



# THE PROMISE FOUNDATION

*For mental health, education and potential realisation*

## Sexual Harassment Policy

### Policy brief & purpose

Our sexual harassment policy aims to protect men and women in our company from unwanted sexual advances and give them guidelines to report incidents. We will also explain how we handle claims, punish sexual harassment and help victims recover.

We won't tolerate sexual harassment in our workplace in any shape or form. Our culture is based on mutual respect and collaboration. Sexual harassment is a serious violation of those principles.

### Scope

This policy applies to every person in our Foundation regardless of gender, sexual orientation, seniority, function, status or other protected characteristics. We are all obliged to comply with this policy.

We won't tolerate sexual harassment from inside or outside of the Foundation. Employees, contractors, volunteers, clients and everyone interacting with our company are covered by this policy.

### Policy elements

#### What is sexual harassment?

Sexual harassment has many forms of seriousness. A person sexually harasses someone when they:

- Insinuate, propose or demand sexual favours of any kind.
- Invade another person's personal space (e.g. inappropriate touching.)
- Stalk, intimidate, coerce or threaten another person to get them to engage in sexual acts.
- Send or display sexually explicit objects or messages.
- Comment on someone's looks, dress, sexuality or gender in a derogatory or objectifying manner or a manner that makes them uncomfortable.
- Make obscene comments, jokes or gestures that humiliate or offend someone.
- Pursue or flirt with another person persistently without the other person's willing participation. Also, flirting with someone at an inappropriate time (e.g. in a team meeting) is considered sexual harassment, even when these advances would have been welcome in a different setting. This is because such actions can harm a person's professional reputation and expose them to further harassment.

The most extreme form of sexual harassment is sexual assault. This is a serious crime and the Foundation will support employees who want to press charges against offenders.

## Our rules on sexual harassment

- **No one has the right to sexually harass our employees, contractors, service providers and volunteers.** Any person in our company who is found guilty of serious harassment will be terminated. If representatives of our contractors or vendors sexually harass our employees, we will demand that the company they work for takes disciplinary action and/or refuse to work with this person in the future.
- **Sexual harassment is never too minor to be dealt with.** We will hear every claim and take appropriate action.
- **Sexual harassment is about how we make others feel.** Many do not consider behaviours like flirting or sexual comments to be sexual harassment, thinking they are too innocent to be labelled that way. If something you do makes your colleagues uncomfortable, or makes them feel unsafe, you must stop.
- **We assume every sexual harassment claim is legitimate unless proven otherwise.** We listen to victims of sexual harassment and will conduct our investigations thoroughly. Occasional false reports do not undermine this principle.
- **We will not allow further victimization of harassed employees.** We will fully support employees who were sexually harassed and will not take any adverse action against them.
- **Those who support or overlook sexual harassment are as much at fault as offenders.** Supervisors and managers are obliged to prevent sexual harassment and act when they have suspicions or receive reports. Letting this behaviour go on, or encouraging it will bring about disciplinary action. Anyone who witnesses an incident of sexual harassment or has other kinds of proof should report it to the Director or the Local Complaints Committee.

## How to report sexual harassment

If you are being sexually harassed (or suspect another person is being harassed), please report it to *your manager* in the first instance.

If your manager is the subject of your claim, please report the matter to the Director or contact a member of the Local Complaints Committee by either email or telephone. The members of the Local Complaints Committee include:

- Presiding officer: Senior female member of the Board or Trustees or Senior Advisors to the Board of Trustees
- Senior officer: Member of Board of Trustees
- One staff member

Email: [POSHCommittee@t-p-f.org](mailto:POSHCommittee@t-p-f.org)

## Inadvertent harassment

Sometimes, people who harass others do not realize that their behaviour is wrong. We understand this is possible, but that does not make the perpetrator any less responsible for their actions.

If you suspect that someone does not realize their behaviour is sexual harassment under the definition of this policy, let them know and ask them to stop. Do so preferably via email so you can have records.

Do not use this approach when: Your manager, a skip level manager, grant agency or client is the perpetrator. In these cases, report to the Local Complaints Committee for guidance.

### **Disciplinary action and repeat offenders**

Employees who are found guilty of sexual assault will be terminated after the first complaint and investigation.

Employees who are found guilty of sexual harassment (but not assault) the first time may:

- Be reprimanded.
- Get a “below expectations” performance review.
- See expected promotions and/or salary increases frozen for a defined period of time not less than 1 year.

We will terminate repeat offenders after the second claim against them if our investigation concludes they are indeed guilty.

We apply these disciplinary actions uniformly. Employees of any sexual orientation or other protected characteristics will be penalized the same way for the same offenses.

**Managers, Directors and Member of the Board of Trustees responsibilities are to:** try to prevent sexual harassment by building a culture of respect and trust. When sexual harassment occurs and an employee makes a complaint, immediate action should be taken to explain the Foundation’s procedures to the team member who made the complaint.

When a complaint is received:

- Ask for as many details and information as possible from the person or people making the complaint. Document these details and have them reviewed for accuracy by the person making the complaint.
- Keep copies of the report with dates, times and details of incidents and any possible evidence in a confidential file (separate from the personnel file.) Update this file with all future actions and conversations regarding this complaint.
- Send a copy of the complaint to the Local Complaints Committee.

The Local Complaints Committee will:

- Check if there have been similar reports on the same person.
- Inform the harassed employees of the Foundation’s procedures and their options to take legal action if appropriate.
- Take into account the wishes of the harassed employee. Some might want the matter to be resolved informally and discreetly, while others might expect more radical actions (e.g. transferring the perpetrator.)

- Contact the harasser and set up a meeting to explain the complaint and explicitly ask for this behaviour to stop, **or**,
- Arrange for mediation sessions with the two employees (harasser and perpetrator) to resolve the issue, if the harassed employee agrees **or**,
- Launch a disciplinary process depending on the severity of the harassment. In cases of sexual assault or coercing someone to sexual favours under threats, initiate termination of the harasser immediately.
- Initiate terminate of employees who are found guilty in a court of law of sexual assault.

**Managers must not, under any circumstances, blame the victim, conceal a report or discourage employees from reporting sexual harassment.** If a manager behaves that way, please report it to the Local Complaints Committee.

### **Helping harassment victims**

Apart from investigating claims and punishing perpetrators, we want to support the victims of sexual harassment. If you experience trauma, stress or other symptoms because of harassment, consider:

- *Taking a few days of sick leave to restore your mental health.*
- *Ask to speak to a designated counsellor.*

Your job and benefits will not be jeopardized or altered if you choose any of those options or other means to recovery.

### **Speak up, we listen**

Sexual harassment can exhaust those who endure it. Speaking up about this issue is often difficult for fear of not being heard, upsetting managers and challenging corporate culture.

Please do not let these fears deter you. The Promise Foundation will do everything possible to stop sexual harassment and any other kind of harassment from happening, while supporting harassed employees.

Policy reviewed 20/7/2020

Gideon Arulmani, Director, The Promise Foundation