

# **Sample Sexual Harassment Policy**

## **Statement of Policy**

Sexual harassment is unlawful. [INSERT CLUB NAME] does not tolerate sexual harassment in any form. Every volunteer, club member and committee member has a responsibility to ensure that sexual harassment does not occur.

Anyone found to have sexually harassed another person will be subject to disciplinary action that may include an apology, counseling, or dismissal from the club.

Reports of sexual harassment will be treated promptly, seriously and confidentially. Complainants have the right to determine how a complaint will be treated. They also have the right to have a supporter or representative chosen by them involved in the process and the option to stop the process at any time.

The alleged harasser also has the right to have a supporter or representative chosen by them present when he/she responds to the allegations made.

No volunteer or club member will be treated unfairly as a result of making a complaint of sexual harassment. Immediate disciplinary action will be taken against anyone who victimises or retaliates against someone who has made a complaint of sexual harassment.

## **Scope**

This policy applies to:

- Board/committee members
- all club members and volunteers, including
- how [INSERT CLUB NAME] interacts with other members of the public, other clubs and the media
- all aspects of recruitment and selection; club promotion; task allocation; training, game day, club functions, and transport
- whenever members are wearing the [INSERT CLUB NAME] uniform in public

## **Policy Aims**

1. [INSERT CLUB NAME] is committed to providing a safe, inclusive and respectful environment for members and volunteers free from all forms of sexual harassment.
2. All [INSERT CLUB NAME] members and volunteers are required to treat others with dignity, courtesy and respect.

## **Definition of Sexual Harassment**

Sexual harassment includes any unwelcome behaviour of a sexual nature that could be reasonably expected to make someone feel offended, humiliated or intimidated. Sexual harassment can be physical, spoken or written

This may include (but is not restricted to):

- an unwelcome sexual advance
- a request for sexual favours
- unwelcome comments about someone's sex life or physical appearance
- leering and ogling
- sexually offensive comments, stories or jokes
- displaying sexually offensive photos, pinups or calendars, reading matter or objects
- sexual propositions or continued requests for dates
- physical contact such as touching or fondling, or unnecessary brushing up against someone
- indecent assault or rape (these are criminal offences).

## **Club Members Right and Responsibilities**

1. Just because someone does not object to inappropriate behaviour at the time, it does not mean that they are consenting to the behaviour.
2. Sexual harassment is covered and will be addressed in the [INSERT CLUB NAME] when it happens at club facilities, at club-related events, between people participating at [INSERT CLUB NAME], or between club members outside of the club.
3. All members and volunteers have the same rights and responsibilities in relation to sexual harassment.
4. A single incident is enough to constitute sexual harassment – it doesn't have to be repeated.
5. All incidents of sexual harassment – no matter how large or small or who is involved – require coaches and leaders to respond quickly and appropriately.
6. [INSERT CLUB NAME] recognises that comments and behaviour that do not offend one person can offend another. This policy requires all members and volunteers to respect other people's limits.
7. A complaint of sexual harassment can be made using [INSERT CLUB NAME] *Complaint resolution policy and procedure*

## **Resolving Issues**

[INSERT CLUB NAME] strongly encourages any member or volunteer who believes they have been discriminated against, bullied or harassed, sexually harassed, vilified or victimised to take appropriate action (see Complaint resolution procedure) Please do not suffer in silence.

Members and volunteers who do not feel safe or confident to take such action may seek assistance from the contacts below for advice and support or action their behalf.

[INSERT CLUB CONTACTS]

### **Internal complaint**

A volunteer or member who believes they have been harassed (the complainant) should:

- if comfortable to do so, inform the alleged harasser the behaviour is offensive, unwelcome, against the organisation's policy and should stop
- make a note of the date, time and location of the incident/s
- if not comfortable to confront the alleged harasser or if unwelcome behavior continues, report to the nominated *sexual harassment contact*
- if this is inappropriate, speak to another senior member of the club, such as a coach/member of the leadership team/committee member

The *sexual harassment contact* will follow the procedures set out below. At any time the complainant has the right to discontinue this process.

### **Complaints process**

When a complaint is received, the *sexual harassment contact* will:

- obtain and record a full, step-by-step account of the incident/s
- ensure the clubs process for handling the complaint is understood
- ascertain the complainant's preferred outcome, e.g. an apology, the behaviour to cease, a change in club/team arrangements
- agree on the next step: informal resolution or formal investigation
- keep a confidential record of all details of this discussion and subsequent steps in the process.

## **Informal resolution**

Where a complainant has chosen informal resolution, following an informal process the *sexual harassment contact* will:

- inform the alleged harasser of the complaint and provide an opportunity to respond
- ensure both parties understand their rights and responsibilities under the club's policy
- if possible, mediate an outcome that is satisfactory for the complainant
- ensure that confidentiality is maintained
- follow up to ensure the behaviour does not re-occur.

## **Formal investigation**

If a formal investigation is requested by the complainant, or if an informal resolution fails, the *sexual harassment contact* will escalate the matter to a senior member of the club.

That person will:

- afford natural justice to all involved
- interview all directly concerned, separately
- interview witnesses, separately
- keep records of the interviews and investigation
- ensure confidentiality and minimise disclosure
- make a determination as to whether there is sufficient evidence that a reasonable person could conclude, on the balance of probabilities (i.e. it's more likely than not), that an incident/incidents of sexual harassment as defined by the legislation has occurred
- in such a case, determine appropriate action, which may include a change of duties for the harasser, change to club participation or, where the incidents were frequent and/or severe, dismissal
- where it cannot be determined by the required test, that an incident/incidents of sexual harassment as defined by the legislation has occurred, may still take action to ensure the proper functioning of the club and safety of club members; but these actions should not prejudice any party. They will also continue to closely monitor the situation and provide retraining where required
- check to ensure the action meets the needs of the complainant and club



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