

U3A Geelong Incorporated

Reg. No. A 12137

Sexual Harassment Policy

Introduction

U3A Geelong Inc. recognises the right of every tutor, volunteer and member to attend classes, activities or functions, and to perform their duties and pursue their activities within the organisation without being subjected to any form of sexual harassment.

Purpose

The purpose of this document is to set down U3A Geelong Inc.'s policy on sexual harassment and the procedures that will be followed should any complaint of sexual harassment be received.

Policy

1. Sexual harassment can be experienced by men, women or transgender people. Sexual harassment refers to any unwelcome sexual advance or request for sexual favours, or other unwelcome conduct of a sexual nature that makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances. Lack of intent is no defence in sexual harassment cases. Examples of sexual harassment include but are not limited to:
 - intrusive enquiries into a person's private life
 - reference to their physical appearance or sexuality
 - unwanted brushing against another person's body, body touching or physically molesting a person
 - standing too close
 - obscene, suggestive or offensive communications, including electronic mail and social media
 - pornographic or salacious posters, handouts or screensavers
 - sexual jokes or anecdotes
 - leering or staring
 - unwanted sexual compliments or excessive flirting
2. U3A Geelong Inc. will not tolerate sexual harassment. Responsibility lies with every tutor, volunteer and member to ensure that sexual harassment does not occur. No volunteer or member should be subject to sexual harassment.

3. No tutor, volunteer or member will be treated unfairly as a result of lodging a complaint.
4. All tutors, volunteers and members have the right to seek assistance from the Victorian Equal Opportunity and Human Rights Commission in the resolution of a sexual harassment incident.
5. Some forms of sexual harassment, such as sexual assault, stalking and indecent exposure, may constitute criminal conduct. While U3A Geelong Inc. is committed to handling most complaints at the local level, more extreme forms of sexual harassment are not suited to internal resolution and should be handled by the criminal justice system. It is not the duty of U3a Geelong Inc. to report such matters to the police on behalf of the complainant.
6. Formerly accepted behaviour may be found to be sexual harassment when it continues after a request from the complainant for it to stop, or at a point where it becomes offensive, humiliating or intimidating.

Procedures

7. U3A Geelong Inc. strongly encourages any tutor, volunteer or member who feels sexually harassed to take immediate action. Where circumstances permit, the aggrieved person should make it clear that such behaviour is unwelcome and offensive. Alternatively, or in addition, they may follow the procedures for reporting the behaviour.
8. A complaint of sexual harassment may be made to any member of the Management Committee, who will inform the President immediately. The President will assess the complaint promptly, seriously and sensitively. There will be no presumption of guilt until an assessment and/or investigation has been completed.
9. The President will explain to the complainant their rights and responsibilities under this policy, and ascertain the complainant's expectations of the process.
10. The complainant has the right to influence how the complaint is handled, and to have support and representation throughout the process, and to discontinue the complaint at any stage of the process.
11. The alleged harasser has the right to be made aware of the allegations, have support or representation throughout the process, and respond fully to any allegation made.
12. Where agreed with the complainant, informal intervention will be initiated by the President, using conciliation or mediation techniques, such as those laid down in U3A Geelong Inc.'s Grievance Procedure. The informal intervention will be complete when all parties agree on actions or outcomes to be implemented. When agreement is not reached, a formal intervention will be initiated and the Management Committee will appoint a Committee member as an 'investigator' into the complaint.

13. The investigator will:

- interview the complainant to ascertain the facts and what they expect as a result of the complaint
- interview the respondent to ascertain their response/defence
- identify and interview other persons who may be able to assist
- examine any relevant documents or electronic communications
- determine relevant previous behaviours or issues

14. The investigator will reach a finding, assemble all the evidence gathered and provide these to the Management Committee. The assembled evidence may include, but is not limited to:

- records of interviews conducted
- supporting evidence provided by a doctor, counsellor, family member etc.
- other complaints or information regarding the respondent's behaviour
- records kept by the complainant
- information on the credibility or consistency of the evidence

15. The Management Committee will recommend a course of action influenced by:

- the wishes of the complainant
- the severity and frequency of the harassment
- the weight of the evidence
- the level of contrition
- any prior incidents or warnings

16. Possible disciplinary actions may include but are not limited to:

- formal apology and undertaking that the behaviour will cease
- counselling
- official warning
- cancellation of membership
- removal from tutorship or volunteer role

17. Where there is insufficient evidence to determine whether or not the harassment occurred the Management Committee will remind those involved of expected standards of conduct and monitor the situation.

Implementation

These policies were adopted by the Management Committee of Geelong U3A Inc. and minuted as such on 22nd July, 2020.

This policy document will be published on the website of U3A Geelong Inc. within 4 weeks of the date of authorisation, and printed copies made available to all tutors and volunteers.

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