

ANTI-SEXUAL HARASSMENT AND ANTI-BULLYING POLICY



Policy number:		Version:	1
Drafted by:	Harrison Delany	Approved by Board on:	
Responsible person:		Scheduled review date	

1. INTRODUCTION

Educating The Future (ETF) Australia Limited is committed to providing a safe environment that is free from discrimination on any ground and from harassment at work including sexual harassment for all staff, volunteers, partners, and any others involved. ETF operates a zero tolerance policy for any form of sexual harassment and/or bullying behaviour, and will treat all incidents seriously and promptly investigate all allegations.

Harassment, bullying and discrimination are unacceptable in Educating the Future.

Any person found to have breached the rules set out in this policy will face disciplinary action, up to and including termination from involvement with ETF.

2. SEXUAL HARASSMENT DEFINITION

- 2.1. ETF defines sexual harassment as unwelcome conduct of a sexual nature that makes or could make the recipient feel offended, humiliated and/or intimidated. Sexual harassment is unlawful regardless of the sex, sexual orientation or gender identity of the parties.
- 2.2. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient.
- 2.3. Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal, and non-verbal. Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

- 2.3.1. Physical conduct:

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- Physical contact, e.g. touching, pinching
- The use of job-related threats or rewards to solicit sexual favours

2.3.2. Verbal conduct:

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages

2.3.3. Non-verbal conduct

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling

2.4. ETF recognises that sexual harassment often takes place within unequal relationships. Thus, anyone, including volunteers, partners, and others, who sexually harass another person will be reprimanded in accordance with this internal policy.

2.5. All sexual harassment is prohibited, regardless of location.

3. BULLYING DEFINITION

3.1. ETF defines bullying as repeated, health-harming mistreatment of one or more people by one or more perpetrators.

3.1.1. Bullying is abusive conduct that includes:

- Threatening, humiliating or intimidating behaviours
- Work interference/sabotage that prevents work from getting done
- Verbal abuse

3.1.2. ETF considers the following types of behaviour examples of bullying:

- Verbal bullying:
 - slandering, ridiculing or maligning a person; persistent name-calling; abusive and offensive remarks
- Physical bullying:

- Pushing, shoving, assault or threat of physical assault, damage to a person's work area or property, gestures
 - Exclusion:
 - Socially or physically excluding or disregarding a person
- 3.2. Such behaviour violates ETF's Code of Conduct and Volunteer Agreement, which states that all people will be treated with dignity and respect

4. COMPLAINTS PROCEDURE

- 4.1. Anyone who is subject to sexual harassment or any form of bullying should, if able to, inform the alleged harasser that the conduct is unwanted and unwelcome. ETF recognises that harassment and bullying may occur in unequal relationships and that it may not be possible for the victim to inform the alleged harasser.
- 4.2. Victims of harassment or bullying are encouraged to report incidents to the ETF member appointed to deal with these situations 'the designated person'. The designated Anti-Bullying and Anti-Harassment focal person can be found in the Policy Register. Alternatively, incidents can be reported to team leaders or directly to the people and culture team who will follow the following procedure.
- 4.3. The complaints procedure is as follows:
- 4.3.1. When a designated person receives a complaint, they will:
- Record the dates, times, and facts of the incident(s)
 - Ascertain the views of the victim as to their desired outcome for the situation
 - Ensure that the victim understands ETF's procedures for dealing with the complaint
 - Discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if they are not satisfied with the outcome
 - Keep a confidential record
 - Respect the choice of the victim
 - Ensure that the victim knows that they can lodge the complaint outside of ETF through the relevant country/legal framework
- 4.3.2. ETF understands that victims often feel they cannot come forward. ETF therefore understands the need to support victims in making complaints.

5. INFORMAL COMPLAINTS MECHANISM

- 5.1. If the victim wishes to deal with the matter informally:

- 5.1.1. The designated person will take the following steps:
- Give an opportunity for the alleged harasser or bully to respond to the complaint
 - Ensure that the alleged individual understands the complaints mechanism
 - Facilitate discussion between both parties to achieve an informal resolution or refer the matter to a designated mediator
 - Ensure a confidential record is kept, and the incident is recorded in the Incident Register
 - Follow up after the outcome to ensure behaviour has stopped
 - Ensure that this is done quickly and within 7 days of the complaint being made

6. FORMAL COMPLAINTS MECHANISM

- 6.1. If the victim wishes to make a formal complaint or if the informal complaint result is unsatisfactory, the formal complaint mechanism should be used.
- 6.2. The designated person to receive the initial complaint will refer the matter to the Finance, Audit and Risk Committee and the People and Culture Team, which will then deal with the matter.
- 6.2.1. Individuals carrying out the investigation will:
- Interview the victim and alleged perpetrator separately
 - Interview relevant third parties
 - Decide whether or not the incident(s) took place
 - Produce a report detailing investigation, findings and recommendations
 - Decide the appropriate response in consultation with the victim,
 - Follow up to ensure behaviour has stopped and the victim feels safe
 - Still make recommendations if the incident is deemed not to have taken place
 - Keep a record of actions taken, the incident will be recorded in the Incident Register.
 - Ensure confidentiality is maintained throughout the whole process
 - Ensure that the process is complete within the next ----

7. EXTERNAL COMPLAINTS MECHANISM

- 7.1. If the victim decides to make a complaint outside ETF, that is their right and they will be supported by ETF.
- 7.2. External Complaints can be made to ACFID, to their Code of Conduct Committee.
- 7.3. External Complaints can be made to the Australian Human Rights Commission, which is an independent third party which investigates complaints about discrimination and human right breaches. They cover the complaint areas:
- 7.3.1. Disability Discrimination
 - 7.3.2. Sex Discrimination
 - 7.3.3. Race Discrimination
 - 7.3.4. Age Discrimination

- 7.4. If the alleged complaint or breach of this policy involves a breach of the criminal law, in the respective state or country, Educating the Future will report the conduct to the respective authorities

8. POLICY IMPLEMENTATION

- 8.1. This policy enters effect immediately.
- 8.2. ETF will ensure that this policy is widely disseminated to all relevant parties. All new volunteers will be trained on the content of this policy as part of their induction.
- 8.3. It is the responsibility of team leaders to ensure their team is aware of this policy, training will be provided annually for all team leaders.
- 8.4. ETF will prepare an annual report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This allows the policy to be reviewed annually .

AUTHORISATION

<Signature of CEO>

<Name of CEO>

<Date>