

Anti Sexual, Sex and Gender-Based Harassment Policy

1. Purpose

Inala Community House (ICH) is committed to creating safe, inclusive and respectful workplace for all people. ICH has zero-tolerance approach and recognises that every person has the right to a workplace that is safe and free from sexual, sex and gender-based harassment. ICH recognises the significant impact that sexual harassment can have on individuals involved and will take all reasonable steps to eliminate or mitigate the risk of sexual, sex or gender-based harassment within the workplace through proactive systems and processes. ICH has formal and informal processes in place which utilise trauma informed and person-centred approaches which aim to ensure the safety, dignity and wellbeing of individuals involved.

Workers also have an obligation to behave in a manner that ensures that the workplace is free from sexual harassment. All workers must treat others with respect and uphold strong behavioural standards outlined within the ICH *Code of Conduct*.

Breaches of this policy will result in disciplinary action.

This policy operates in conjunction with the *Anti-Discrimination* and the *Grievance and Dispute Resolution* policies.

2. Scope

This policy applies to all employees, Board members, volunteers, students, trainees and contractors. For the purposes of this policy, these persons shall be referred to as workers.

3. Definition

Sexual harassment: means any unwelcome sexual advance, unwelcome request for sexual favours, or other unwelcome conduct of a sexual nature in relation to another person. To be sexual harassment it has to be reasonable to expect that there is a possibility that the person being harassed would be offended, humiliated or intimidated by the behaviour. Examples of sexual harassment include, but are not limited to:

- Unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching or asking intrusive questions or statements about your private life,
- Displaying posters, magazines or screen savers of a sexual nature,
- Sexually explicit or suggestive emails or text messages or other digital platforms used by the organisation, jokes, comments, insults or taunts,
- Inappropriate advances or requests for dates (including on social media),
- Intrusive questions about a person's private life or body
- Behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

A single incident can constitute sexual harassment however, behaviour that is based on mutual attraction, friendship and respect is not sexual harassment.

A person can also experience sexual harassment by being exposed to or witnessing inappropriate behaviour in the workplace (e.g. sexually explicit posters in the workplace).

A person may be sexually harassed by any person in the workplace including other workers, service users, visitors, etc.

Sexual harassment also includes sex or gender-based harassment.

4. Policy

4.1 Commitment and Responsibility

Inala Community House will not tolerate sexual harassment under any circumstances. Responsibility lies with every Manager, supervisor and worker to ensure that sexual harassment does not occur. All persons should be treated with dignity, courtesy and respect at all times in accordance with the *Code of Conduct*.

ICH recognises that comments and behaviour that do not offend one person may offend another. This policy requires all workers to respect other people's boundaries.

ICH has proactive strategies in place to prevent and respond to sexual harassment occurring in the workplace including:

- Leadership commitment where leaders demonstrate a zero-tolerance approach to sexual harassment through role modelling, clearly communicating behavioural standards, ongoing supervision and maintaining current knowledge about sexual harassment
- Risk assessment processes which assess the risk of sexual harassment occurring within the workplace (including while onsite or in the community)
- Creating a safe, inclusive and respectful workplace by communicating expected standards of behaviour and having processes to address breaches of these standards, having information displayed at public sites for visitors, ensuring that there are fair processes in place when reports are received and embedding this through organisational systems
- Sharing knowledge about sexual harassment through induction, training, resources and education
- Support available to workers
- Reporting systems if sexual harassment occurs
- Measuring any available data about sexual harassment occurring within the workplace

4.2 Legislation

Sexual harassment is a form of sexual discrimination. Both federal and state Equal Employment Opportunity legislation provide that sexual harassment is unlawful. Legal action can be taken against both individual workers and the organisation for sexual harassment in the workplace.

A breach of this policy will result in disciplinary action, up to and including termination of employment. Some forms of sexual harassment may also be criminal offences.

4.3 Workers Affected by Sexual Harassment

ICH encourages any worker who experiences sexual harassment to:

- If able to do so, address the behaviour directly with the person stating that their behaviour is unwelcome and asking them to stop. Given the seriousness of sexual harassment, it is recommended that this discussion occurs in consultation with the Manager
- If not able to do so, remove themselves from the situation
- Report this occurring (see the Reporting section below)
- Keep a record of what happened, when and where it happened, who was involved and anything else that is important. If this has occurred using technology, take screenshots if possible
- Call the police if the situation is unsafe or if the behaviour constitutes a criminal offence
- Seek support through the EAP or other appropriate support services

4.4 Reporting

ICH strongly encourages any worker who feels they have been sexually harassed to take immediate action. ICH also encourages those who witness inappropriate behaviour to report it. Workers should report sexual harassment occurring in accordance with the *Grievance and Dispute Resolution Policy*. If a worker chooses not to make a formal report, ICH will seek to address the situation informally, to the extent possible and with consideration of the wishes of the individual.

No worker will be treated unfairly as a result of rejecting unwanted advances. Disciplinary action may be taken against anyone who victimises or retaliates against a person who has reported sexual harassment, or against any worker who has allegedly harassed another person.

Managers or supervisors who fail to take appropriate corrective action when aware of harassment of a person will also be subject to disciplinary action.

Reports will be handled by:

- Prioritising the safety, privacy and wellbeing of people involved
- Ensuring that confidentiality is maintained
- Providing support to workers and referring to the EAP and referring to other appropriate support services (e.g. 1800 RESPECT)
- Listening in a compassionate, non-judgmental and sensitive manner
- Promoting the input and choice of the person reporting. ICH, to the extent possible, will give genuine consideration to their wishes and how decisions may affect them
- Handling reports fairly, impartially and reasonably in accordance with procedural fairness principles and in a timely manner

4. Review

This policy shall be reviewed annually or after a serious incident.

This policy remains in effect unless otherwise determined by resolution of the Board of Directors.

5. Related Documents

Policies

ICH Code of Conduct Policy
ICH Anti-Bullying Policy
ICH Anti-Discrimination Policy
ICH Grievance and Dispute Resolution Policy
ICH Confidentiality Policy
ICH Health and Wellbeing Policy
ICH Workplace Health and Safety Policy
ICH Risk Management Policy
ICH Personal Safety in the Community Policy

References

Work Health and Safety Act 2011
Work Health and Safety (Sexual Harassment) Amendment Regulation 2024
Sex Discrimination Act 1984 (Cth)
Anti-Discrimination Act 1991 (Qld)
Fair Work Act 2009 (Cth)