

Mallee Community Broadcasters Inc. Sexual Harassment Policy

SEXUAL HARASSMENT POLICY

1) *Purpose*

Sexual harassment and sexual assault are unacceptable. The purpose of this Policy is to foster a safe and healthy learning and working environment that is free from sexual harassment and sexual assault.

This Policy defines and gives examples of, behaviours that constitute sexual harassment and sexual assault affirms Mallee Community Broadcasters Inc. intolerance of sexual harassment and sexual assault and confirms its commitment to confidentiality and respect for privacy for victims of sexual harassment and sexual assault.

2) *Scope*

This Policy applies to all volunteers, committee members and contractors at Mallee Community Broadcasters Inc. Coverage applies to all Mallee Community Broadcasters Inc. events, functions, committee members activities, volunteer activities and all external locations that committee members and volunteers may attend which may be related to their work purposes.

Coverage also applies to all communications in any form whether face to face, by phone, email or any other form of technology.

3) *Principles*

The following principles and practice form the foundation for this Policy.

Safety and Wellbeing

The safety and wellbeing of volunteers, committee members, contractors and visitors are of paramount importance to Mallee Community Broadcasters Inc.

Compassion and Support

Mallee Community Broadcasters Inc. response to a person who has experienced sexual harassment and or sexual assault is one of compassion, empathy and support.

Confidentiality and privacy

Mallee Community Broadcasters Inc. will treat any disclosure or formal reporting of Sexual Harassment or Sexual Assault with the utmost confidentiality and with respect to the privacy of the volunteer or committee members member.

Inclusivity

This Policy applies to all volunteers, committee members, contractors and visitors including those who identify as intergender, transgender and gender diverse, LGBTIQ, Aboriginal and Torres Strait Islander, with a disability, culturally and linguistically diverse and international.

Mallee Community Broadcasters Inc. recognises that volunteers from other countries may have cultural and language proficiency impediments to disclosing or reporting incidents of sexual harassment and sexual assault.

4) *What Is Sexual Harassment?*

Sexual harassment is any unwelcome sexual behaviour which is likely to offend, humiliate or intimidate. It does not relate to mutual attraction or friendship. The Sexual Discrimination Act defines sexual harassment as when;

1. The person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or engages in other unwelcome conduct of a sexual nature in relation to the person harassed.
2. In circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

Examples of sexual harassment include but are not limited to:

1. Unwelcome physical touching including deliberately brushing up against the other person
2. uninvited kisses or embraces
3. Requests for sex
4. Staring or leering
5. Sexually explicit conversation
6. Suggestive comments or jokes
7. Unwanted requests to go out on dates, especially after a prior refusal
8. Intrusive questions about the person's private life or body
9. Making promises or threats in return for sexual favours
10. "flashing" (exposing private parts of the body) or sexual gestures
11. Sex-based insults, taunts, teasing or name-calling
12. Touching or interfering with a person's clothing, e.g. lifting up skirts, flicking bra straps
13. Offensive phone calls or letters
14. Displaying posters, magazines or screen savers of a sexual nature.
15. Stalking, sexual insults or taunting
16. Emailing pornography or rude jokes
17. Sending sexually explicit texts
18. Offensive messages through new technologies such as mobile phone cameras, social networking websites, emails or SMS/MMS communications.

5) *What Sexual Harassment Is NOT*

Sexual harassment is not behaviour which is based on mutual attraction, friendship or respect. If the interaction is consensual, welcome and reciprocated, it is not sexual harassment. Behaviour can become sexual harassment if the interaction changes from being based on mutual attraction, friendship or respect to non-consensual, unwelcomed and unreciprocated interactions.

6) *Disclosing and Reporting*

Mallee Community Broadcasters Inc. supports the right of volunteers and committee members who have experienced sexual harassment or sexual assault to decide whether they want to report the incident to the police.

Referral of a case to the police does not preclude Mallee Community Broadcasters Inc. from dealing with the matter through internal complaints procedures.

Volunteers and committee members may decide to disclose the incident or incidents of sexual harassment and sexual assault but decide not to report formally. Disclosure would generally occur to the manager or to the identified committee members assigned to support volunteers who have experienced sexual harassment or sexual assault.

Volunteers and committee members may decide to disclose the incident or incidents of sexual harassment and sexual assault but and then decide to report formally.

Volunteers or committee members may decide to report the incident formally. If the incident is reported as a complaint to Mallee Community Broadcasters Inc. the incident will be investigated.

Breaches Of This Policy

Mallee Community Broadcasters Inc. will take disciplinary action against any person whether volunteer, committee members or contractor who is in breach of this policy.

Penalties for committee members, volunteers and contractors found to have engaged in sexual harassment will vary depending on the nature of the harassment but may include:

for committee members – a directed apology, formal reprimand, counselling, demotion or dismissal

for volunteers – a official reprimand, suspension or exclusion

for affiliates – a formal reprimand, or termination of engagement

For sexual assault

for committee members – dismissal

for volunteers – dismissal

for affiliates – termination of engagement

This does not preclude any action taken by police or other bodies such as the Australian Human Rights Commission.