

THE SEDOO INITIATIVE FOR  
CHILDREN WITH SPECIAL NEEDS



SEXUAL HARASSMENT POLICY

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## **1. Introduction**

This sexual harassment policy is intended for use at The Sedoo Initiative for Children with Special Needs-SECHILD to help the organization guide against sexual harassment. It is based on international good practices and includes all the components which make the policy comprehensive. The policy sets out the intention of the organization in adopting the policy

## **2. The Policy Statement**

The Sedoo Initiative for Children with Special Needs-SECHILD is committed to providing a safe environment for all her employees free from discrimination on any ground and from harassment at work including sexual harassment. SECHILD should operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another should face disciplinary action, up to and including dismissal from employment. All complaints of sexual harassment should be taken seriously and treated with respect and in confidence. No one should be victimized for making such a complaint.

## **3. Definition of sexual harassment**

Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient. Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal. Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

**3.1 Physical conduct:** Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching Physical violence, including sexual assault;

- Physical contact, e.g. touching, pinching

- The use of job-related threats or rewards to solicit sexual favours

#### 4. Verbal conduct

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email) Non-3.2

**3.2 Verbal conduct:** Leering, display of sexually explicit or suggestive material Sexually-suggestive gestures

**A) Whistling:** This defines sexual harassment. Sexual harassment can include any conduct of a sexual nature which is unwanted and unwelcome by the recipient. Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. The organization recognizes that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed. This recognizes that men and women can be victim of sexual harassment in the workplace. SECHILD recognizes that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and employee. Anyone, including employees of SECHILD, clients, suppliers, casual workers, contractors or visitors who sexually harasses another should be reprimanded in accordance with this internal policy. This is adapted based on the type of work the organization does and the people her employees are likely to come into contact with. Although it can be difficult for the organization to deal with sexual harassment when it is perpetrated by third parties, SECHILD is nonetheless responsible for the well-being of her workers if the harassment occurs during work.

All sexual harassment is prohibited whether it takes place within SECHILD premises or outside, including at social events, business trips, training sessions or conferences sponsored by the organization.

The organization recognizes that harassment can take place both at the office, but also at social event where sexual harassment may be more likely to occur.

## **5. Complaints procedures**

Although complaints of sexual harassment can be dealt with through the normal organization's complaints procedure, SECHILD has adopted specific complaints procedures to enable her deal with sexual harassment in responding better to the needs of victims and to ensure that investigations are carried out properly. The organization has trained staff responsible specifically on the nature of sexual harassment complaints and how to deal with it.

SECHILD understands that some victims of sexual harassment may want to resolve the matter in different ways. Some may be happy with an informal resolution and for the matter to stop, others may want more formal measures. In this situation, informal resolution mechanisms may be inappropriate where the allegation is serious or where the harasser is also the victim's supervisor. SECHILD's complaints procedures reflect these different needs and ways of resolving conflicts. Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. The organization recognizes that sexual harassment may occur in unequal relationships (i.e. between a supervisor and his/her employee) and that it may not be possible for the victim to inform the alleged harasser. If a victim cannot directly approach an alleged harasser, he/she can approach one of the designated staff members responsible for receiving complaints of sexual harassment. This person would be another supervisor or a member of the human resources department. When a designated person receives a complaint of sexual harassment, he/she should:

- Immediately record the dates, times and facts of the incident(s)
- Ascertain the views of the victim as to what outcome he/she wants
- Ensure that the victim understands the company's procedures for dealing with the complaint
- Discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter

informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome

- Keep a confidential record of all discussions
- Respect the choice of the victim
- Ensure that the victim knows that they can lodge the complaint outside of the organization through the relevant country/legal framework. The organization recognizes the importance of giving the victim options for reporting the matter. The need for options for reporting is very important because having one person only to report to limits the ability of the victim to avail themselves of the complaints procedure. If for example, the harasser is also the designated person, the designated person is away on leave, or the victim would rather report it to a woman than a man or to a man than a woman and the designated person is a man, woman etc.

Throughout the complaints procedure, a victim is entitled to be helped by a counsellor within the company. SECHILD should nominate a number of counsellors and provide them with special training to enable them to assist victims of sexual harassment. The organization recognizes that because sexual harassment often occurs in unequal relationships within the workplace, victims often feel that they cannot come forward. SECHILD understands the need to support victims in making complaints.

At SECHILD, certain employees are designated as counsellors to help victims of sexual harassment navigate the complaints procedures.

**5.1 Informal complaints mechanism:** If the victim wishes to deal with the matter informally, the designated person should:

- Give an opportunity to the alleged harasser to respond to the complaint → ensure that the alleged harasser understands the complaints mechanism
- Facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator within the organization to resolve the matter
- Ensure that a confidential record is kept of what happens
- Follow up after the outcome of the complaints mechanism to ensure that the behaviour has stopped
- Ensure that the above is done speedily and within [7] days of the complaint being made

**5.2 Formal complaints mechanism:** If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.

The designated person who initially received the complaint should refer the matter to a senior human resources manager to instigate a formal investigation. The senior human resources manager may deal with the matter him/herself, refer the matter to an internal or external investigator or refer it to a committee of three others in accordance with this policy.

The person carrying out the investigation should:

- Interview the victim and the alleged harasser separately
- Interview other relevant third parties separately
- Decide whether or not the incident(s) of sexual harassment took place
- Produce a report detailing the investigations, findings and any recommendations
- if the harassment took place, SECHILD decides what the appropriate remedy for the victim would be, in consultation with the victim (i.e.- an apology, a change to working arrangements, a promotion if the victim was demoted as a result of the harassment, training for the harasser, discipline, suspension, dismissal etc
- Follow would ensure that the recommendations are implemented, that the behaviour has stopped and that the victim is satisfied with the outcome
- if it cannot determine that the harassment took place, he/she may still make recommendations to ensure proper functioning of the workplace
- Keep a record of all actions taken
- Ensure that the all records concerning the matter are kept confidential
- Ensure that the process is done as quickly as possible and in any event within [7] days of the Complaint being made

SECHILD should create specific complaints mechanism to meet her needs. SECHILD has trained individuals in the organization to investigate sexual harassment complaints. This is set up bearing in

mind gender-balance and includes, a representative SECHILD, a worker representative, etc. The Committee members dealing with sexual harassment, are trained on understanding and deciding what constitutes sexual harassment, how to investigate it, etc.

SECHILD recognizes the importance of incorporating the wishes and needs of the victim into the outcome of the complaints mechanism. If it is found that a victim was harassed by a colleague and that they work together on a daily basis, the views of the victim would be ascertained before making a decision on re-organising the office. For example, the victim may not want to be moved to a different department and as the victim, he/she would be entitled to decide this and not be re-victimized by being forced to move within the organization

## **6. Outside complaints mechanisms**

A person who has been subject to sexual harassment can also make a complaint outside of the organization. They can do so through industrial court etc.

This is intended to inform employees of their rights to use other national mechanisms that may be available to them. Some employees may not feel comfortable bringing a complaint through the disciplinary measures at work and they should be informed of their right to seek redress elsewhere. The internal policy of SECHILD cannot prevent an employee from also using the national mechanisms available to him or her.

## **7. Sanctions and disciplinary measures**

Anyone who has been found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:

- Verbal or written warning
- Adverse performance evaluation → reduction in wages
- Transfer
- Demotion
- Suspension
- Dismissal

The nature of the sanctions should depend on the gravity and extent of the harassment. Suitable deterrent sanctions should be applied to ensure that incidents of sexual harassment are not treated as trivial. Certain serious cases, including physical violence, should result in the immediate dismissal of the harasser.

The policy would be applied consistently throughout SECHILD and sanctions would be based on the gravity of the conduct. Suitable deterrent sanctions has been included in SECHILD workplace policies on sexual harassment to ensure that incidences of sexual harassment are not treated as trivial events. They are part and parcel of SECHILD regulations and/or collective labour agreements.

Implementation of this policy

SECHILD should ensure that this policy is widely disseminated to all relevant persons. It is included in the staff handbook. All new employees must be trained on the content of this policy as part of their induction into the organization.

Every year, SECHILD should require all employees to attend a refresher training course on the content of this policy.

SECHILD has an obligation to ensure that all employees are aware of the policy and makes it a responsibility of every manager to ensure that all his/her employees are aware of the policy.

## **8. Monitoring and evaluation**

SECHILD recognizes the importance of monitoring this sexual harassment policy and should ensure that she anonymously collects statistics and data as to how it is used and whether or not it is effective. Supervisors, managers and those responsible for dealing with sexual harassment cases should report on compliance with this policy, including the number of incidents, how they were dealt with, and any recommendations made. This should be done on a yearly basis. As a result of this report, SECHILD should evaluate the effectiveness of this policy and make any changes needed.

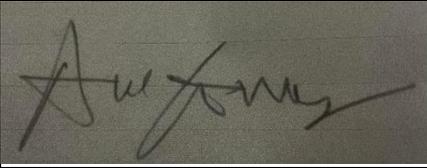
Monitoring and evaluation can be done through different means, including questionnaires completed by employees, feedback from victims or those who work in the complaints procedure. This is important to review the effectiveness of the policy and the complaints procedure.

**The Sexual Harassment Policy should be reviewed and updated annually**

Version	Date	Author	Summary
1.0	June 5 <sup>th</sup> 2022	The Sedoo Initiative for Children with Special Needs-SECHILD	<p>This sexual harassment policy is intended for use at The Sedoo Initiative for Children with Special Needs-SECHILD to help the organization guide against sexual harassment. It is based on international good practices and includes all the components which make the policy comprehensive. The policy sets out the intention of the organization in adopting the policy.</p> <p>The Sedoo Initiative for Children with Special Needs-SECHILD is committed to providing a safe environment for all her employees free from discrimination on any ground and from harassment at work including sexual harassment. SECHILD should operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another should face disciplinary action, up to and including dismissal from employment. All complaints of sexual harassment should be taken seriously and treated with respect and in confidence. No one should be victimized for making such a complaint.</p>

**Document Approval**

Version	Date	Approved by SECHILD Board of Trustees
1.0	June 5 <sup>th</sup> 2022	The Sedoo Initiative for Children with Special Needs-SECHILD

			
		Barr. Aver Gavar-Chairperson	