual harassment and in changing the workplace environment.

2.7.2. Training programmes should include:

- Details on the policy, its implementation, and promotion.
- What misogyny, sexism and sexual harassment mean, their effects and consequences.
- What victimisation means.
- How to report incidents and unacceptable behaviour.

- How to address issues of third-party harassment if applicable.
- How to get support.
- The help available to those being harassed.

2.7.3. Records should be kept ensuring that everyone is trained and that they regularly receive refresher training. Officers and staff should also be encouraged to help each other, either by lending support or informing management of their concerns through the appropriate channels.

2.8 Clear Reporting Process

2.8.1. Individuals are encouraged to come forward if they believe they have been the victim of harassment. Lincolnshire Police have a number of robust procedures in place designed to support prompt action.

2.8.2. Lincolnshire Police will ensure the reporting individual and alleged harasser are not required to work together while the matter is under investigation.

2.8.3. Individuals who are concerned that they may have been subject to harassment should raise the issue to anyone they feel comfortable doing so including a friend, colleague, manager, Op Bluebell advocate, Federation/Unison, Crimestoppers, PSD, report via Bad Apple or the confidential reporting line.

2.8.4. If an individual becomes aware of suspected sexual harassment between a colleague and another individual, they should raise the issue to any of the above.

2.8.6. Investigations into complaints or allegations of sexual harassment may also lead to a criminal investigation being instigated. Where there are concerns that a criminal act has taken place, PSD will liaise with the Crime Dept to ensure that the appropriate resources are allocated. (E.g any RASSO offences should be dealt with by PVP). If a criminal act is suspected, this will take primacy over the PSD investigation to avoid prejudicing the criminal investigation. The PSD and Crime SIOs will liaise throughout to ensure momentum of the both investigations.

- 2.8.7. Any investigations into allegations of sexual harassment by a contractor (whether toward Lincolnshire Police personnel, another contractor or a member of the public) will be assessed by PSD and then conducted by their employer. The outcome of which will be notified to the force.
- 2.8.8. Confidentiality for reporting persons will be maintained as per the Professional Standards Reporting (Whistleblowing) Policy. This is subject to any requirement to involve external agencies where a criminal offence may have been committed or where maintaining confidentiality would pose a risk to the person making the report, or to others.

2.9. Misconduct Process

- 2.9.1. The alleged perpetrator will be fairly investigated through the appropriate process.
- 2.9.2. All complaints of sexual harassment will be taken very seriously. Lincolnshire Police will handle any investigation in a way that is fair, without prejudice and sensitive to:
- The person who made the complaint
 - Anyone who is a witness
 - Anyone accused of sexual harassment
- 2.9.3. Any individual found to have sexually harassed another in the workplace (or elsewhere) will be held to account for their actions. This may result in disciplinary action up to and including summary dismissal.

2.10. Support and Advice for Individuals

- 2.10.1. There are many sources of support available. These include: -
- 2.10.2. Internal
- Line Managers
 - HR Specialists and Advisors
 - Federation/Unison

- Superintendents Association
- Peer Supporters
- Op Bluebell Advocates
- Employee Assistance Programme
- Occupational Health
- Health & Care Team
- Equality, Diversity & Inclusion (EDI) team
- TRIM
- Chaplaincy
- PSD (in person and via confidential reporting)
- Whistleblowing policy

2.10.3. External - Support Services Available both in the County and National

Lincolnshire Domestic Abuse Specialist Service (LDASS)

Specialist Domestic Abuse Outreach Services in the county are provided by LDASS (formally EDAN Lincs)

www.LDASS.org.uk

Support Hub 01522 510041 (option 2)

Ashiana

Tel: 0114 255 5740

Provides refuge accommodation and support services to Black, Asian, Minority Ethnic and Refugee women, children and young people who are survivors of partner and family abuse, including forced marriages and honour-based violence, or trafficking.

www.ashianasheffield.org

ChildLine

Tel: 0800 1111

Provides support and advice to children and young people affected by domestic abuse, either within their family or within a relationship themselves.

www.childline.org.uk

Galop

Tel: 0800 999 5428

Email: help@galop.org.uk

Emotional and practical support for LGBT+ people experiencing domestic abuse.

<http://www.galop.org.uk/>

Spring Lodge

Tel: 01522 524402 or 0303 1234 000 (out of hours)

Email: lpft.springlodge@nhs.net

Lincolnshire's Sexual Assault Referral Centre: help any adult who has been raped, sexually assaulted, or sexually abused at any point in their lives.

<https://www.lpft.nhs.uk/spring-lodge/home>

Lincolnshire Rape Crisis & Sexual Assault Services

Tel: 0800 33 4 55 00

Email: support@lincolnshirerapecrisis.org.uk

Support people of all genders who live or work in Lincolnshire, who have been affected by any form of sexual violence at any point in their lives.

<https://www.lincolnshirerapecrisis.org.uk>

Jewish Women's Aid

Tel: 0808 801 0500

Provides a refuge, helpline, and outreach support for Jewish women and their children affected by domestic abuse.

<http://www.jwa.org.uk>

Mankind Initiative

Tel: 01823 334244

Support for male victims of domestic abuse and domestic violence.

www.mankind.org.uk

Men's Advice Line

Tel: 0808 801 0327

Email: info@mensadviceline.org.uk

Information, support, and advice to men experiencing domestic violence, offered by Respect.

Make a Change (Lincolnshire) help if you are concerned about your behaviour

Tel: 01522 246616

www.makeachange.uk.net/

24-hour National Domestic Violence Helpline

Tel: 0808 2000 247

Provides emergency accommodation for women and children when they are most in need. The Freephone 24-hour National Domestic Violence Helpline helps women find spaces in refuges across the UK.

www.nationaldomesticviolencehelpline.org.uk

National Support for Women – Refuge

www.refuge.org.uk

Relate

Tel: 0300 100 1234

Counselling and relationship education for couples.

Live chat line service also available.

www.relate.org.uk

Rights of women

Tel: 020 725 8887 (only Tues 11—1pm).

Email: info@row.org.uk

Provides women with free, confidential legal advice by specialist women solicitors and barristers. Seeks equality, justice, and safety in the law for women.

<https://rightsofwomen.org.uk/>

Southall Black Sisters

Tel: 02085710800

Offer specialist advice, information, casework, advocacy, counselling, and self-help support services in several community languages, especially South Asian languages.

<https://southallblacksisters.org.uk/contact-us/>

The National Stalking Helpline is run by Suzy Lamplugh Trust.

Helpline Tel: 0808 802 0300

Calls are free from all landline telephones and from mobiles using the O2, Orange, T Mobile, Three (3), Virgin, and Vodafone networks. Calls will not

be shown on BT landline bills. If you are using another telephone provider please enquire with them about whether 080880 numbers will appear on your phone bill.

Victim Support

Tel: 0845 3030 900

Offers help to anyone affected by crime - victims, witnesses, friends, and family. This can include emotional support, information, and practical help, either over the phone or face-to-face.

www.victimsupport.org.uk

Victim Lincs

Tel 01522 947510

www.victimlincs.co.uk

Victim Lincs provide free confidential advice and guidance and make referrals to specialist support organisations who provide tailored support based on individual need. The service is delivered through the OPCC and is completely independent of Lincolnshire Police. People can self-refer without the need to report to the police.

NW Counselling Hub CIC

Tel: 01522 253809

Email: admin@nwcounsellinghub.co.uk

Experienced counsellors who understand emotional wellbeing, working with those affected by sexual abuse.

<https://www.nwcounsellinghub.co.uk>

Umbrella Counselling

Tel: 01476 249403

Email: office@umbrellacounselling.com

A counselling service for survivors of rape and sexual assault. Providing a safe and welcoming environment for everyone who wants to access counselling regardless of gender or sexuality.

The Bright Sky App

Contains a wide range of useful information for both you directly or a friend/family member who you may be concerned about – visit <https://www.hestia.org/brightsky> for more information

LPFT Steps to Change <https://www.lpft.nhs.uk/steps2change/home>

Local GP

Domestic Violence Disclosure Scheme DVDS (Clare’s Law)

Lincolnshire Police and OPCC employees can also access the Domestic Violence Disclosure Scheme DVDS (Clare’s Law) scheme like any other member of the public. You can call directly, or a third party can make the application if you or someone you know is at risk of domestic abuse. Call 101 to make the application. Records can be restricted accordingly and handled confidentially.

2.11. Further Advice

- 2.11.1. For further advice regarding this policy please contact Human Resources or the Professional Standards Department.

3. Other related documents and appendices

- 3.1. This Policy should be read in conjunction with the following Force documents and policies:
 - Domestic Abuse Policy PD45 (Includes Guidance on Police Perpetrated Domestic Abuse (PPDA))
 - Hate crime Policy PD96
 - Internal hate crime and hate related behaviour policy PD137
 - Rape Policy PD176
 - Investigation Policy PD126
 - Profession Standards Reporting (whistleblowing) PD 48
 - Professional Standards Public Complaints & Misconduct Policy PD21
 - Disclosure of Police Misconduct Policy PD 97

- Victim Code of Practice Policy PD247
- Vulnerable & Intimidated Policy PD 78
- Fairness at Work
- Standards of Professional Behaviour & Code of Ethics
- Staff Disciplinary procedure
- Probationary Period Procedure
- Culture Strategy 2021-2024

4. Monitoring and review

- 4.1 This policy will be subject to an ongoing review by the Head of HR and Head of PSD to ensure that any changes in legislation, guidance or procedures are incorporated as soon as possible. A formal review will be completed biennially.

5. Who to contact about this policy

- 5.1. Any enquiries about this policy should be directed to the Head of Professional Standards or the Director of People Services