

# Sexual Harassment Policy



## Background

Beaconsfield Neighbourhood Centre (BNC) is committed to providing a safe, respectful, inclusive and equitable environment for all staff, volunteers, tutors, clients and visitors.

Sexual harassment is unlawful and will not be tolerated under any circumstances. It is prohibited under the Sex Discrimination Act 1984 and the Equal Opportunity Act 2010.

BNC recognises its positive duty under Victorian law to take proactive and reasonable steps to eliminate sexual harassment, discrimination, hostile work environments and victimisation as far as possible.

## Scope

This policy applies to all employees, volunteers, tutors, contractors, members and visitors to BNC. It applies in the workplace, at work-related activities, during recruitment and training processes, and through electronic communication or social media where there is a connection to BNC.

## Purpose

The aims of this policy are to:

- Ensure that all staff, volunteers, tutors and members can participate in a safe, inclusive and respectful environment that is free from sexual harassment.
- Provide clear standards of behaviour and expectations.
- Confirm that complaints of sexual harassment will be taken seriously and addressed appropriately.
- Demonstrate BNC's commitment to preventing and responding to sexual harassment.

## Policy Statements

BNC is committed to maintaining a workplace that is free from sexual harassment. Sexual harassment is unlawful, unacceptable and will not be tolerated in any form. BNC will not tolerate conduct that creates a hostile environment on the basis of sex, even if it is not directed at a specific individual.

BNC promotes diversity, inclusivity, dignity and mutual respect. All individuals have the right to raise concerns or make complaints about sexual harassment without fear of victimisation, discrimination or adverse consequences.

BNC will regularly assess risks, provide information and training, and review workplace practices to reduce the risk of sexual harassment.

Under Section 92 of the Equal Opportunity Act 2010, a person sexually harasses another person if they:

- Make an unwelcome sexual advance; or
- Make an unwelcome request for sexual favours; or

- Engage in any other unwelcome conduct of a sexual nature, in circumstances where a reasonable person would have anticipated that the other person would feel offended, humiliated or intimidated.

Conduct of a sexual nature includes:

- subjecting a person to any act of physical intimacy,
- making, orally or in writing, any remark or statement with sexual connotations to a person or about a person in their presence,
- making any gesture, action or comment of a sexual nature in a person's presence

Similar provisions apply under the Sex Discrimination Act 1984. Sexual harassment can also amount to discrimination on the grounds of sex or gender under both the Commonwealth and State legislation.

Examples of conduct of a sexual nature include (but are not limited to):

- Physical intimacy or unwanted touching
- Sexual comments, jokes or remarks
- Sexually suggestive gestures
- Intrusive questions about a person's private life
- Displaying or sending sexually explicit material
- Sexual propositions
- Repeated unwanted requests for dates
- Displays of offensive photographs, reading matter or objects
- Sending jokes or graphics of a sexual nature by email, internet, fax or mobile phone
- Sexual threats or coercion
- Stalking, indecent assault or sexual assault (which may also constitute criminal offences)

Under federal reforms, sex-based harassment (not necessarily sexual conduct, but degrading conduct based on sex) is unlawful. BNC will not tolerate sex-based harassment, including conduct that demeans or degrades a person on the basis of their sex.

Sexual harassment can occur regardless of gender, sexual orientation, age, or position.

Consensual relationships based on mutual attraction are not sexual harassment. However, consent must be freely given, and relationships where there is a power imbalance may create risks of coercion or perceived pressure and must be managed appropriately.

Sexual harassment can occur in all aspects of employment, such as recruitment, selection, training and promotion processes and discussions around employment conditions and benefits.

Sexual harassment may occur through electronic communication, including emails, text messages, websites and social media platforms.

Where there is a connection to employment or engagement with BNC, individuals are subject to the same standards of behaviour online as they are in person.

All individuals are required to use technology and social media responsibly in relation to the workplace and members of the BNC community.

### **Complaint Procedure**

BNC encourages early reporting of concerns.

#### **Informal Resolution (Optional)**

If appropriate and safe to do so, a person who believes that they are being sexually harassed may:

- Inform the person that the behaviour is unwelcome; or
- Seek assistance from the Centre Coordinator.

Individuals are not required to confront the person directly.

#### **Formal Complaint**

A formal complaint may be made verbally or in writing to:

- The Centre Coordinator; or
- The Committee of Management (if the complaint concerns the Centre Coordinator).

The complaint should include:

- What happened
- When and where it occurred
- Any witnesses
- Any steps already taken

#### **Investigation Process**

Where a formal complaint is made:

- The complaint will be acknowledged promptly.
- An impartial investigation will be conducted.
- Both parties will be given an opportunity to respond.
- While confidentiality will be maintained as far as possible, it cannot be guaranteed. Information will only be shared where necessary to investigate the complaint or where required by law.
- Findings will be based on evidence and the balance of probabilities.

Parties may have a support person present during meetings.

#### **Outcomes**

Outcomes may include:

- Mediation
- Apology
- Training or counselling
- Written warning
- Termination of employment or engagement
- Referral to police (where criminal conduct is alleged)

Individuals may be personally liable for unlawful conduct.

#### **External Options**

Individuals may also lodge a complaint with:

- The Victorian Equal Opportunity and Human Rights Commission

- The Australian Human Rights Commission

Records of complaints will be securely stored in accordance with the Privacy Policy.

### Roles and Responsibilities

Committee of Management	<ul style="list-style-type: none"> <li>• Promote a culture of respect and inclusion.</li> <li>• Ensure clear and accessible complaint processes are in place.</li> <li>• Take action where sexual harassment risks are identified.</li> <li>• Ensure complaints are handled promptly and fairly.</li> <li>• Ensure procedural fairness (natural justice) for all parties.</li> <li>• Review Policy and Procedures.</li> <li>• Ensure appropriate training and awareness.</li> </ul> <p>If a complaint concerns the Centre Coordinator, the matter will be managed by the Committee of Management.</p>
Centre Coordinator	<ul style="list-style-type: none"> <li>• Provide leadership and role-modelling in appropriate professional behaviour.</li> <li>• Monitor the working environment and ensure that acceptable standards of conduct are maintained at all times and that sexual harassment is not tolerated</li> <li>• Promoting awareness of available support, advice options, and complaint procedures for sexual harassment under this policy.</li> <li>• Respond promptly, sensitively, and confidentially to all situations where sexual harassment is observed or alleged to have occurred.</li> <li>• Ensuring that no one is treated unfairly or victimised for making, supporting, or being involved in a sexual harassment complaint.</li> <li>• Providing information about support services where required.</li> </ul>
Staff, Tutors, Volunteers	<ul style="list-style-type: none"> <li>• Comply with this Policy and the Code of Conduct for BNC.</li> <li>• Report any incident of sexual harassment that they have experienced or witnessed.</li> <li>• Treat others with dignity and respect.</li> <li>• Not engage in sexual harassment.</li> <li>• Maintain confidentiality in relation to complaints.</li> </ul>

### Associated Documents

Code of Conduct  
 Member Code of Conduct  
 Complaints & Grievance Policy  
 Privacy & Confidentiality Policy  
 Internet Usage Policy  
 Bullying Prevention Policy  
 Access & Equity Policy

## Document History

<b>Version</b>	<b>Title</b>	<b>Author</b>	<b>Authorised</b>	<b>Date</b>	<b>Changes to Previous</b>
1	Sexual Harassment Policy	Unknown	COM	Sept 2005	Original
2	Sexual Harassment Policy	COM & Centre Coordinator	COM	February 2026	Review and Updates