

PREVENTING AND RESPONDING TO SEXUAL HARASSMENT POLICY DOCUMENT CONTROL

Policy Name	Preventing and Responding to Sexual Harassment Policy
Prepared By	Sylvie Ellsmore
Reviewed By	Lesa de Leau, Astrid O'Neill
Approved By	Committee of Management
Date Prepared / Approved	January 2017/ 19 January 2017
Amendment History	January 2017 (v1)
	Feb-April 2017 Member review
	July 2017 – Version 2
	Nov 2017 – Version 3
	Dec 2017 – Version 3.3
	Oct 2018 – Version 3.4 (Change of Contact Details)
Managed By	Rochelle Flood & Sylvia Hale
Nominated sexual harassment contact	Rochelle Flood & Sylvia Hale
	Email: convenor@nsw.greens.org.au
	Phone: 02 9045 6999

1. POLICY STATEMENT

- 1.1 The Greens NSW are committed to the protection and promotion of human rights, and an end to discrimination and harassment. Sexual harassment includes any unwelcome behavior of a sexual nature that could reasonably expected to make someone feel offended, humiliated or intimidated. Sexual harassment undermines people's basic rights to be safe in their home, at work and in the community. Sexual harassment is unlawful.
- 1.2 The Greens NSW do not tolerate sexual harassment in any form. This includes taking all reasonable steps to prevent sexual harassment from occurring, and if sexual harassment does occur, to take appropriate remedial action.
- 1.3 The organisation has a responsibility to support the prevention of sexual harassment. Reports of sexual harassment will be treated promptly, seriously and confidentially. Complainants have the right to have their complaints treated in a way which acknowledges and respects their privacy and wishes. The organisation will afford natural justice to any person involved in an allegation or dispute. No member or volunteer will be treated unfairly as a result of making a complaint of sexual harassment.
- 1.4 Some forms of sexual harassment are criminal offences. Allegations of criminal sexual harassment will be responded to immediately, and in a manner which prioritises protecting the victim and ensuring members have confidence that Greens' offices, meetings, events and other forums are safe spaces.

2. PURPOSE

- 2.1 The purpose of this Policy is to outline the principles and procedures for the Greens NSW to prevent sexual harassment, and to deal with incidents of sexual harassment where they occur. The Policy also provides guidance for responding to complaints and incidents of behavior that may be a criminal offence, including sexual assault, indecent exposure and stalking, by or against members or volunteers.
- 2.2 The purpose of this Policy is also to provide a framework to discourage sexual harassment in Greens NSW workplaces and volunteer forums, including Local Group forums, and to ensure that where a person has been suspended or expelled as a result of sexual harassment ensuring that appropriate information is shared with Local Groups, other State Green parties and the Australian Greens.

3. SCOPE

- 3.1 This Policy applies to volunteers, staff and members of Local groups and the Greens NSW. Greens NSW volunteers and employees include volunteers and staff employed on election campaigns, who are managed or report to Local Groups or Local Campaign Committees. Members includes Greens NSW Councillors and Members of Parliament. It is noted that Councils and Parliaments also have separate harassment policies which will also apply in relation to those workplaces.
- 3.2 This Policy also provides a process for managing complaints of sexual harassment by or against members, by non-members.
- 3.3 The Policy provides for the handling of complaints internally and through referral to external suitably qualified persons engaged by the Greens NSW.

- 3.4 This Policy is designed to operate in addition to, but not replace, the procedures for managing complaints and taking disciplinary action against members outlined in the *Greens NSW Constitution*. Where there is an allegation of sexual harassment this Policy authorises actions relating to a person's membership of the Greens NSW such as suspending a person's membership while an allegation is investigated only where this is:
 - For the purpose of protecting the health, safety or security of one or more Greens members or volunteers;
 - For the purpose of ensuring members can have confidence that the Greens offices, meetings, events and other forums are safe spaces; and/ or
 - As required to meet the Greens NSW's duty of care or other legal obligations.
- 3.5 This Policy was developed with reference to best practice processes for dealing with sexual harassment recommended by the Australian Human Rights Commission and the NSW Rape Crisis Centre.
- 3.6 Nothing in this policy prevents action by an individual Local Group in relation to complaints by or against a member which are taken in line with the Local Group's Constitution.

4. EFFECTIVE DATE

4.1 This Policy will come into effect from January 2017, as subsequently amended.

5. DEFINITION OF SEXUAL HARASSMENT

- 5.1 Sexual harassment is any unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, the display of offensive material or other behaviour which creates a sexually hostile working environment.
- 5.2 Examples of sexual harassment include:
 - uninvited touching
 - uninvited kisses or embraces
 - smutty jokes or comments
 - making promises or threats in return for sexual favours
 - displays of sexually graphic material including posters, pinups, cartoons, graffiti or messages left on notice boards, desks or common areas
 - repeated invitations to go out after prior refusal
 - exposing genitals or sexual gestures
 - insults, taunts, teasing or name-calling of a sexual nature
 - staring or leering at a person or at parts of their body
 - unwelcome physical contact such as massaging a person without invitation, deliberately brushing up against them or forcing a person to perform sexual acts
 - touching or fiddling with a person's clothing including lifting up skirts or shirts, flicking bra straps, or putting hands in a person's pocket
 - requests for sex
 - sexually explicit conversation
 - persistent questions or insinuations about a person's private life
 - offensive phone calls or letters

- stalking
- any digital content portrayed on any mediums of devices, including offensive e-mail messages or computer screen savers. This can include exposing information to humiliate an individual or a group.
- 5.3 Sexual harassment may also be a criminal offence, if it involves sexual behaviour that makes a person feel uncomfortable, frightened, intimidated or threatened, or involves the use of physical or emotional force.
- 5.4 Sexual harassment does not include behaviour which is based on mutual attraction, friendship and respect, if the interaction is consensual, welcome and reciprocated.
- 5.5 Sexual harassment may occur between one volunteer and another, between volunteers and staff members, or between volunteers and members, members of the public or visitors. It may occur wherever members, volunteers and staff are interacting with others in the context of their position in the organisation, including outside a Greens NSW office, at meetings, or at social functions.
- 5.6 For more information about sexual harassment: "Know the Line" website, Human Rights Commission: https://knowtheline.humanrights.gov.au/

6. SEXUAL HARASSMENT IS AGAINST THE LAW

- 6.1 Sexual harassment is against the law. The Greens NSW may be held legally responsible for acts of sexual harassment committed by volunteers. The Sex Discrimination Act 1984 (Cth) makes employers liable for acts of sexual harassment unless they have taken all reasonable steps to prevent it from taking place. ii
- 6.2 The Anti-Discrimination Act 1977 (NSW) also makes sexual harassment unlawful in the workplace and in certain other circumstances. It is also against the law for anyone to hassle, victimise or treat a person unfairly because: they have complained to another person about harassment; they have complained to the Anti-Discrimination Board; or they have supported someone with a harassment complaint, or acted as a witness in a harassment case. iii
- 6.3 Some forms of sexual harassment are criminal offences, including sexual assault, indecent exposure and stalking. Sexual assault occurs when someone is forced, coerced or tricked into sexual acts or exposed to sexual situations against their will. It can include when a person is unable to consent, such as when they are intoxicated^{iv}. Sexual assault can happen to anyone, and is never the victim's fault.
- 6.4 For more information and support for victims of sexual assault or criminal sexual harassment:
 - NSW Rape Crisis Centre: http://www.nswrapecrisis.com.au/Home.aspx and 1800 424 017
 - NSW Victim's Services: http://www.victimsservices.justice.nsw.gov.au/sexualassault. The Victims Access Line (1800 633 063) provides information, referral and support to victims of crime.
 - NSW Police Emergency: 000

7. FRAMEWORK FOR RESPONDING TO HARRASSMENT

- 7.1 Incidents of sexual harassment are to be managed in accordance with this Policy. The Policy variously provides for:
 - Resolution informally by individuals, without any kind of formal complaint;
 - Referral to identified persons to whom an internal complaint can be made;
 - Referral to people engaged by the Greens NSW to externally manage complaints;
 - Referral to external bodies including services that provide counselling or which can investigate external complaints, and make a recommendation as to action;
 - Steps to bring an incident to resolution; and
 - Steps to encourage safe and inclusive workplaces and volunteer spaces, free of harassment.

8. RESPONDING TO HARASSMENT WITHIN THE GREENS NSW

- 8.1 A member, staff member or volunteer who believes they have been harassed (the complainant) should:
- if comfortable to do so, inform the alleged harasser the behaviour is offensive or unwelcome, or without consent, is against the organisation's policy and should stop;
- make a note of the date, time and location of the incident/s;
- if not comfortable to confront the alleged harasser or if unwelcome behaviour continues, report to the nominated contact person or, where there are multiple contacts, one of these nominated contact people; or
- if this is inappropriate, speak to another senior member of the organisation, such as a Local Group officer bearer, the Executive Officer/ Party Manager, the Greens NSW Convenor or a member of the Committee of Management.
- 8.2 If the member, staff member or volunteer is not comfortable to confront the alleged harasser or if the unwelcome behaviour continues, the person may report to the nominated contact person or, where there are multiple contacts, one of these nominated contact people.
- 8.3 In the case of staff, staff should refer the matter to their supervisor or to the Executive Officer/ Party Manager, where this relates to an employment issue or incident in the workplace.
- 8.4 The Greens NSW should respond to the complaint by organising a prompt interview in person or over the phone with the complainant, no later than 72 hours after the complaint is received.
- 8.5 The person may request that the complaint be managed internally, or be referred to an external person to investigate.
- 8.6 The nominated contact person who receives the complaint will follow the procedures set out below. At any time the complainant has the right to discontinue this process, or to seek to have it referred to an external person to formally investigate the complaint.
- 8.7 In the case of a complaint made directly to a Local Group, the Local Group may determine that it wishes to seek the involvement of a nominated sexual harassment contact person, to have the complaint managed through the steps outlined in this Policy. Local Groups are strongly encouraged to follow the procedures outlined in the Policy, rather than a local grievance process, if the complaint relates to sexual harassment.

8.8 Where a complaint relates to sexual harassment which may be a criminal offence, the Local Group should refer the matter to the Police as appropriate, and must also immediately refer the matter to the Greens NSW, rather than deal with it through the Local Group only.

9. EXTERNAL REPORTING OF SEXUAL HARASSMENT

- 9.1 Complaints of sexual harassment can also be made to
 - The Australian Human Rights Commission's National Information Service on 1300 656 419 and http://www.humanrights.gov.au/complaints/make-complaint
 - The NSW Anti-Discrimination Board -

http://www.antidiscrimination.justice.nsw.gov.au/Pages/adb1_makingacomplaint/adb1_makingacomplaint.aspx

- 9.2 Victims of sexual assault are encouraged to contact support services and/ or Police:
 - NSW Health Sexual Assault Services provide free information, counselling, court support, medical treatment and forensic examinations for anyone who has been sexually assaulted, 24 hours a day:

http://www.health.nsw.gov.au/kidsfamilies/protection/Pages/health-sas-services.aspx

- The NSW Rape Crisis is the 24/7 telephone and online crisis counselling service for anyone in NSW men and women who has experienced or is at risk of sexual assault and their non-offending supporters: http://www.nswrapecrisis.com.au/Home.aspx and 1800 424 017
- Police: Emergency 000 and local stations
 http://www.police.nsw.gov.au/about_us/structure/operations_command/local_area_commands

10. GREENS NSW COMPLAINTS PROCESS

- 10.1 When a complaint is received by the Greens NSW, the nominated contact person which includes the Executive Officer/ Party Manager in relation to staff complaints will:
 - ensure the organisation's process for handling the complaint is understood by the complainant;
 - obtain and record a full, step-by-step account of the incident/s;
 - ascertain the complainant's preferred outcome, e.g. an apology, the behaviour to cease, a change in working arrangements;
 - agree on the next step: informal resolution or formal investigation; and
 - keep a confidential record of all details of this discussion and subsequent steps in the process.

11. NOMINATED CONTACT PERSONS

- 11.1 The Greens NSW, through the Committee of Management, will nominate one or more persons to be a nominated sexual harassment contact person to receive and handle complaints. The sexual harassment contact person may be a staff member or a member of the Committee of Management.
- 11.2 The Executive Officer/ Party Manager will act as the nominated contact person in relation to staff, in relation to employment matters including incidents which occurred in the workplace.

- 11.3 Where possible the Greens NSW will appoint at least one person who identifies as female, one person who identifies as male and one person who does not have a binary gender identity. The Greens NSW will seek to reflect the diversity of the Greens membership when appointing nominated contact people.
- 11.4 Nominated sexual harassment contacts must have appropriate skills and abilities to manage and handle sensitive complaints, and to maintain strict confidentiality. The Greens NSW will ensure that appropriate training is provided to staff or volunteers in order for them to be appointed as a nominated sexual harassment contact person.

12. INDEPENDENT COMPLAINT MANAGERS

- 12.1 The Greens NSW will maintain a list of suitably qualified persons who can be engaged to independently receive and manage complaints.
- 12.2 A complainant may request that a complaint be managed by an external person, or the Greens NSW may refer the complaint to be managed by an external person. Referral to an external person can be undertaken at any point in the complaint process. Referral shall not be undertaken without consultation with the complainant.
- 12.3 Before a complaint is referred to external person, the complainant must be advised of what is likely to be involved in the formal investigation process (see later section). The complainant should be advised that the process will likely include:
 - Providing details of the incident/s, including confirmation in writing of the alleged behavior; and
 - Provision of details of the complaint to the alleged harasser, in order that they may provide a response.
 - 12.4 The external complaints manager will manage the complaint, including investigating and providing a report about recommended actions to the Greens NSW.
- 12.4 In undertaking their role the external complaints manager is to undertake actions consistent with the steps for resolving complaints outlined in this policy.
- 12.5 Where possible complaints progressing to formal Investigation should be managed by an external complaints manager.

13. INFORMAL RESOLUTION

- 13.1 Where a complainant has chosen informal resolution, the person handling the complaint will liaise with the complainant to determine what they consider appropriate actions, and take these views into account before taking any action.
- 13.2 Actions to informally resolve a complaint may include: an informal discussion or counselling with the alleged harasser; reporting of the behavior to the Local Group; organising training or information sessions about sexual harassment for a workplace, Local Group or individual; or an apology.
- 13.3 Informal resolution may include the following steps, depending on the circumstances and if the complainant agrees:
 - informing the alleged harasser of the complaint and provide an opportunity to respond;
 - ensuring both parties understand their rights and responsibilities under the organisation's policy;
 - mediation of an outcome that is satisfactory for the complainant;
 - ensuring that confidentiality is maintained; and

- following up to ensure the behaviour does not re-occur.
- 13.4 The person handling the complaint may determine that it is appropriate to close the matter without taking any action, for example where the behavior does not constitute sexual harassment under the policy, or where other actions have been taken since the behavior which have addressed the behavior, or where it not possible for action to be taken by the Greens, for example because the alleged harasser is no longer a member or staff member of the Greens NSW.

14. WHERE A COMPLAINANT DOES NOT HAVE A PREFERRED OUTCOME

14.1 In the event where a complainant is not in a position to provide or recommend actions in response to an incident, the Greens NSW may determine an appropriate response, following consideration of the information available. Appropriate responses may include: referring the complaint to external investigation; having an informal discussion with one of the parties to the complaint about their behavior; organising a training session for a Local Group or Working Group about sexual harassment; or closing the matter without further action.

14.2 Proposed responses should be discussed with the complainant before being actioned.

15. SUPPORT PEOPLE

15.1 A person making a complaint is able to nominate a support person at any stage in the complaint process. A support person is able to relay information on the person's behalf, attend meetings or interviews, or otherwise provide support as requested by the person making the complaint.

16. FORMAL INVESTIGATION

- 16.1 If a formal investigation is requested by the complainant, or if an informal resolution fails, the nominated contact person or external complaints manager will notify the Convenor of the Greens NSW that formal investigation is required. In the case of complaints regarding staff where this is an employment matter, the Executive Officer/ Party Manager may progress the matter to formal investigation without notification to the Convenor
- 16.2 The Convenor (or the external complaints manager if agreed by the Convenor) may notify the relevant Local Group Convenor of the investigation, unless notification would put the health, safety or wellbeing of the complainant or another person at risk.
- 16.3 The nominated contact person or external complaints manager will formally investigate the complaint.
- 16.4 The external complaints manager will:
- liaise with the complainant, to determine the nature of the complaint and the complainant's wishes for resolution, within 3 days of receiving the complaint;
- provide information about appropriate counselling services if required;
- if the complaint relates to a criminal matter, provide urgent advice to the
- complainant about referring the matter to the police;
- notify the Greens NSW about proposed steps to investigate the matter, prior to the investigations being undertaken (for example interviewing other Greens members);
- undertake relevant investigations as required to formally investigate the complaint;
- provide draft recommendations to the Greens NSW based on their investigation and assessment of the complaint;
- liaise the complainant to advise them of their final recommendation; and
- provide a final report to the Greens NSW with final recommendations for action within 28 days of receiving the complaint.
- 16.5 The external complaints manager will also ensure that they:
- keep complaints confidential;
- afford natural justice to all involved;

- interview all directly concerned, separately;
- interview witnesses, separately;
- keep records of the interviews and investigation;
- ensure confidentiality and minimise disclosure; and
- make a determination as to whether there is sufficient evidence that a reasonable person could conclude, on the balance of probabilities (i.e. it's more likely than not), that an incident/incidents of sexual harassment as defined by the legislation has occurred.
- 16.6 The nominated contact person or external complaints manager will either provide a report to the Convenor (in the case of members) or the Executive Officer/ Party Manager (in the case of staff or volunteers in the workplace) regarding the formal investigation. The report should include recommendations as to actions.
- 16.7 The Convenor or Executive Officer/ Party Manager must consider the report and any additional information provided.
- 16.8 Where the Convenor (in the case of members) or Executive Officer/ Party Manager (in the case of staff or volunteers in the workplace) has determined that there is sufficient evidence that a reasonable person could conclude, on the balance of probabilities, that an incident/incidents of sexual harassment as defined by the legislation has occurred, the Convenor or Executive Officer/ Party Manager will determine appropriate action. In the case of staff this can include disciplinary action.
- 16.9 Where it cannot be determined by the required test that an incident/incidents of sexual harassment as defined by the legislation has occurred, the Convenor or Executive Officer/Party Manager may still take action to ensure the proper functioning of the workplace or volunteer space; but these actions should not prejudice any party. They will also continue to monitor the situation and provide training where required.
- 16.10 The complainant will be promptly informed of the outcomes of the complaint.

17. RESTRICTIONS ON A PERSON'S MEMBERSHIP

- 17.1 The Convenor may, in consultation with the Convenor of the relevant Local Group, place restrictions on a person's membership including a temporary suspension of their membership or limiting access to particular member forums or databases, for a defined period of no more than 6 months.
- 17.2 Limits can only be placed on a person's membership as a result of a sexual harassment complaint:
 - a) Where the Convenor has determined that there is sufficient evidence that a reasonable person could conclude, on the balance of probabilities that an incident/incidents of sexual harassment as defined by the legislation has occurred;

And

b) Where the member has been advised of the proposed restrictions and provided a reasonable opportunity to respond:

And for one or more of the following is satisfied:

- c) For the purpose of protecting the health, safety or security of one or more Greens members, staff or volunteers;
- d) For the purpose of ensuring members can have confidence that the Greens offices, meetings, events and other forums are safe spaces; and/ or
- e) If required to meet the Greens NSW's duty of care or other legal obligations.

- 17.3 Where it is proposed that limits be proposed to be placed on a person's membership as a disciplinary action, or that the person be expelled from the Greens NSW, the processes outlined in the Greens NSW Constitution will apply.
- 17.4 Nothing in this policy prevents action by an individual Local Group in relation to complaints by or against a member which are taken in line with the Local Group's Constitution. As noted above, Local Groups are strongly encouraged to refer complaints of sexual harassment to the Greens NSW, to be managed through the process outlined in the Policy. Where a complaint may relate to criminal activity, Local Groups are required to immediately notify the Greens NSW.

18. SEXUAL HARASSMENT MAY ALSO BE A CRIMINAL OFFENCE

- 18.1 Where an office bearer, volunteer or employee of a Local Group or the Greens NSW becomes aware of a credible allegation that a member, volunteer or employee has committed an act of sexual harassment which is a criminal offence, such as stalking or sexual assault, the person must immediately bring this to the attention of the Convenor of the Greens NSW or the nominated contact person.
- 18.2 The Convenor or the nominated contact person will support the alleged victim as appropriate to make a complaint to Police and/ or access support services.
- 18.3 The allegation and investigation should generally be kept confidential, taking into account:
- The seriousness and nature of the allegation;
- The wishes of the alleged victim;
- The health, safety and wellbeing of employees, staff and members;
- Potential prejudice to any legal case; and
- Any legal requirements to report the allegation, for example in the case where a person under the age of 18 is involved.
- 18.4 In the case of a credible allegation by a member, the Convenor must be informed as soon as possible. The Convenor may take immediate action in relation to the alleged perpetrator's membership while the matter is investigated, including:
- Suspending the member's membership;
- Limiting the member's access to members' contact information; and/ or
- Restricting the member's access to member meetings, forums or other member spaces, including online spaces.
- 18.5 Examples where it would be appropriate to immediately suspend a person's membership pending further investigation of an allegation include:
- Where criminal charges have been laid against a member;
- Where multiple serious complaints have been made against the same member;
- Where there is evidence that a member has used confidential member information to harass or stalk another member; or
- Where there is otherwise credible evidence that the member is likely to have committed a criminal
 offence
- 18.6 The member will be notified in writing of the suspension or restriction of their membership while the matter is investigated, except where to do so might put the health or safety of another person at risk.
- 18.7 The Convenor will refer the matter for external investigation as per this policy. Where this is not possible or is not appropriate, the Convenor may: investigate the alleged incident/s;
- keep records of the investigation including any interviews;

- ensure confidentiality and minimise disclosure;
- take the alleged victim's wishes into account; and
- provide the member an opportunity to respond, except where this might put the health or safety of another person at risk.
- 18.8 The Convenor will either after receiving the external report or following the internal investigation:
 - make a determination as to whether there is sufficient evidence that a reasonable person could conclude, on the balance of probabilities (i.e. it's more likely than not), that the alleged incident/s; occurred; and
 - determine appropriate actions which may include: suspension of a person's memberuntil the matter is determined by the Courts; referral to the relevant Local Group; and/ or restrictions on a member's participation in member activities.
- 18.9 The Convenor may only restrict or suspend the membership of a Greens NSW member, during or following an investigation, where the Convenor of the relevant Local Group has been consulted (unless it is inappropriate to do so) and only where the restrictions are:
- For the purpose of protecting the health, safety or security of one or more Greens members, staff or volunteers:
- For the purpose of ensuring members can have confidence that the Greens offices, meetings, events and other forums are safe spaces; and/ or
- If required to meet the Greens NSW's duty of care or other legal obligations.
- 18.10 The member will be notified in writing of the suspension or other restrictions placed on their membership, and the period of the restrictions.
- 18.11 Where it is proposed that limits be proposed to be placed on a person's membership as a disciplinary action, or that the person be expelled from the Greens NSW, the processes outlined in the Greens NSW Constitution will apply.
- 18.12 Nothing in this policy prevents action by an individual Local Group in relation to complaints by or against a member which are taken in line with the Local Group's Constitution.

19. LIMITS TO CONFIDENTIALITY

19.1 This Policy aims to protect the confidentiality of complaints. However, there are limits to this confidentiality, which may require the Greens NSW to disclose information they have received. These include: where the Greens NSW have a legal obligation or duty of care to employees or volunteers; or where the alleged behavior of a member poses a risk to the health and safety of other Greens members.

19.2 If the Greens NSW intends to disclose confidential information received, this must first be discussed with the complainant.

20. SHARING INFORMATION WITH OTHER GREEN GROUPS

20.1 Where a Local Group has suspended or expelled a person as a result of sexual harassment, they are required to immediately notify the Greens NSW Membership Officer and the Executive Officer/ Party Manager of the NSW Greens.

20.2 Where a person has been suspended or expelled by a NSW Local Group or the Greens NSW as a result of sexual harassment, the Greens NSW Convenor or Executive Officer/ Party Manager is to immediately notify the

Convenor or other relevant contact for each of the Australian Greens and State and Territory Parties.

20.3 Where a person has been suspended or expelled as a result of sexual harassment, a note must be made on their CiviCRM or other electronic membership record that they have been suspended or expelled, and the term of the suspension or expulsion. The note should state which Policy or mechanism has been used to suspend or expel the person. No other details, including details of any complaints, are to be included on the person's record.

20.4 Where a member, staff member or office bearer the Greens NSW has reasonable grounds to believe that a suspended or expelled member, former staff member or former volunteer may be seeking membership, work or volunteer opportunities with a different Local Group or a Greens' group in another jurisdiction, they must immediately contact a nominated sexual harassment contact person, office bearer or Executive Officer/ Party Manager so steps can be taken to ensure the relevant group is informed of the suspension/expulsion.

20.5 A member who has been suspended or expelled may apply to the Greens NSW Membership Officer to have the note removed from their record, two years after a suspension has ended in the case of a suspension, and five years in the case of an expulsion. The Membership Officer must not remove the note without first consulting with: the relevant Local Group; the Executive Officer/ Party Manager and the Greens NSW Convenor.

21. ADDITIONAL INFORMATION

If you have any questions arising from this policy, please contact the Convenors, Rochelle Flood and Sylvia Hale, on 9045 6999, convenor@nsw.greens.org.au:

For more information about sexual harassment:

"Know the Line" website, Human Rights Commission: https://knowtheline.humanrights.gov.au/

Complaints of sexual harassment can also be made to:

- The Australian Human Rights Commission's National Information Service on 1300 656 419 and http://www.humanrights.gov.au/complaints/make-complaint
- The NSW Anti-Discrimination Board
 http://www.antidiscrimination.justice.nsw.gov.au/Pages/adb1 makingacomplaint/adb1 makingacomplaint.aspx

Victims of sexual assault are encouraged to contact support services and/or Police:

- NSW Health Sexual Assault Services provide free information, counselling, court support, medical
 treatment and forensic examinations for anyone who has been sexually assaulted, 24 hours a day:
 http://www.health.nsw.gov.au/kidsfamilies/protection/Pages/health-sas-services.aspx
- The NSW Rape Crisis is the 24/7 telephone and online crisis counselling service for anyone in NSW men and women who has experienced or is at risk of sexual assault and their non-offending supporters: http://www.nswrapecrisis.com.au/Home.asx and 1800 424 017
- NSW Victim's Services: http://www.victimsservices.justice.nsw.gov.au/sexualassault. The Victims Access Line (1800 633 063) provides information, referral and support to victims of crime.
- NSW Police: Emergency 000 and local stations
 http://www.police.nsw.gov.au/about us/structure/operations command/local area commands

22. PUBLICATION AND REVIEW OF THIS POLICY

- 22.1 This Policy will be made readily available to members, staff and volunteers through the Greens NSW public website and the Greens NSW members' website. Details for the nominated contact persons will be published with the Policy. The Executive Officer/ Party Manager will be responsible for ensuring contact details remain up to date.
- 22.2 Details about the Policy and the Greens NSW principles will be included as part of the standard induction provided for Greens NSW staff and volunteers. The Greens NSW will provide one or more training sessions for staff members and key volunteers, at the start and mid-point of each election campaign.
- 22.3 Local Campaigns will be responsible for ensuring that staff and key volunteers attend the training sessions. Training may be provided face to face, through webinars and through online materials. References to the Policy will be included in other documents for staff, members and volunteers as appropriate.
- 22.4 Information sessions about the Policy for members will be held at least once a year at State Delegates Council. These information sessions will also provide an opportunity for members to suggest updates or improvements to the Policy.

¹ Definition from the Australian Human Right's Commission publication *Effectively preventing and responding to sexual harassment: A Code of Practice for Employers* (2008) (2008) https://www.humanrights.gov.au/our-work/sex-discrimination/publications/effectively-preventing-and-responding-sexual-harassment-0

[&]quot;Australian Human Rights Commission (2008) Effectively preventing and responding to sexual harassment: A Quick Guide https://www.humanrights.gov.au/our-work/sex-discrimination/publications/effectively-preventing-and-responding-sexual-harassment

iii Anti-Discrimination Board of NSW, Sexual Harassment webpage,

http://www.antidiscrimination.justice.nsw.gov.au/Pages/adb1 antidiscriminationlaw/sexualharassment.aspx

iv NSW Department of Health, Sexual Assault webpage

http://www.health.nsw.gov.au/sexualassault/pages/default.aspx