Policy – Sexual Harassment

Introduction

Whittlesea U3A Inc. recognises it is the right of every member, volunteer and employee to attend classes, activities or functions, and/or to perform their duties as a volunteer or employee within a Whittlesea U3A Inc. environment without being subjected to any form of sexual harassment.

Purpose

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

Policy

1. Sexual harassment can be experienced by both men and women. *Sexual harassment* refers to any unwelcome sexual advance or request for sexual favours, or other unwelcome conduct of a sexual nature which 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
   - pornographic or offensive posters, handouts or screensavers
   - sexual jokes or anecdotes
   - leering or staring
   - unwanted sexual compliments or excessive flirting.
2. Whittlesea U3A Inc. will not tolerate sexual harassment. Responsibility lies with every member, volunteer or employee to ensure that sexual harassment does not occur. No member, volunteer or employee should be subject to any form of sexual harassment.
3. No member, volunteer or employee will be treated unfairly as a result of lodging a complaint. Disciplinary action may be taken against anyone who victimises or retaliates against a person who has complained of sexual harassment or against any employee or volunteer who has been alleged to be a harasser.
4. All employees and volunteers have the right to seek assistance from the Victorian Equal Opportunity and Human Rights Commission in the resolution of a sexual harassment incident.
5. The principles set out in this policy are intended to apply to any U3A-related context, including classes, social functions, meetings, conferences, holiday trips and U3A workplaces.
6. A breach of this policy will result in disciplinary action.
7. Some forms of sexual harassment (e.g. sexual assault, stalking and indecent exposure) may constitute criminal conduct. While Whittlesea U3A Inc. is committed to handling most sexual harassment complaints at the local level, more extreme forms of harassment are not suited to internal resolution and should be handled by the criminal justice system. It is not the duty of Whittlesea U3A Inc. to report such matters to the police on behalf of the complainant.

Procedures

1. Whittlesea U3A Inc. strongly encourages any member, volunteer or employee 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.
2. A complaint of sexual harassment may be made to any member of Whittlesea U3A Inc.'s Committee of Management. The Committee Member will inform the President immediately.
3. Whittlesea U3A Inc. will handle a complaint of sexual harassment promptly, seriously and sensitively. There will be no presumption of guilt and no finding will be made until an investigation has been completed.
4. A Case Manager will be appointed by the Committee of Management. The Case Manager will contact the complainant to: provide support; explain his/her rights and responsibilities under this policy; ascertain the details of the complaint and the complainant's expectations of the complainant process.
5. The complainant has the right to: influence how the complaint is handled; have support or representation throughout the process; discontinue a complaint at any stage of the process.
6. The alleged harasser has the right to: be made aware of the allegations; have support or representation throughout the process; respond fully to any formal allegation made.
7. Where agreed with the complainant, informal intervention will be initiated by the Case Manager, using conciliation and/or mediation techniques. The informal intervention will be complete when the parties agree on action/s or outcome/s to be implemented. When agreement is not reached, a formal intervention will be initiated, and the Committee of Management will appoint a person ('the Investigator') to investigate the complaint.
8. The Investigator will:
    - interview the complainant to ascertain the facts and what they expect because 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
    - determine relevant previous behaviours or issues.
9. The Investigator will reach a finding, assemble all the evidence gathered and provide these to the Case Manager. The assembled evidence may include, but is not limited to:
    - records of interviews conducted
    - supporting evidence provided by a doctor, counsellor, family member, etc.
    - relevant reports and personnel records, *where the respondent is an employee*
    - complaints/information provided by other employers or persons about the respondent's behaviour
    - records kept by the complainant
    - information on whether the evidence appears credible and consistent.
10. The Case Manager will submit the Investigator's findings and evidence to the Committee of Management and recommended a course of action to follow. Recommended actions will be influenced by:
    - the wishes of the complainant
    - the severity and frequency of the harassment
    - the weight of the evidence

- the level of contrition
- whether there have been any prior incidents or warnings.

11. Possible disciplinary actions may include but are not limited to:
    - formal apology and undertaking that the behaviour will cease
    - counseling
    - official warnings
    - cancellation of membership
    - removal from a volunteer or leadership role
12. Where there is insufficient evidence to determine whether or not the harassment occurred, the Committee of Management will remind those involved of expected standards of conduct and monitor the situation.
13. Any questions about this Sexual Harassment Policy should be referred to the Secretary.

Responsibilities

1. Whittlesea U3A Inc.'s Committee of Management is responsible for:
    - developing, adopting, implementing and publishing this policy
    - ensuring that all members, volunteers and employees are aware of this policy and of their obligations in relation to contributing to a U3A environment that discourages harassment and victimisation and set an example by their own behaviour
    - treating all complaints seriously and confidentially
    - taking immediate and appropriate corrective action if they become aware of any offensive action
    - investigating complaints about sexual harassment
    - monitoring and revising this policy as and when the need arises
2. Whittlesea U3A Inc.'s Secretary is responsible for:
    - receiving enquiries about this policy
3. A Committee Member who receives a complaint of sexual harassment is responsible for referring the matter to the President immediately.

Authorisation

This Policy was reviewed by the Committee of Management of Whittlesea U3A Inc., and minuted as such, on the 11th of May 2026.

This policy will be published by the Committee of Management of Whittlesea U3A Inc. on its website within 4 weeks of the date of this authorisation.

Policy Review

This Policy will be reviewed at least annually or when circumstances change.

Related Policies

- Whittlesea U3A Inc. Code of Conduct Policy
- Whittlesea U3A Inc. Grievance Policy
- Whittlesea U3A Inc. Discrimination Policy
- Whittlesea U3A Inc. Bullying Policy