

APGF Prevention of Sexual Exploitation, Abuse and Harassment Policy

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1. Overview

Every employee, member, volunteer and supporter of the Greens has a right to participate in the Greens movement without being subjected to any form of sexual harassment, abuse, exploitation or assault.

That's why we have worked together to develop a set of resources, training, and policies have been developed to make ensure our party is a safe and supportive place for all of our members and volunteers.

It is the responsibility of every member of our organisation to ensure that the workplace, and our party activities, are free from all forms of sexual harassments, abuse, exploitation and assault. APGF recognises the unique role it has in working with a diverse group of people, and the diversity of vulnerable groups that exist within it.

The purpose of this document is to outline the APGF's ethical standards and commitment in preventing sexual harassment, abuse and exploitation, all forms of sexual harassment, abuse, exploitation and assault to present the outline the formal and informal processes for addressing them available to any member, volunteer or employee who experiences sexual harassment or other forms of sexual violence. This policy is framed with a survivor-centred approach, reflecting the importance of centring those most affected by abuses of power.

The Greens are committed to providing a safe environment for all members and volunteers. We will not tolerate sexual harassment, assault or violence under any circumstances.

All complaints of sexual harassment and abuse will be taken seriously, and treated with respect and confidence.

2. Purpose

The purpose of this document is to outline APGF's ethical standards and commitment to preventing sexual harassment, abuse and exploitation. This document demonstrates the application of this Policy, and it is designed to empower those affected by sexual harassment, intimidation, exploitation, assault, abuse, exploitation and harassment.

3. Definitions

- **Complainant** is the person who is making a complaint. The complainant may also be a witness to sexual harassment or another concerned person who is seeking to use the processes in this Policy.

- **Respondent** is the person who is alleged to have committed the sexually violent behaviour.

- **Sexual exploitation** is when there is an actual or attempted sexual abuse of a person in a vulnerable or less powerful position.

- **Sexual abuse** is the actual or attempted physical sexual action against another person, by force. This behaviour includes (but not limited to):

[a] Rape (including oral sex);

[b] Non-consensual kissing or touching; and/or

[c] All sexual activity with someone under the age of consent is considered to be sexual abuse. The age of consent will vary across different APGF countries.

- **Sexual harassment** is when a person makes any unwanted or unwelcome sexual behaviour and advances at another person. Sexual harassment also includes behaviour that makes another person feel offended, uncomfortable, humiliated, bullied, or intimidated. Sexual harassment is a form of discrimination. There are different types of sexual harassment: physical and verbal.

- **Survivor-centred approach** prioritises the rights, needs and wishes of people who have experienced any form of sexual violence.

- This approach aims to empower survivors by making sure they feel safe and supported throughout the process and incident of sexual violence. This means that complaints are investigated in a timely, sensitive and confidential manner/way.

4. Principles that guide this Policy

- a. APGF will not tolerate sexual harassment, intimidation, exploitation or assault under any circumstances. It is the responsibility of all people who associate with the APGF to treat any all complaints seriously and with sensitivity. The aim of addressing any complaints is to reach a fair, impartial resolution and create a safe environment for all members, staff, volunteers and supporters involved with the APGF.
- b. Any complaints relating to sexual violence will be treated in a survivor-centred way: seriously, confidentially, in a timely manner and with sensitivity.
- c. Green parties have an ongoing commitment to eliminating sexual harassment. In order to meet this goal, people need to feel that they can make complaints without being further victimised.
- d. APGF will not tolerate victimising or retaliations against any person who lodges complaints of conduct under this policy.
- e. All people involved in a complaint, including the APGF, the respondent, the complainant, and any support people, are required to maintain confidentiality during the complaint keep the complaint and investigation as confidential as possible while allowing the process and of any outcomes of the investigation to proceed. This includes the identity of the complainant and the respondent. This confidentiality principle will apply from when a complaint is received, and will continue forever.
- e. This does not limit the complainant from seeking legal advice or the support of any other service.

5. **How to Report**

Everyone has a responsibility to Report.

Any person who has seen or has knowledge of alleged incidents of sexual violence by anyone who is an employee, member, volunteer or supporter of APGF must report this.

Making a complaint of an alleged incident of sexual violence can follow either of the following:

- a. Informal Complaints Process: this Involves an outcome that aims to stop the offending behaviour and bring a resolution to the incident.
- b. Formal Complaints Process: this requires an investigation, official findings and may result in disciplinary action.

5.1 **Informal Complaints Process**

- a. A person may want to use the Informal Complaints Process where the aim is to stop the offending behaviour in the future. However, it is not appropriate for alleged incidents of more serious forms of sexual

violence such as exploitation and assault. These incidents should use the Formal Complaints Process.

- b. APGF is committed to supporting people submitting complaints. The person or people coordinating a complaint must take all reasonable steps to make sure that the complainant is supported during the process. Additionally, the complainant will not be required to interact with the respondent during this process, and APGF will take immediate steps to ensure this is implemented. The complainant can also choose to use the Formal Complaints Process instead at any time.
- c. The complainant may also choose to contact the Women's Network co-/Convenor for additional support.
- d. To lodge a complaint, you should first approach your supervisor/coordinator, or a member of the Conciliations Committee. If the complaint is about your supervisor/coordinator, you should approach a member of the Conciliations Committee. The Women's Network co-Convenor can also help you to identify the best support person to approach.
- e. The goal of the informal complaints procedure is to stop the offending behaviour in the future - to come to a shared understanding that such behaviour is unacceptable, and to reach a resolution where the complainant is satisfied the inappropriate behaviour will end. The process will be similar to the Informal Conflict Resolution Process described in the Grievance Policy, but the complainant will not be required to interact with the respondent during the process.
- f. Interventions at this stage will use a confidential, non-confrontational approach with a view to thoroughly deal with and resolve the issue.

5.3 *The complaint will be considered resolved when:*

- a. A common understanding of the facts surrounding the complaint have been established;
- b. The respondent has taken responsibility for the offending behaviour,
- c. An apology has been given;
- d. The complainant withdraws their complaint; and/or
- e. If the complaint is referred to the Formal Complaints Process

5.4 Formal Complaints Process

If a complainant decides to use the Formal Complaint Process they should contact a member of the APGF Conciliations Committee (CGC). You may choose which member of the Conciliations Committee you would like to approach and are able to have a support person present at all steps through this process. You may also choose to contact the Women's Network co-/Convenor for advice and support throughout this process.

The person responsible for actioning a complaint is the Conciliation Coordinator. The Conciliation Coordinator may be the person who first receives the complaint, or another person that the party appoints to deal with complaints of this nature. responsible for these matters appointed by the party.

At any point during the Formal Complaints Process, the Conciliation Coordinator may unilaterally decide to take any of the following actions, on a temporary basis until the Formal Complaints Process is completed:

- a. Stand the respondent down from duties.
- b. Suspend the respondent's membership privileges.
- c. Take any other step to ensure the safety of the complainant or any other person involved.

The complainant will not be required to meet with or interact with the respondent during the Formal Complaints Process, and APGF will take immediate steps to implement this.

The Formal Complaints Process for Preventing Sexual Exploitation, Abuse, and Harassment will follow the same process as the Formal Conciliation-Conciliation Process, with the following additional rules:

The Formal Complaint Process must be started within 14 days of receiving a complaint.

The Complainant will be notified that their formal complaint has been received within 2 working days.

APGF will keep the Complainant updated about the progress of the investigation.

An investigation should be completed, and findings issued to the Conciliations Committee, within 30 days of the Formal Complaint Process being started.

The Conciliation Committee and shall consider and act upon the findings as soon as possible.

5.5 *The Formal Complaint Process requires:*

- a. An investigation to be carried out on the complaint finding of facts.
- b. A determination regarding the behaviour and whether it constitutes sexual violence, exploitation, abuse, and/or harassment.
- c. A recommendation about any disciplinary action to be taken against the respondent.

The complainant may choose to provide or recommend actions in response to an incident.

A report detailing the above will be considered by the Conciliations Committee, excluding any Committee members with an actual or perceived conflict of interest. If such conflict of interest is present, the quorum for Conciliations Committee meetings shall be considered adjusted accordingly.

5.6 As part of a formal investigation:

- a. Both the complainant and the respondent will be given the opportunity to bring a support person or representative to participate in the Formal Complaints Process.
- b. Both the complainant and respondent will be advised on support services available.
- c. The findings about of whether sexual harassment, intimidation, exploitation or assault has occurred will be determined on the basis of evidence provided.

6. Survivor-centred approach to reporting and investigation

- a. During the investigation process, APGF will treat the complainant with dignity and respect, and involve the complainant in the investigation process. The complainant will be regularly updated on the progress of the investigation.
- b. Members investigating the complaint The investigation process will listen to the complainant's wishes and take steps to ensure that will uphold their confidentiality is upheld.

7. Disciplinary and Further Action

7.1 Specific actions resulting from a complaint

On the basis of any findings of the investigation, recommendations may be provided, possible outcomes relating to the respondent or complainant may include a number of recommendations, including such as:

- a. Closing the matter without further action if there is insufficient information to proceed.
- b. Having a discussion with the respondent to the complaint about their behaviour.
- c. Counselling.
- d. Disciplinary action against the respondent (e.g. suspension of volunteer duties or membership rights, probation, dismissal, initiation of expulsion proceedings).
- e. Official warnings that are recorded securely and lodged with the relevant party body.
- f. Formal apologies.
- g. Re-crediting any leave taken as a result of the harassment.

- h. Restrictions on a member volunteering or working on a campaign, or attending meetings for a defined period.

7.2 Considerations in determining actions

- a. The outcome will be informed by:
- b. The severity and frequency of the alleged incident;
- c. The objective weight of the evidence;
- d. The wishes of the complainant; and
- e. Whether there have been any prior incidents or warnings, including those that were resolved informally.

7.3 Potential additional actions

In addition, appropriate responses by APGF may also include, among other things:

- a. Organising a training session for staff, members, and volunteers about sexual violence, exploitation, abuse, and harassment
- b. Supporting the complainant in subsequent legal action against the respondent, should the complainant wish, by providing information gathered during the investigation
- c. Any other action deemed appropriate or necessary to protect the respondent or other party members or supporters from sexual exploitation, abuse, or harassment

8. Additional Support

- a. Members of the Conciliations Committee, the Women's Network co-/Convenor, and any other person who has been delegated responsibility to respond to sexual harassment shall be provided with formal training to perform these duties effectively and with sensitivity.
- b. Any person who makes a complaint of sexual harassment shall be provided with the information of people who can offer extra support.

9. Taking All Reasonable Steps

The Green party acknowledge the legal and moral responsibility to take reasonable steps to prevent sexual harassment in the workplace and the organisation.

APGF commits to:

- a. Circulate this policy to all employees and volunteers.
- b. Ensure this policy is publicly available.
- c. Development of a 'First Responder' guide.
- d. Formal training on the implementation of this policy.
- e. Regular monitoring of this policy and its implementation.
- f. Periodic review of this policy.
- g. Circulate this policy to all employees and volunteers.

Contact people

This section is not part of the 'APGF Prevention of Sexual Exploitation, Abuse and Harassment Policy.

Here are various ways for raising a concern/complaint/grievance:

- [a] contacting (email/WhatsApp/phone call/other) an individual APGF Conciliation Committee;
- [b] contacting all members of the APGF Conciliation Committee;
- [c] contacting the APGF Secretariat;
- [d] contacting the APGF Executive - Co-Convenors and Deputy Convenor;
- [d] contacting the APGF Directors;
- [e] contacting any other APGF Member; and/or
- [f] contacting any other identified designated supporter.