



# Sambhali Trust

## Policy on Sexual Harassment

Sambhali Trust has adopted a zero-tolerance approach towards discrimination and all forms of unlawful harassment, including sexual harassment. This means that no form of unlawful discrimination or harassing conduct by or towards any employee, volunteer, or other person in our workplace will be tolerated. The Trust is committed to enforcing its policy at all levels. Any officer, director, manager, supervisor, employee or volunteer will be subject to discipline up to and including immediate discharge from employment.

This includes:

### **Discrimination**

Based on a person's race, sex, religion, nationality, ethnic origin, sexual orientation, disability, age, language, social origin and other status. Discrimination may be an isolated event affecting one person or a group of people, or may manifest itself through harassment or abuse of authority.

### **Harassment**

This is any improper and unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person. Harassment may take the form of words, gestures or actions which tend to annoy, alarm, abuse, demean, intimidate, belittle, humiliate, or embarrass another or which creates an intimidating, hostile or offensive work environment. Harassment normally implies a series of incidents. Disagreement on work performance or other work-related issues are not normally considered harassment and is not dealt with under the provision of this policy but in the context of performance management.

### Sexual Harassment

This is any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature or any other behaviour that might be perceived to cause offence or humiliation to another. It is normally a pattern of behaviour, but can be a single incident. Sexual harassment may occur between persons of the opposite or same sex. Both males and females can either be the victim or the offender.

### Abuse of Authority

This is the improper use of a position of influence, power or authority against another person. This may include conduct that creates a hostile or offensive work environment, which includes the use of intimidation, threats, blackmail or coercion.

### Examples of Sexual Harassment

Unwanted conduct of a sexual nature	<p>Includes a wide range of behaviour, such as:</p> <ul style="list-style-type: none"><li>• sexual comments or jokes</li><li>• displaying sexually graphic pictures, posters or photos</li><li>• suggestive looks, staring or leering</li><li>• propositions and sexual advances</li><li>• making promises in return for sexual favours</li><li>• sexual gestures</li><li>• intrusive questions about a person's private or sex life, and discussing your own sex life</li><li>• sexual posts or contact on social media</li><li>• spreading sexual rumours about a person</li><li>• sending sexually explicit emails or text messages</li><li>• unwelcome touching, hugging, massaging or kissing</li><li>• criminal behaviour, including sexual assault, stalking, indecent exposure and offensive communications.</li></ul> <p>An individual can experience unwanted conduct from</p>
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	<p>someone of the same or different sex.</p> <p>The recipient of the behaviour decides whether or not it is unwanted.</p> <p>Unwanted conduct can be one-off. It does not need to be repeated to constitute sexual harassment.</p> <p>Unwanted conduct does not need to be directed at a person. It can be witnessed or overheard.</p> <p>It does not matter whether the conduct is acceptable to others or is common in the person's work environment.</p> <p>Sexual interaction that is invited, mutual or consensual is not sexual harassment because it is not unwanted.</p> <p>Sexual conduct that has been welcomed in the past can become unwanted.</p>
Purpose or effect	<p>If unwanted conduct is intended to violate a person's dignity or create an offensive environment, it does not matter whether it has that effect on the person.</p> <p>If unwanted conduct is not intended to cause distress, it can still have the effect of violating a person's dignity or creating an offensive environment.</p>
Violating dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment	<p>Whether or not unwanted sexual conduct violates a person's dignity or creates an offensive environment, depends on the victim's perspective and whether their reaction is reasonable in all the circumstances.</p> <p>People have different reactions to sexual conduct. Behaviour that might appear harmless to one person can be more serious to another.</p> <p>Factors that affect the creation of an offensive environment include the relative power, seniority, age, race and cultural background of the people involved.</p>

## **Grievance Procedure**

1. Any complaints of harassment should be addressed to the General Secretary of Sambhali Trust – Shyama Tanwar.
2. An opportunity will be provided for quick and informal resolution of less serious complaints
3. Anybody making a complaint is guaranteed that he or she is safe from retaliation, and took appropriate action in reporting the incident, no matter what the results of the investigation finds. Any employee should also report any retaliation or ongoing harassment.
4. A fair and just investigation will be conducted on the accuser's behalf as well as on that of the accused.
5. Any alleged perpetrator may be suspended during the investigation as a precaution for the protection of the complainant or to prevent interference in the investigation
6. An attorney may be consulted to ensure that all the evidence is being looked at fairly and make a decision as to whether sexual harassment has occurred.
7. Disciplinary action will be taken if necessary.
8. All documentation made will be accurate and will be kept on file.

## **Criminal behaviour**

If it is believed that a criminal offence may have been committed, the victim will be advised to report the matter to the police as soon as possible with counselling support provided by Sambhali Trust.