



## Sexual Harassment Policy

### The Policy Statement

The EAP is committed to providing a safe environment for all its members, free from discrimination on any ground and from any form of harassment, including sexual harassment. The EAP will operate a zero tolerance policy for any form of sexual harassment, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from the society.

All complaints of sexual harassment will be taken seriously and treated with respect and in confidence. No one will be victimised for making such a complaint. Equally we will endeavour to ensure that spurious accusations are promptly recognised and dismissed.

### 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 that create an environment that is hostile, intimidating or humiliating for the recipient.

We recognise that some countries within the EAP might interpret certain behaviour as acceptable that others would find unacceptable. However within the EAP we believe that all members and visitors should feel safe, and this policy is intended to clarify that, and to set out what actions will be taken if people do feel they have been harassed.

Sexual harassment can involve one or more incidents, and actions constituting harassment may be physical, verbal and non-verbal. Examples of conduct or behaviour that may sometimes be inappropriate and so constitute sexual harassment include, but are not limited to:

#### Physical conduct

- Unwelcome or inappropriate physical contact
- Physical violence, including sexual assault
- The use of job-related threats or rewards to solicit sexual favours

#### Verbal conduct

- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Sending sexually explicit messages (by phone or by email)

#### Non-verbal conduct

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures

Anyone can be a victim of sexual harassment, regardless of their sex and of the sex of the harasser. EAP recognises 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.

All sexual harassment is prohibited whether it takes place within EAP meetings, social events, business trips, training sessions or conferences.

## **Complaints procedures**

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. The EAP recognises that sexual harassment may occur in unequal relationships and that it may be difficult 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 EAP officers responsible for receiving complaints of sexual harassment. These officers will be appointed by the EAP, outside the Executive Committee (EC), to monitor and receive such concerns. Equally victims may approach any member of the EC if they prefer.

When a designated person receives a complaint of sexual harassment, he/she will:

- 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 society'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 society through the relevant country/legal framework

## **Informal complaints mechanism**

If the victim wishes to deal with the matter informally, the designated person will:

- 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 society 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

## **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 will refer the matter to member of the EC to instigate a formal investigation. The EC will nominate an investigator to conduct an investigation.

The person carrying out the investigation will:

- 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, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e. - an apology, a change to working arrangements, training for the harasser, discipline, suspension, dismissal)
- follow up to 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 society
- keep a record of all actions taken
- ensure that all records concerning the matter are kept confidential
- ensure that the process is done as quickly as possible

## **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
- suspension
- dismissal from the EAP

The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial. Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser from the EAP. The parent National Body or Specialist Society may be informed of any sanctions applied.

## **Implementation of this policy**

The EAP will ensure that this policy is widely disseminated to all relevant persons. It will be included on the website and in any introductory material for new members.

## **Monitoring and evaluation**

EAP recognises the importance of monitoring this sexual harassment policy and will ensure that it assesses how it is used and whether or not it is effective.

Those responsible for dealing with sexual harassment cases will report to the EC on compliance with this policy with any recommendations on a yearly basis. As a result of this report, the EAP will evaluate the effectiveness of this policy and make any changes needed.