



Sexual Harassment Policy

Policy No: HR 0033

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Revision Number	2
This Revision Status	Final
Summary Purpose	Explains the policy and procedure to be followed in respect of sexual harassment.
Summary Scope	All David MacBrayne Group employees, Agency Workers and Contractors
Policy Owner	Patricia Harwood, HR Business Partner
DML Board Approved	01 September 2026





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1. Purpose

The Company (meaning David MacBrayne Limited, CalMac Ferries Limited, Caledonian MacBrayne Crewing (Guernsey) Limited and David MacBrayne HR (UK) Limited) is committed to ensuring all employees are 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. This policy has been developed to protect all employees, consultants, contractors, customers or visitors.

Breaches of the Policy will be taken very seriously and may lead to investigation and disciplinary action under the Company's Disciplinary Procedure, up to and including summary dismissal for gross misconduct.

2. Scope

This policy applies to all employees, agency workers, consultants and contractors working for or on behalf of the Company.

It also addresses sexual harassment by third parties encountered in connection with work, including passengers, customers, suppliers, contractors, visitors and members of the public.

3. Policy

The Company will comply with the Equality Act 2010 (EqA), as amended.

The law requires employers to take all reasonable steps to prevent sexual harassment of their workers. As an employer, CalMac must take all reasonable steps to prevent sexual harassment from occurring and ensure there are clear reporting procedures for employees to make a complaint about sexual harassment. If an employee has been sexually harassed, or has witnessed sexual harassment, they are encouraged to raise the matter so that it can be dealt with immediately.

CalMac seeks to ensure the working environment is safe and supportive to all workers at all times, this includes employees, agency workers and contractors in all areas of the organisation.

3.1 Implementation

The Company will ensure compliance with the applicable legislation by;

- Taking all reasonable steps to prevent sexual harassment;
- Taking action to prevent sexual harassment from occurring through conducting risk assessments; carrying out regular training for managers and employees and ensuring regular review of the Sexual Harassment Policy.

All employees are required to adhere to the requirements of this policy and to ensure, as far as possible, that others comply with it.

All employees have a responsibility to behave in line with the requirements of this policy.

3.2 Non-compliance

Failure to comply with this policy may result in disciplinary action being taken in line with the Company's Conduct and Standards and Disciplinary policies.

Sexual harassment or victimisation by agency workers, contractors or other third parties will be addressed through the appropriate contractual, commercial or operational arrangements. This may include removal from Company premises or vessels, notification to the individual's employer or contracting organisation, termination of an assignment or contractual arrangement, refusal of service or other proportionate action. Instances of sexual harassment or victimisation may lead to disciplinary action up to, and including, termination of employment.



3.3 Definitions

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 includes treating someone less favourably because they have submitted to, or rejected, unwanted conduct of a sexual nature, or harassment related to sex or gender reassignment. When considering whether conduct has had this effect, the perception of the person affected, the other circumstances of the case and whether it is reasonable for the conduct to have that effect will be taken into account.

Sexual harassment may be committed by a fellow employee, 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
- 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 which is protected under discrimination and harassment laws, as outlined below.

The protected acts are:

- making a claim or complaint under the Equality Act 2010 (e.g. 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
- doing anything else in connection with the Equality Act 2010

Some 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.



3.4 Circumstances which are covered

This policy covers behaviour which occurs in the following situations:

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

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

CalMac is committed to ensuring there is no sexual harassment or victimisation in the workplace.

Allegations of sexual harassment and victimisation will be treated as a disciplinary matter, although every situation will be considered on an individual basis and in accordance with the principles of the disciplinary procedures, a copy of which is available on CMS (Policy Number HR0003) or by clicking here: [Disciplinary Policy and Procedure](#)

3.5.1 Informal complaint

It is recognised that complaints of sexual harassment or victimisation can be of a sensitive or intimate nature and that it may not be appropriate to raise the issue through the normal grievance procedure. In these circumstances, employees are encouraged to raise such issues with a senior colleague of their choice. This person cannot be the same person who will be responsible for investigating the matter if it becomes a formal complaint.

If an employee experiences sexual harassment and feels comfortable to do so, they should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If the employee feels unable to do this verbally then they should send a written request to the harasser. In addition, the employee may choose to raise concerns with their manager. The manager will listen to the concerns raised and may encourage the employee to follow the reporting procedures set out below.

3.5.2 Formal complaint

You may make a formal complaint at any time. You do not have to confront the alleged harasser or attempt informal resolution first.

A formal complaint may be raised verbally or in writing with your HR Business Partner (HRBP). Where necessary, the HRBP will assist you to record the details of the complaint.

If possible, you should keep notes of what happened so that the 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.

3.5.3 Interim measures

On receipt of a formal complaint, consideration will be given to whether any interim measures are necessary to protect the complainant, witnesses or others while the matter is being investigated.

Depending on the circumstances, this may include temporary changes to duties, working arrangements, reporting lines or contact arrangements, temporary redeployment, or suspension in accordance with the



Disciplinary Policy and Procedure. Any measures introduced will be proportionate to the circumstances and will not constitute disciplinary action.

Wherever reasonably practicable, interim arrangements should not disadvantage the complainant unless this is requested by them or is necessary to protect their safety or wellbeing.

3.5.4 Possible Criminal Conduct

Where a complaint concerns conduct which may amount to a criminal offence, the HR Business Partner will discuss with the employee whether they wish to report the matter to the Police and will provide appropriate support where they choose to do so.

The employee's wishes will be given significant weight. However, there may be circumstances where the Company considers that a matter should be reported to the Police or another appropriate authority, for example where there is an immediate or serious risk to the safety of the employee, other employees or third parties.

Where the Police are involved, the Company will consider, in consultation with the Police where appropriate, whether its own investigation or disciplinary process can proceed without prejudicing any criminal investigation or proceedings.

3.6 Investigation

An Investigating Officer will be appointed to investigate the complaint. The Investigating Officer will be appropriately competent and sufficiently independent of the circumstances giving rise to the complaint. Any actual or potential conflict of interest will be considered before the Investigating Officer is appointed. Where the complaint concerns an individual who would normally be involved in the investigation or decision-making process, or where there is another potential conflict of interest, an alternative Investigating Officer will be appointed. This may include an alternative HR Business Partner, a suitably independent manager or, where appropriate, an external investigator.

The Investigating Officer will invite the employee to attend a meeting to discuss the complaint in more detail. The meeting will normally be held within seven working days of receipt of the complaint and the employee has the right to be accompanied at this meeting.

The investigation will be managed sensitively and as confidentially as reasonably practicable. Information will only be shared where necessary for a fair investigation, to protect those involved, to obtain appropriate advice or to meet a legal obligation.

3.7 Outcome and appeal

On conclusion of the investigation, the Investigating Officer will provide a written outcome to the employee.

The employee has a right to appeal against the findings of the investigator. If the employee wishes to appeal, they must inform the relevant HRBP within five working days of receiving the written outcome.

The employee will then be invited to a further meeting. As far as reasonably practicable, the organisation 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, the employee will be informed of the outcome of the final decision in writing, as soon as possible.

Regardless of the outcome of the procedure, the company is committed to providing the support employees may need. This may involve mediation or some other measure to manage the ongoing working relationship.

Employees will not be victimised for having brought a complaint.



3.8 Witnessing Sexual Harassment or Victimisation

If an employee witnesses sexual harassment or victimisation, they are encouraged to take appropriate action immediately. If possible (and it is safe to do so), the employee should intervene to prevent the matter continuing. If this is not possible, the witness may offer support to the person who has been sexually harassed and encourage them to report the incident.

If reporting the incident, the witness should bring the matter to the attention of an HR Business Partner. Employees who report concerns, provide information or participate in an investigation will not be subjected to victimisation or retaliation as a result of doing so.

Concerns will be handled sensitively and as confidentially as reasonably practicable, and appropriate action will be considered in accordance with this policy.

3.9 Whistleblowing

Concerns relating to sexual harassment may also be raised under the Company's Whistleblowing Policy (SP0007) where they involve systemic issues, serious misconduct or a failure to meet legal duties to prevent harassment.

Employees do not need to determine which procedure applies before raising a concern. Where a concern is raised through one reporting route but is more appropriately managed under another Company procedure, the employee will be advised and the matter directed to the appropriate process.

3.10 Third-party Sexual Harassment

Third-party sexual harassment occurs where a member of the workforce is subjected to sexual harassment by someone who is not part of the CalMac workforce but who is encountered in connection with work. This may include passengers, customers, suppliers, contractors, visitors or members of the public.

Third-party sexual harassment will not be tolerated. The Company will take all reasonable steps to prevent sexual harassment of employees in the course of their employment, including sexual harassment by third parties.

The Company will identify and assess circumstances in which third-party sexual harassment could reasonably occur and will maintain proportionate preventative controls in response to the risks identified.

Employees who experience or witness third-party sexual harassment are encouraged to report the matter as soon as reasonably practicable to their Line Manager, another appropriate manager or their HR Business Partner. Reports will be taken seriously and appropriate action will be considered both to address the incident and to prevent recurrence.

Appropriate action in response to third-party sexual harassment may include action under the Company's Conditions of Carriage, passenger behaviour and Violence and Aggression arrangements, contractor or supplier controls, or referral to the Police or another appropriate authority where warranted.

The Company's wider arrangements for preventing and responding to harassment by third parties are set out in the Harassment and Bullying Policy and Procedure (HR0010).

Sexual harassment by a member of the workforce towards a third party will not be tolerated and may result in disciplinary action in accordance with the Company's Conduct and Standards and Disciplinary policies.



3.11 Disciplinary Action

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

When deciding on the level of disciplinary sanction to be applied, the company 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.

Where there is evidence that a complaint was deliberately false and made with malicious intent, the matter may be considered under the Company's Disciplinary Policy and Procedure. A complaint which is not upheld will not, by itself, result in action against the complainant.

3.12 Training

CalMac will provide Sexual Harassment training to all employees 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.

CalMac will ensure that all levels of management are trained on implementing the Sexual Harassment Policy, including preventing and managing sexual harassment in the workplace and the procedure to follow if an allegation is reported. CalMac will regularly review the effectiveness of its training and will provide refresher training as appropriate.

3.13 Employee Assistance Programme

Further support is available by contacting the Employee Assistance Programme (EAP). This is a confidential, independent, unbiased support and guidance and all employees are entitled to 6 free counselling sessions.

Employees also have access to a range of other support including financial and legal advice from a team of trained wellbeing and counselling practitioners who can be contacted the following ways:

Call 0800 028 0871, the number is available 24/7, 365 days a year;

By downloading the mobile app, Wisdom, to access a number of support tools and resources. To use the mobile app:

1. Download the 'Wisdom' app from the app store.
2. Create a new account using individual email address
3. Input the unique employer code: **MHA206281**.

Via the online portal:

1. Visit healthassuredeap.com and login using:
2. Username: **wellbeing** / Password: **CodeMoonLake**



4. Document Review

The Policy Owner is responsible for reviewing this document in consultation with other members of the Executive.

Notwithstanding above, all personnel have a responsibility to use this document critically and to forward any suggestions for its improvement through management line or use the [Feedback](#) function in the SharePoint Company Management System.

5. Document Change Information

The table below notes the changes made since the document was previously published.

Date of change	What changed	Who changed (title)	Who changed (name)
18/08/2026	Policy revised following legislative gap analysis to reflect forthcoming harassment law changes. Updates include strengthened preventative duties, third-party harassment provisions, reporting and investigation arrangements, interim protections, whistleblowing links and clarification of disciplinary and victimisation provisions. Updated to latest policy template.	Head of HR Business Partnering	Caroline Barry