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## **DOHA PREVENTION OF SEXUAL HARASSMENT, EXPLOITATION & ABUSE POLICY**

Door of Hope Australia Inc. (DOHA) views sexual harassment, exploitation and abuse of any kind in a serious light, and is committed to prevent such from occurring in the workplace, both in Australia and Overseas, to assisting all victims of such harassment, abuse and exploitation and to the taking of disciplinary action against all Employees who is found guilty.

Every individual has the right to be treated with dignity and with respect for his/her privacy. The right not to be subjected to sexual harassment, abuse and exploitation extends not only to Employees but to all persons who have dealings with DOHA, including stakeholders, Partners, suppliers and contractors.

### **SEXUAL HARASSMENT DEFINITION:**

Sexual harassment includes unwanted physical, verbal or non-verbal conduct of a sexual nature which affects the dignity or privacy of the harassed person based on sex, gender or sexual orientation, or creates a negative working environment for that person.

Any person who feels that he/she has been or is being subjected to sexual harassment in the workplace, has a right to lodge a grievance about it in terms of the Grievance Procedure as set out hereunder.

Sexual harassment in the workplace will not be permitted or condoned, and DOHA will take all appropriate and necessary action to assist a person who has lodged a complaint in terms of the Grievance Procedure.

Sexual conduct becomes sexual harassment if:

- The recipient has made it clear that the behaviour is offensive; and/or

- The perpetrator should have known that the behaviour is regarded as unacceptable.
- An individual's persistence with sexual conduct will serve as an indication of sexual harassment, but a single incident of sexual attention or behaviour can constitute sexual harassment in appropriate circumstances.

Examples of sexual harassment may include, but is not limited to:

- Physical conduct such as unwanted physical contact (ranging from touching to sexual assault and rape), and including a strip search by or in the presence of the opposite sex;
- Verbal conduct such as unwelcome innuendoes, suggestions or hints; sexual advances; comments with sexual overtones; sex-related jokes or insults; unwelcome graphic comments about a person's body (whether made in their presence or not); unwelcome and inappropriate enquiries about a person's sex life and unwelcome whistling at a person or a group of persons;
- Non-verbal conduct such as unwelcome gestures, indecent exposure and the unwelcome display of sexually explicit pictures and objects, or the unsolicited and unwanted sending of e-mails with sexually explicit or pornographic content;
- Quid pro quo harassment, where a Board of Director (BD) member, member of management or co-Employee undertakes or attempts to influence or influences the process of employment, promotion, training, discipline, dismissal, salary increments or other benefits of an Employee, job applicant or any other person who has dealings with the company in exchange for sexual favours;
- Sexual favouritism, where a person in a position of authority rewards only those who respond to his/her sexual advances, while other deserving Employees who do not submit to his/her sexual advances are denied promotions, merit rating, salary increases or other benefits of an Employee.
- Victimization occurs when an Employee is victimised or intimidated for failing to submit to sexual advances.

## **SEXUAL EXPLOITATION DEFINITION:**

Sexual exploitation - any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, threatening or profiting monetarily, socially or politically from the sexual exploitation of another.

## **SEXUAL ASSAULT DEFINITION:**

Sexual assault is “any unwanted or forced sexual act committed without consent” or threat thereof. Sexual assault can occur either against a person’s will, by force or coercion, or when a person is incapable of giving consent, such as when they are under duress, under the influence of drugs or alcohol.

Force includes: actual physical aggression, including but not limited to: rape, forcible sodomy, forcible oral copulation, sexual assault with an object, sexual battery, forcible fondling (e.g., unwanted touching or kissing); threats of physical aggression; emotional coercion; and/or psychological blackmailing.

## **SEXUAL ABUSE DEFINITION:**

Sexual abuse is the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

### **Examples of acts of sexual exploitation and abuse**

- Unwanted touching of a sexual nature
- Demanding sex in any context
- Making sex a condition for assistance
- Forcing sex, forcing someone to have sex with anyone
- Forcing a person to engage in prostitution or pornography
- Refusing to use safe sex practices
- Videotaping or photographing sexual acts and posting it without permission
- Alleging or threatening to allege that anyone already has a history of prostitution on legal papers
- Name-calling with sexual epithets

- Insisting on anything sexual, including jokes that may be uncomfortable, frightening or hurtful
- Telling someone that they or anyone else are obliged to have sex as a condition for anything

## **GRIEVANCE PROCEDURE**

DOHA realises that sexual harassment, abuse and exploitation is a sensitive issue. In light thereof, DOHA undertakes:

- Not to ignore or trivialise grievances relating to sexual harassment, abuse and exploitation and to deal with all allegations seriously, expeditiously, sensitively and with the utmost confidentiality; and
- To protect its Employees, to the best of its ability, against victimisation, false accusations or retaliation due to the lodging of a grievance.

An Employee, who feels that he/she has been the victim of sexual harassment, abuse or exploitation, may choose to attempt at resolving the matter in an informal or formal manner in terms of DOHA's internal procedures and/or to proceed with such civil or criminal steps as may be appropriate in terms of existing legislation.

The complainant must invoke the procedures in this policy as soon as is reasonably possible in the circumstances, and without delay.

A non-Employee who is a victim of sexual harassment, abuse or exploitation may also lodge a grievance with DOHA of the harasser if the harassment, abuse or exploitation had taken place in the course of the alleged harasser's employment.

## **INFORMAL APPROACH**

- a) If he/she is comfortable with taking this course of action, the Person may approach the perpetrator and explain to him/her that the behaviour in question is unwelcome, unacceptable and offensive, that it makes the Person uncomfortable and that it interferes with his/her work;
- b) The Person may approach a colleague or HR for support and confidential advice.
- c) Should the informal approach fail to resolve the matter satisfactorily or the inappropriate and unwelcome conduct continues the Employee should consider a formal approach.

- d) A formal approach should in any event be embarked upon in all instances of serious harassment, abuse or exploitation, i.e. where a sexual assault, rape or quid pro quo harassment is alleged.

## FORMAL APPROACH

- a) The aggrieved Person should approach the PM or any other BD with whom they feel comfortable) in order to lodge a grievance.
- b) A written statement must be received from the aggrieved Person, wherein the following information should be stated:
- The name and position of the alleged perpetrator;
  - The name and position of the aggrieved;
  - The nature of the alleged sexual harassment, abuse or exploitation;
  - How many instances of alleged harassment, abuse or exploitation had occurred?
  - The time-frame within which the alleged harassment, abuse or exploitation had occurred;
  - Whether the individual had approached the alleged perpetrator (i.e. whether an informal process was adopted) in order to resolve the matter;
  - The outcome of such informal approach, where it was followed;
  - Whether there is any evidence (i.e. documents, eye-witness reports, medical reports etc.) which may substantiate the claim; and
  - An account of the aggrieved Person's recollection of what had been said or done by him/herself as well as by the alleged perpetrator prior to, during and subsequent to the alleged harassment, abuse or exploitation.
- c) All information disclosed in such statement will be treated with the utmost confidentiality.
- d) DOHA representative must thereafter arrange for an investigation of the allegations made by the aggrieved Person. All relevant parties must be interviewed and detailed written statements must be taken. All statements and information should be treated with the utmost confidentiality.

- e) The aggrieved Person and the alleged perpetrator will be kept informed of all decisions taken pursuant to the investigation, as well as the reasons for such decisions.
- f) Should a disciplinary inquiry be instituted against the alleged perpetrator, the standard procedure as provided for in DOHA's disciplinary procedure will be followed.
- g) All investigations and/or inquiries conducted pursuant to the laying of a formal complaint, will be conducted with due regard to the sensitivity surrounding an allegation of sexual harassment, abuse or exploitation. Care shall be taken that neither the aggrieved Employee nor the alleged perpetrator is prejudiced.

## **CONFIDENTIALITY**

- a) Any investigation or inquiry should be conducted in a manner that ensures that the identities of the persons involved are kept confidential.
- b) Only appropriate members of management, the aggrieved Person, his/her representative, the alleged perpetrator, witnesses and an interpreter (if required), shall be present at any disciplinary inquiry relating to sexual harassment, abuse or exploitation.
- c) Management, Employees and the parties concerned must endeavour to ensure that matters pertaining to the allegation of sexual harassment are kept confidential.
- d) Where reasonably practicable, DOHA may offer the aggrieved Person assistance from an outside person (properly qualified) to advise, assist and counsel the aggrieved Person through the procedures set out herein.

## **CRIMINAL CHARGES AND CIVIL ACTIONS**

A victim of sexual assault has the right to lay a criminal charge against an alleged perpetrator or to investigate a civil action against such person should the circumstances warrant such action. This code in no way limits these legal rights of the individual.

## **DISCIPLINARY ACTION**

- a) BD has a duty to investigate all allegations of sexual harassment, abuse or exploitation and to take appropriate disciplinary action against Employees who have been found guilty of sexual harassment, abuse or exploitation.
- b) Although the perpetrators of sexual harassment, abuse or exploitation may include, amongst others, BD, HRs, Employees, job applicants, stakeholders, suppliers, contractors and other people having dealings with the business, DOHA does not have the authority to take disciplinary action against non-Employees.
- c) Such incidents will be dealt with by DOHA's BD at the appropriate senior level of the third party involved.
- d) Sexual harassment, abuse or exploitation is a serious transgression. Serious incidents of sexual harassment, abuse or exploitation or continued harassment, abuse or exploitation are dismissible offences.
- e) It is a disciplinary offence to victimise or retaliate against an Person who lodges a grievance of sexual harassment, abuse or exploitation harassment in good faith.

### **Reviewing the DOHA Prevention of Sexual Harassment, Exploitation and Abuse Policy**

DOHA Prevention of Sexual Harassment, Exploitation and Abuse Policy will be reviewed every two years.