

Qld Greens Guide -

Sexual Harassment, Intimidation & Assault Policy: Mandatory Reporting and Zero Tolerance Procedures

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The Queensland Greens recognise the right of every employee and volunteer to be able to attend work, participate in the Greens and to perform their duties without being subjected to any form of sexual harassment, intimidation or assault. It is the obligation and responsibility of every member of the party to ensure that the workplace, and party activities, are free from sexual harassment.

CONTENTS

1. Introduction	3
2. Purpose and Scope	3
3. Definitions	4
4. Principles	5
5. Mandatory Incident Reporting	6
6. Incident Report Management	7
7. Incident Report Assessment	8
8. Management of Incident Reports Below the Threshold Severity Level	9
9. Management of Incident Reports Above Threshold Severity Level (Formal Complaint)	10
10. Professional External Mediation Process	12
11. Independent Investigation Process	12
12. Formal Complaint Process Timing and Communication	13
13. Participation in Greens Activities During Investigations	14
14. Remedial Action	14
15. Procedures for Dealing with Criminal Conduct	15
16. Procedures for Responding to Complaints of Victimisation	16
17. Taking All Reasonable Steps	16
APPENDIX 1 - Queensland Greens Sexual Harassment Matrix - Severity and Consequences	17
APPENDIX 2 - Incident Reporting Process	20
APPENDIX 3 - Notification Letters	21
APPENDIX 4 - Procedure Process Map	24
APPENDIX 5 - Queensland Greens Complaints Processes Summary	25

1. Introduction

- 1.1 The Queensland Greens recognise the right of every employee and volunteer to be able to attend work, participate in the Greens and to perform their duties without being subjected to any form of sexual harassment, intimidation or assault. It is the obligation and responsibility of every member of the party to ensure that the workplace, and party activities, are free from sexual harassment.
- 1.2 The Queensland Greens recognise that sexual harassment, intimidation or assault is unlawful and can be subject to criminal and civil sanctions. We also recognise that it limits the ability of people to participate fully in their workplaces, in organisations and in our democracy, and can have serious negative effects both on the health and wellbeing of the person targeted by the behaviour, and on the culture and morale of the organisation.
- 1.3 The Queensland Greens has a zero tolerance policy towards sexual harassment, intimidation or assault within the party and are fully committed to eliminating sexual harassment, intimidation or assault in the workplace and in the party. This procedure is designed to help us all achieve that aim.
- 1.4 The Queensland Greens has a mandatory reporting policy regarding sexual harassment, intimidation or assault within the party and all incidents must be reported to the State Director as soon as possible after they occur.

2. Purpose and Scope

- 2.1 The purpose of this document is to outline The Queensland Greens' position on sexual harassment, intimidation or assault, and to stipulate the formal and informal reporting processes available to any member, volunteer or employee of the Queensland Greens who experiences sexual harassment or other forms of sexual violence.
- 2.2 The purpose of this procedure is to:
 - 2.2.1 Act on predatory behaviour which involves:
 - a demonstrable abuse of power and/or
 - an intent to predate via party-mediated access to victims
 - 2.2.2 Manage inappropriate behaviour from those without capacity, willingness or social understanding to act appropriately within the norms and the values of the Queensland Greens.
- 2.3 The purpose of this procedure is not to intervene or take responsibility for personal / private matters between individuals who happen to be active in the Queensland Greens at the time.
- 2.4 This procedure does not supplant or in any way affect any person's right or obligation to report illegal behaviour to the police, and processes under this procedure are not intended to replace a criminal investigation should one occur. (Also refer to [section 15](#).)

- 2.5 This procedure has specific application to the conduct of events and activities for which The Queensland Greens has responsibility, and is available to support individual members and volunteers of the Party across the state.
- 2.6 This procedure is intended to apply to all Queensland Greens related contexts including (but not limited to) any work-related context, work functions, business trips, online communications, conferences, meetings, social and volunteer events organised by the Queensland Greens.

3. Definitions

- 3.1 **Sexual harassment or intimidation** is any unwanted or unwelcome sexual behaviour, which makes a person feel offended, uncomfortable, humiliated or intimidated. Sexual harassment is a type of sex discrimination and is unlawful.
- 3.1.1 Sexual harassment can occur in a variety of settings including but not limited to:
- face to face encounters,
 - on the telephone, and
 - online.
- 3.1.2 Examples of sexual harassment include but are not limited to those verbal and non verbal behaviours outlined in [APPENDIX 1 - Queensland Greens Sexual Harassment Matrix - Severity and Consequences](#).
- 3.1.3 Behaviour between two adults that is based on mutual attraction, consent, friendship and respect is not sexual harassment.
- 3.2 **Sexual or indecent assault** are criminal offences. They involve physical contact with someone, of a sexual nature, without their consent.
- 3.3 **Complainant**: the person who has submitted an incident report of sexual harassment. Most commonly, the Complainant is the person alleging having experienced sexual harassment, who may make use of the processes as detailed in this procedure. The Complainant may also be a witness to sexual harassment or a concerned third party who is seeking to make use of the processes in this procedure.
- 3.4 **Respondent**: the person alleged in an incident report to have committed sexual harassment.
- 3.5 **Incident Report**: the initial report made by the Complainant to the State Director or party office bearer detailing the incident.
- 3.6 **Formal Complaint**: the process applied to an incident report that is assessed above the threshold severity level and results in professional mediation or an independent investigation and consequent steps along the party's complaints process.
- 3.7 **Independent Investigation**: the investigation of an incident carried out by a professional investigator who is independent of the party (i.e. arm's-length) and skilled at determining whether the allegations against the Respondent are substantiated.

- 3.8 **External Mediation:** the mediation of the two parties involved in an incident carried out by a professional mediator who is independent of the party and skilled at supportively resolving situations of this nature.
- 3.9 **Remedial Action:** the action taken by the Constitution & Arbitration Committee if the allegations against the Respondent are substantiated by the findings of the independent investigation.
- 3.10 **Verbal Notification:** the process used by the Queensland Greens to notify a Respondent of sub-threshold [Minor], but still concerning, reported behaviour.
- 3.11 **Notification Letter:** the letter issued by the Queensland Greens to notify a Respondent that an incident report assessment requires them to undertake specified action(s) [Moderate] or is progressing to a Formal Complaint [Serious].
- 3.12 **Particulars:** particulars are the material facts of the case which go towards making or defending an action.
- 3.13 **CAC:** Constitution and Arbitration Committee.
- 3.14 **IAT+:** Intake Assessment Team (a sub-committee of the Management Committee comprising the State Convenor, State Secretary, and Membership Convenor and any other members of the Management Committee seconded to the team) plus the State Director.
- 3.15 **MRWG:** Mediation and Resolution Working Group.

4. Principles

- 4.1 The Queensland Greens has a zero tolerance policy towards sexual harassment, intimidation or assault under all circumstances.
- 4.2 The Queensland Greens Code of Ethics stipulates mandatory reporting of all incidents of sexual harassment, intimidation or assault occurring at during Greens events or activities.
- 4.3 It is the responsibility of all members of the party to treat any incident seriously and with sensitivity, with the objective of creating a safe environment for all members, staff, volunteers and supporters.
- 4.4 Federal, Territory and State legislation stipulates that sexual harassment is unlawful and establishes minimum legal standards of behaviour for all employees. For the Queensland Greens, this extends to volunteers and supporters, and anyone attending an event organised by the Queensland Greens.
- 4.5 Any complaints of sexual harassment will be treated seriously, confidentially and promptly with sensitivity.
- 4.6 Remedial action may be taken or recommended against anyone who victimises, intimidates or retaliates against a Complainant or a Respondent.
- 4.7 Members who fail to respond to a report or complaint of sexual harassment, intimidation or assault in accordance with this procedure may be subject to remedial action.

- 4.8 Members that fail to follow the process and procedures outlined in the procedure may be subject to remedial action.
- 4.9 All Complainants have the right to seek the assistance of the relevant tribunal or statutory body to assist them in the resolution of their complaint i.e. Anti-Discrimination Commission of Queensland.

5. Mandatory Incident Reporting

- 5.1 The Queensland Greens Code of Ethics stipulates that all incidents of sexual harassment, intimidation or assault experienced or witnessed during party activities must be mandatorily reported to the responsible party office bearer(s). Under this procedure the responsible party officer is the State Director who maintains a confidential register of incidents.
- 5.2 If a Complainant feels comfortable to do so, they have the choice to report the incident to the State Director or other member of the IAT+ themselves.
- 5.3 If they do not feel comfortable to report directly to the State Director/IAT+, they have the choice to report the incident to a party office bearer of their choice, who is then required to report the incident to the State Director or other member of the IAT+. (Refer also to [section 6.](#))
- 5.4 Any party member who witnesses or becomes aware of an incident of sexual harassment, intimidation or assault occurring at during Greens events or activities must report the incident in accordance with the above directions.
- 5.5 It is recognised that members or volunteers may wish to report concerning behaviour that has occurred outside party activities. While it is not possible or appropriate for the party to oversee the behaviour of those not engaged in party activities, there is a safety aspect which warrants the attention of the party to such reports.
 - Any such reports are not managed under this procedure but will result in a record of the reported details in a separate confidential register maintained by the State Director.
 - In these circumstances a victim's report will be prioritised over the rights of a supporter or volunteer to participate in party activities, and efforts made to politely refuse participation of the person of concern until such time as the report is refuted, while making all possible efforts possible to maintain confidentiality.
 - If participation in party activities cannot be managed in this way (e.g. when the person of concern is a party member) the IAT+ will confidentially monitor their engagement in party activities and, if necessary, provide cautionary advice in strict confidence to key staff if safety concerns arise.
- 5.6 The Queensland Greens Complaints Management Processes comprise several streams, and members are asked to ensure they are utilising the relevant stream for their complaint. Refer to [APPENDIX 5 - Queensland Greens Complaints Processes Summary](#) and [section 6.3.](#)

6. Incident Report Management

- 6.1 All Incident Reports of sexual harassment, intimidation or assault are received by the IAT+.
- 6.2 The IAT+ is authorised by Management Committee to make decisions as set out in this procedure. If the IAT wishes to deviate from the procedure in any respect, permission must be sought from Management Committee to do so.
- 6.3 If a Complainant has used the sexual harassment, intimidation or assault reporting process for a complaint which belongs in another stream of the Qld Greens Complaints Management Process, the IAT may refer the incident report to the correct reporting channel. In such an instance this procedure is by-passed and the incident report is handled under the relevant complaints management processes.
- 6.4 In the event that a member of the IAT+ is named as Respondent or otherwise conflicted, that person will recuse themselves from further involvement in the process and the IAT may second another member of the Management Committee to assist. If more than one member of the IAT+ is conflicted, the Incident Report will be assessed by the full Management Committee (less conflicted IAT+ members).
- 6.5 If a Complainant has chosen to refer the Incident Report to CAC directly under By Law 1.5 *Complaints made to Constitution and Arbitration Committee*, this procedure is bypassed and the incident report is handled under the processes outlined that by-law, although the incident will still be added to the State Director's confidential files.
- 6.6 If a Complainant does not refer the Incident Report to CAC themselves as a complaint, the processes outlined in this procedure will apply.
- 6.7 Management of incident reports naming non-members:
 - It is noted that legal advice to the Queensland Greens indicates that the party (via a Management Committee decision) at all times has the right to exclude non-members from party premises, activities and events without the need for any hearing or process and without any reason.
 - The Queensland Greens has a zero tolerance policy when it comes to sexual harassment, and for this reason if the party receives a credible report naming a non-member as the Respondent, this procedure will not apply.
 - In such cases, the IAT+ will seek approval of the Management Committee to take the necessary action to exclude the non-member from Queensland Greens activities, including but not limited to marking the record of the non-member in the Greens database as 'do not contact' and communicating the non-member's exclusion from all future party activities to the relevant party and/or branch office bearers and/or campaign team.
 - In the event that the incident report indicates possible criminal conduct, or behaviour deemed Moderate or Serious as defined in the Sexual Harassment Matrix, the IAT+ will develop a case report for submission to the CAC with a request to permanently proscribe the non-member from joining the Queensland Greens.

7. Incident Report Assessment

- 7.1 On being informed of an incident, the State Director (or another member of the IAT+) will conduct a discussion with the Complainant to collect preliminary details around the incident.
- 7.2 The interviewer will complete a de-identified form based on the Sexual Harassment Matrix in order to assess the nature of the interaction and objectively classify the severity level.
- 7.3 If the report is assessed by the IAT+ as relating to a personal/private relationship vs a party-mediated relationship, this procedure does not apply. Factors used to make this determination include:
- Whether the majority of interactions between the individuals occur inside or outside Queensland Greens activities, and
 - Whether the incident(s) reported occurred inside or outside Queensland Greens activities, and
 - The nature of the relationship between the individuals, and
 - The longevity of the relationship between the individuals, and
 - Whether the Respondent has exhibited the reported (or similar) behaviour to other individuals within the party, and
 - Whether the IAT+ considers the Respondent poses a threat to members / volunteers / the public.

In such instances the following steps will be taken:

- The IAT+ will provide a de-identified summary (including all the facts of the case and the evidence indicating the interaction may be of a personal/private nature rather than party-mediated) to the Management Committee and seek the approval of the Management Committee to dismiss the report.
 - If the Management Committee approves the IAT+'s recommendation to dismiss the report, the Complainant will be informed by the State Secretary and the Incident Report will be kept securely on file in case of further relevant information being provided.
 - The Complainant will be referred to the Mediation and Resolution Working Group for support and/or offered access to the Australian Greens EAP (Employee Assistance Program, a counselling service) as appropriate to the incident.
 - If appropriate, the Mediation and Resolution Working Group will be asked to facilitate a mediation between the Complainant and Respondent to agree on an interaction plan for ongoing interactions in the party.
- 7.4 Any Incident Report with a severity deemed to be Minor or Moderate will be managed as outlined in [section 8](#).
- 7.5 Any Incident Report with a severity deemed to be Serious will be assessed by the IAT+ to determine the most suitable pathway to resolution, either:
- Professional external mediation to supportively resolve the situation between the two parties involved in the incident, or

- Professional independent investigation to determine whether or not the allegations against the Respondent are substantiated (as outlined in [section 8](#) & [section 9](#)).

Mediation will be the default pathway unless it is evident to the IAT+ that mediation would be harmful to one or both parties, or the Complainant is able to demonstrate to the IAT+ that mediation would be harmful to them.

- 7.6 The completed de-identified form will be provided to the Management Committee if the level of severity indicated is Serious, and the Management Committee will be asked to approve a budget for an external professional mediator or independent investigator as required and task the State Director (or delegate) with engaging a suitable provider.
- 7.7 If the above assessment process conducted by the IAT+ indicates that the incident report may be vexatious, malicious, frivolous or otherwise insubstantive, the following steps will be taken:
- The IAT+ will provide a de-identified summary (including all the facts of the case and the evidence indicating the report may not be genuine) to the Management Committee and seek the approval of the Management Committee to dismiss the report.
 - If the Management Committee approves the IAT+'s recommendation to dismiss the report, the Complainant will be informed by the State Secretary and the Incident Report will be kept securely on file in case of further vexatious, malicious or frivolous reports.
 - The IAT+ may lodge a complaint against the Complainant for submission of a vexatious, malicious or frivolous report.
- 7.8 Where the incident is criminal, very severe, or clearly severely impactful to the victim, the victim will be offered access to the Australian Greens EAP (Employee Assistance Program, a counselling service).

8. Management of Incident Reports Below the Threshold Severity Level

- 8.1 If an Incident Report is categorised against the Sexual Harassment Matrix at a **'Minor'** level of severity, then the Respondent will receive a Verbal Notification by the IAT+. A verbal notification is more suitable than a written notification for incident reports assessed as sub-threshold due to the variation in behaviours and contexts and the sensitivity that characterise these reports. The Incident Report, notes summarising the content of the Verbal Notification, and the Respondent's response (if any) will be kept on file confidentially and securely by the State Director. The record of the Verbal Notification should include at least: Name of the Respondent and the IAT+ member making the notification, date and time of the notification, method of communication, dot points summarising information communicated to the Respondent and any replies from the Respondent.
- 8.2 In these circumstances, there will be no mediation, investigation, remedial action or active involvement by either the Complainant, the Respondent or the party other than to issue a Verbal Notification, and keep the Incident Report, the Verbal Notification notes on file.

- 8.3 If an Incident Report is categorised against the Sexual Harassment Matrix at a **'Moderate'** level of severity, the details and context of the reported behaviour will be assessed by the IAT+ to determine if an intervention is feasible to address the potential risk posed by the Respondent (e.g. require the Respondent to undertake training, require the Respondent to agree to remove themselves from activities that include the Complainant). If no intervention is deemed to be feasible, the report will be handled as outlined in [section 9](#).
- 8.4 In these circumstances, there will be no mediation or investigation, but an intervention requesting specified action by the Respondent will be communicated to the Respondent via a Notification Letter. The Incident Report, the Notification Letter, and Respondent's response will be kept on file.
- 8.5 Incident reports that are assessed as falling below the threshold of severity required for a Formal Complaint (refer [section 9](#)) do not constitute 'complaints', as the nominated Respondent in these instances has not been assessed as having a case to answer, although they will be counselled to be mindful of their behaviour via the relevant Notification process.
- 8.6 Although an incident assessed as Minor or Moderate does not progress to a Formal Complaint in these circumstances, the Complainant or Respondent may seek further support from the Mediation and Resolution Working Group.
- 8.7 The Management Committee, on behalf of the Queensland Greens, may pursue a Formal Complaints process for an incident report classified as Minor or Moderate if the incident meets the following criteria:
- There have been previous reports regarding the same Respondent; or
 - The incident has been assessed as Moderate and either (a) the IAT+ has attempted an intervention as detailed in [section 8.3](#) but the Respondent has refused to comply or (b) an intervention was not deemed to be feasible; or
 - The incident is regarded as minor by the Complainant but qualifies as Serious according to the Sexual Harassment Matrix and procedure; or
 - The incident is concerning in terms of risk management and the party's duty of care to the public, members and volunteers.

In all other cases the Incident report will not be progressed to a Formal Complaint by the party. The Complainant remains entitled to make their own complaint to the CAC should they wish to do so (in accordance with By-law 1.5 *Complaints Made to the Constitution and Arbitration Committee*).

- 8.8 The Incident Report and Verbal Notification notes may be referred to if the behaviour recurs, or further reports are made against the Respondent. The existence of the record is not in itself a remedial action but may be used in future remedial actions if further reports are received.
- 8.9 Further Incident Reports involving the same Complainants or Respondents may trigger a review of whether the original Incident Report should be made into a Formal Complaint.

9. Management of Incident Reports Above Threshold Severity Level (Formal Complaint)

- 9.1 Incident reports that are classified against the Sexual Harassment Matrix as **'Serious'** will become Formal Complaints. All Formal Complaints will result in either:
- professional external mediation to supportively resolve the situation between the two parties involved in the incident, and in the event a resolution cannot be effected, referral to the CAC for possible remedial action; or
 - an independent investigation, referral to the CAC if the allegation is substantiated, and possible remedial action.
- 9.2 A Formal Complaint requires that the Respondent is issued with a Notification Letter by the IAT+ (refer to [APPENDIX 3 - Notification Letters](#)). The particulars of the report will subsequently be communicated to the Respondent by the external mediator/independent investigator. The full incident report remains confidential and will not be provided to the respondent. The full incident report remains confidential and will not be provided to the Respondent.
- 9.3 A Complainant in a Formal Complaint process will be requested to engage in the professional external mediation or independent investigation process. The Management Committee, on behalf of the Queensland Greens, are required by reasons of governance and risk management to pursue the Formal Complaint Process even in cases where a Complainant does not wish to participate.
- In the event that the Complainant does not wish to participate in professional external mediation, the particulars of the case will be referred to the CAC for possible remedial action.
 - In the event that the Complainant does not wish to participate in an independent investigation process, the IAT+ will request the Complainant to provide names of potential witnesses who can be interviewed by the independent investigator.
- 9.4 Where the incident is of a Serious or criminal nature, the Management Committee has a legal obligation to protect members, staff, volunteers and supporters and will authorise the State Director to progress the Incident Report to a Formal Complaint process (including external mediation or independent investigation) on behalf of the party regardless of the decision of the Complainant to participate or not. It is the Complainant's decision to report an incident to the police. Refer to [Procedures for Dealing with Criminal Conduct](#) for more information.
- 9.5 The Queensland Greens are committed to responding to Formal Complaints sensitively and discreetly.
- 9.6 The Queensland Greens recognises that making a complaint of this nature can have a significant impact on Complainants. The Queensland Greens are committed to acknowledging the experience of the Complainant and taking all reasonable steps to ensure the Complainant's needs are met in relation to any action taken.
- 9.7 The Queensland Greens recognises that being the subject of a Formal Complaint of this nature can have a significant impact on Respondents. The Queensland Greens recognises the need for natural justice and due process in complaint processes and there will be no

presumption of guilt and no determination made in relation to any complaint unless a full investigation has been completed.

- 9.8 The Complainant has the option of engaging support and/or representation throughout the process. The Complainant has the right to procedural support from the party, and where pastoral care is appropriate the party will recommend independent and trained professional services.
- 9.9 The Respondent has the option of engaging support and/or representation during any investigation. The Respondent has the right to respond fully to any formal allegations made and will be offered opportunities to do so in accordance with By-law 1.5 *Complaints Made to the Constitution and Arbitration Committee*. The Respondent has the right to procedural support from the party.
- 9.10 Both Complainant and Respondent have the right to request support from the MRWG as one of the functions of the MRWG is to provide support to members who are undergoing a complaints process. Any members of the MRWG who are associated with the incident report or otherwise conflicted will recuse themselves.
- 9.11 Complainants and Respondents to a Formal Complaint are required to keep any information they receive during this process confidential. If a Complainant or Respondent or their support person(s) fails to do so, the Management Committee may lodge a complaint against them for breaching confidentiality. Maintaining confidentiality means that you can discuss the issues surrounding the incident with up to three nominated support person/s (being a person or people with whom you have relationships of support and mutual expectations of confidentiality), in addition to professionals engaged by you who have ethical duties of confidentiality (for example, medical professionals, lawyers, etc), members of the members of the IAT, Management Committee, MRWG and CAC, but not with anyone else.
- 9.12 A record will be kept of all Incident Reports, Investigation Findings and outcomes made as part of the Formal Complaint process. This record will be kept confidentially and securely by the State Director and may be referred to if the agreement is not kept, the behaviour recurs, or further complaints are made against the Respondent. The existence of the record is not in itself a remedial action but may be used in future remedial actions if further complaints are made.

10. Professional External Mediation Process

- 10.1 Where the IAT+ has determined mediation is the appropriate pathway under [section 7.5](#), a professional external mediator will be retained by the State Director (or delegate) with the purpose of supporting the Complainant and Respondent to reach an acceptable resolution.
- 10.2 The mediation will be carried out by an external service provider qualified to carry out mediation processes of this nature on behalf of the Queensland Greens.
- 10.3 Should the mediation process be unsuccessful in achieving an acceptable resolution between the Complainant and Respondent, the matter will be referred to the Constitution or Arbitration committee to deliver Remedial Action in accordance with By-law 1.5 *Complaints Made to the Constitution and Arbitration Committee*. (Also refer to [section 14.](#))

11. Independent Investigation Process

- 11.1 Where the IAT+ has determined an investigation is the appropriate pathway under [section 7.5](#), an independent arm's-length investigation will be instigated by the State Director (or delegate) with the purpose of determining whether or not the allegations against the Respondent are substantiated and the severity level of the harassment, intimidation or assault according to the Sexual Harassment Matrix.
- 11.2 The independent investigation will be carried out by an external service provider qualified to carry out the investigation on behalf of the Queensland Greens.
- 11.3 Every effort will be made to maintain the confidentiality of the Complainant, however it is acknowledged that confidentiality cannot be guaranteed once the matter goes to an independent investigation. Refer to [section 4.6](#) and [Procedures for Responding to Complaints of Victimisation](#).
- 11.4 Once the independent investigation is complete both the Complainant and the Respondent will be informed of the finding.
- 11.5 If the independent investigator's report finds the allegation is substantiated, the report will be provided to the CAC to deliver one of the following three outcomes:
 - Dismissal of the Incident;
 - Professional mediation between both parties (CAC to request a budget from the Management Committee for this purpose); or
 - Remedial Action in accordance with By-law 1.5 *Complaints Made to the Constitution and Arbitration Committee*. (Also refer to [section 14](#).)
- 11.6 On completion of the investigation, all parties will be informed about the investigation findings and the outcome of the investigation, including next steps. In the event that the allegation is dismissed by the independent investigator, all participants in the Formal Complaints process will be notified in order to minimise reputational damage for the Respondent.

12. Formal Complaint Process Timing and Communication

- 12.1 The Formal Complaint Process must be instigated within 14 days of the assessment of a Complainant's Incident Report under the Sexual Harassment Matrix as Serious, regardless of when the incident occurred. This timeframe may be extended with the agreement of the Complainant and Respondent, or if justifiable circumstances prevent the full process being satisfactorily completed within this timeframe.
- 12.2 The Respondent must be notified as soon as practicable after the assessment of the Incident Report as meeting the threshold for a Formal Complaint (refer [APPENDIX 3 - Notification Letters](#)).
- 12.3 Once a Formal Complaint has been reported to the Management Committee, the State Director (or delegate) will refer the matter to a professional external mediator or an independent investigator and mediation / an investigation should be commenced within 14 days from referral, subject to availability of the provider.

- The external mediator will be requested to provide an estimate of time for the mediation process when being engaged by the Queensland Greens, based on the particulars of the case. A maximum time of three months is specified unless approved by the Management Committee. Any extension to the agreed time must be approved by the Management Committee.
 - The independent investigator will be instructed to complete the investigation, and issue findings, within 30 days of the investigation's commencement.
- 12.4 Where the CAC is required to take carriage of the process, timeframes for the management of a Formal Complaint by the CAC are laid out in *Bylaw 1.5 Complaints Made to the Constitution and Arbitration Committee*. This applies when:
- Mediation is unsuccessful in accordance with [section 10.3](#); or
 - The independent investigator's report finds the allegation is substantiated in accordance with [section 11.5](#).
- 12.5 The Complainant will be informed regularly of the progress of the Formal Complaint by the State Director (or delegate).
- 12.6 The Respondent will be informed in accordance with [APPENDIX 3 - Notification Letters](#) and/or the requirements of *Bylaw 1.5 Complaints Made to the Constitution and Arbitration Committee*.

13. Participation in Greens Activities During Investigations

- 13.1 With no presumption of guilt but for reasons of governance and risk management:
- It is the expectation of the Queensland Greens that the Respondent will voluntarily stand aside from any duties (paid or voluntary) with the Queensland Greens during the conduct of an investigation. For Queensland Greens employees, this may mean taking leave with pay. For employees of elected representatives (who are not Queensland Greens employees), this means standing aside from any party-related duties while continuing to work for the elected representative.
 - It is also the expectation of the Queensland Greens that an elected representative who is a Respondent in a Formal Complaint Process will stand aside from portfolio responsibilities while the investigation is ongoing.
 - At any point during an investigation, and before the report is handed down, should the Queensland Greens State Director or Management Committee reasonably believe it to be necessary to ensure the safety of the Complainant or any other party, they may recommend that the Constitution and Arbitration Committee stand the Respondent down from duties or party activities, or take any steps seen to be necessary, insofar as they are empowered to do so.
- 13.2 *By-law 1.5 Complaints Made to the Constitution and Arbitration Committee* includes provision for the CAC to temporarily suspend a member during a complaints process if required. Management Committee may formalise a complaint to the CAC for this purpose if necessary.
- 13.3 The Respondent must be informed about the nature and duration of any steps taken that restrict their participation in the party, and the reasons for those steps being taken.

- 13.4 It is recognised that the restrictions outlined in [section 13.1](#) may cause a Respondent to feel they are being pre-judged. This is not the intent but the restrictions are a necessary part of due diligence by the organisation while an investigation is carried out.

14. Remedial Action

14.1 The outcome, and any possible remedial or other action will be informed by:

- the severity and frequency of the alleged harassment;
- the level of understanding of the conduct, contrition and commitment to modify behaviour on the part of the Respondent; and
- whether there have been any prior incidents or reports, including those that were resolved informally.

14.2 The outcome, and any possible remedial or other action will include any number of the following:

- remedial action against the Respondent, e.g.:
 - For party members:
 - actions in accordance with By-law 1.5 *Complaints Made to the Constitution and Arbitration Committee*
 - For party or parliamentary staff:
 - Probation (recommended to the State Director or elected representative)
 - Dismissal (recommended to the State Director or elected representative);
 - For volunteers - refer to [section 6.7](#).
 - actions in accordance with By-law 1.5 *Complaints Made to the Constitution and Arbitration Committee*
- official reports and correspondence that are recorded securely and lodged with the Queensland Greens and the Constitution and Arbitration Committee;
- remedial action against the Complainant if there is evidence that the complaint was vexatious or malicious;
- conciliation/mediation conducted by an impartial third party where the parties to the complaint agree to a mutually acceptable resolution;
- for employees of the Queensland Greens who are Complainants, re-crediting of any leave taken as a result of the harassment;
- Other applicable actions. Refer to [APPENDIX 1 - Queensland Greens Sexual Harassment Matrix - Severity and Consequences](#).

15. Procedures for Dealing with Criminal Conduct

15.1 Some conduct may be criminal in nature (e.g. rape or other forms of sexual assault, stalking, indecent exposure, physical molestation, obscene phone calls, threats to harm).

15.2 It is acknowledged that the Queensland Greens will be unable to adequately resolve or remedy matters of a criminal nature for a Complainant internally and will support the Complainant to take the matter to the police.

15.3 It is recognised that there may be some community expectations that the party would mandatorily report any suspected criminal behaviour to the police. However, the Queensland Greens model of complaints management is victim-centric as much as is

consistent with the safety of our members, volunteers, staff, elected representatives and the community at large. Reporting of suspected criminal behaviour to the police without the consent of the Complainant can be harmful and traumatising to them. Therefore under this procedure it is not the duty of the Queensland Greens to report such matters to the police on behalf of the Complainant unless the conduct falls within mandatory reporting requirements under Queensland law, or the safety of others is considered to be at grave risk.

- 15.4 Where the Complainant reports the matter to the police, the Queensland Greens will cooperate fully with the police (including any requests to suspend or pause internal processes until the conclusion of the police investigation).
- 15.5 The Queensland Greens will also be required to organisationally resolve all Incident Reports involving a crime through the Formal Complaint process in order to fulfil the duty of care obligations towards staff, members, volunteers and the general public.
- 15.6 This Formal Complaints process will not replace the need for a police investigation into the incident as it will simply enable the party to apply organisational remedial action against a Respondent if the allegations against the Respondent are substantiated.

16. Procedures for Responding to Complaints of Victimisation

- 16.1 The Queensland Greens are committed to eliminating sexual harassment within our party. Part of meeting this goal requires ensuring that victims of sexual harassment can make complaints without being further victimised.
- 16.2 As such, the victimisation, intimidation or retaliation against any person who complains of conduct which falls within this procedure is prohibited (whether or not that complaint resulted in a finding that the offending behaviour had occurred).
- 16.3 The Management Committee will submit a complaint against anyone it has reason to believe has victimised, intimidated or retaliated against either a Complainant or Respondent.

17. Taking All Reasonable Steps

- 17.1 The Queensland Greens acknowledges the legal, as well as moral, responsibility to take all reasonable steps to prevent sexual harassment in the workplace and the party. As such, the party commits to the following:
 - Circulation of this procedure to all offices, employees, office bearers and Convenors of branches, committees, working groups and member action groups within the party as well as ensuring the procedure is publicly available;
 - Formal training to be delivered to Party Office Bearers, Staff and Committee Members to ensure the effective implementation of this procedure;
 - Inclusion of incident report management reporting as a standing item on the Management Committee agenda;

- The maintenance of an incident and complaints register for any incidents which occur within the party, and fall within the purview of this procedure.
- Annual review of the procedure taking into account any feedback received from Complainants and Office Bearers.

APPENDIX 1 - Queensland Greens Sexual Harassment Matrix - Severity and Consequences

NOTE: It is recognised that individual experience of harassment may be categorised differently from the severity levels in this matrix in terms of personal impact. The matrix provides a guideline for initiating an independent investigation process, however regardless of the severity level indicated by the matrix, the person experiencing harassment has the option to make their own complaint to the CAC should they wish to do so (in accordance with By Law 1.5 *Complaints made to Constitution and Arbitration Committee*).

Harassment that may range from Minor to Serious

Note that many of the following behaviours are classified as verbal harassment. Verbal harassment behaviours can occur in the hearing of the target or not within their hearing but are still reportable examples of sexual harassment.

Behaviour	Description	Once	More than Once & after a request to stop	Repeatedly & after a request to stop	Possible Consequences ¹
Offers of unwanted social company together	Offering unwanted lifts or escorts to or from events	Minor	Moderate	Serious	Minor offences will attract a formal Notification alerting the Respondent that an Incident Report has been made about them and requesting them to be aware of their behaviour while interacting with others in the Party. Moderate offences will be assessed to determine if an intervention is feasible to address the risk, and if not will be handled the same as a Serious offence. Serious offences will involve an independent investigation and possible mediated or remedial action if the allegations against the Respondent are substantiated
Offers of unwanted formal interactions together	Offering unwanted one on one meetings or interactions in a social setting	Minor	Moderate	Serious	
Offers of unwanted partnering up for campaign activities such as door knocks etc.	Asking for unwanted partnering with a person for campaign activities such as doorknocks etc.	Minor	Moderate	Serious	
Asking out on date	Asking for date, leaving message or soliciting information from others	Minor	Moderate	Serious	
Seeking unwanted one on one time together	Seeking unwanted one on one or alone time with a person	Minor	Moderate	Serious	
Sexual objectification	Discussing a person in a sexualised way including their sexual attributes and appearance	Minor	Moderate	Serious	
Excessive messaging, tagging, commenting on public or private social media pages	Unwanted social media interactions beyond the range of average interactions	Minor	Moderate	Serious	
Pressuring for a relationship	Leaving messages or soliciting information from others and not taking "no" for an answer	Moderate	Serious	Serious	
Seeking contact details from other persons after being refused by the victim	Asking other people for a person's contact details after being refused by the person	Moderate	Serious	Serious	

¹ "Possible Consequences" refers to potential remedial action against members. The Party at all times has the right to exclude non-members from any or all party premises, activities and events.

Behaviour	Description	Once	More than Once & after a request to stop	Repeatedly & after a request to stop	Possible Consequences ¹
Sexualised conversations	Bragging about sexual prowess, repetitively or talking about sex in a person's presence	Moderate	Serious	Serious	
Personal sexual comments or jokes	Sexual commenting or jokes about looks, body or private life	Moderate	Serious	Serious	
Demeaning comments or jokes about sexuality	Making demeaning comments about a person's sexuality grouping	Moderate	Serious	Serious	
Sexual looks	Looking up and down in a sexual way	Moderate	Serious	Serious	
Sexual gestures	Making sexual gestures, comments or jokes to or about a person	Moderate	Serious	Serious	
Pressuring for sex	Suggestions, propositions or demands for sexual favors or sexual relationship	Serious	Serious	Serious	
Name Calling - gender	Calling a person a slut, whore, bitch, cunt, or similar words	Serious	Serious	Serious	
Name Calling - sexuality	Calling a person a dyke, fag or lesbian or similar words	Serious	Serious	Serious	
Sexual rumours	Spreading sexual rumours about person	Serious	Serious	Serious	
Sexual messages or graffiti	Writing sexual messages about person in/on public spaces	Serious	Serious	Serious	
Rating attractiveness	Publicly rating a person's attractiveness	Serious	Serious	Serious	
Verbal threats or intimidation of a sexual nature	Making sexual threats or intimidating comments to a person	Serious	Serious	Serious	

Harassment that ranges from Serious to Criminal

Behaviour	Description	Once	More than Once	Repeatedly	Possible Consequences
Brushing up or rubbing against	Brushing up or rubbing against in a sexual way	Serious	Serious	Serious	Serious offences will involve an independent investigation and remedial action if the allegations against the Respondent are substantiated
Pulling clothing	Pulling at clothing in a sexual way	Serious	Serious	Serious	
Showing pornography	Showing, giving or leaving offensive or sexualised images or messages	Serious	Serious	Serious	

Behaviour	Description	Once	More than Once	Repeatedly	Possible Consequences
Stalking	Physical or other stalking	Criminal	Criminal	Criminal	Criminal offences will involve remedial action if the allegations against the Respondent are substantiated and a police investigation at the instigation and discretion of the Complainant
Physical intimidation or deprivation of liberty	Physical intimidation or deprivation of liberty	Criminal	Criminal	Criminal	
Sexual assault	Sexual assault	Criminal	Criminal	Criminal	

APPENDIX 2 - Incident Reporting Process

The Qld Greens have a zero tolerance and mandatory policy towards sexual harassment, intimidation or assault.

If you have experienced sexual harassment, intimidation or assault by a party member, staff member or volunteer of the Queensland Greens please report directly to the State Director or a member of the IAT+ (a sub-committee of the Management Committee comprising the State Convenor, State Secretary, Membership Convenor and State Director), any party office bearer of your choice, who is then required to report the incident to the State Director or other member of the IAT+.

A confidential interview will be conducted with you to collect the details of your report.

To contact the State Director:

director@qld.greens.org.au or call (07) 3357 8458 / 0409 548 892

To contact an IAT+ member:

refer to email addresses [here](#) or call (07) 3357 8458 to request a direct phone contact.

APPENDIX 3 - Notification Letters

A-3.1 A Notification Letter will be sent to a Respondent when an Incident Report has been assessed under the Sexual Harassment Matrix as Moderate or Serious. (For the notification process used when an Incident Report has been assessed under the Sexual Harassment Matrix as Minor, refer to [section 8](#).)

A-3.2 If the incident is assessed under the Sexual Harassment Matrix as Moderate (refer [section 7](#)) the wording will follow the following format:

Dear [Name]

This letter is to inform you that you have been named as the Respondent in an Incident Report under the *Queensland Greens Sexual Harassment, Intimidation and Assault Policy: Mandatory Reporting and Zero Tolerance Procedures*.

In accordance with the Queensland Greens Code of Ethics all cases where sexual harassment, intimidation and assault has been perceived must be mandatorily reported.

While an Incident Report which names you has been received under the mandatory reporting provisions, it has been determined at this stage that the reported behaviour did not meet the threshold required to become a Formal Complaint as outlined in the above-named procedure and therefore will not be treated as a case to be answered by you.

The incident that was reported related to [INSERT VERY BROAD AND DE-IDENTIFIED INFORMATION INDICATING THE GENERAL ISSUE THAT WAS REPORTED, BEING MINDFUL OF NOT IDENTIFYING THE COMPLAINANT OR CREATING FURTHER DIVISION - IF THIS IS NOT POSSIBLE, DELETE THIS SENTENCE].

Although at this stage the Incident Report will not be treated as a Formal Complaint, the reported behaviour was of sufficient concern that the party requests that you undertake the following action(s) in order to ensure the safety of everyone, including yourself, going forward. If you do not agree to undertake these actions, the IAT+ must move to the next steps of the procedure being a Formal Complaint.

Therefore, to ensure confidence that everyone will be safe going forward, we request that you [INSERT INTERVENTION DETAILS].

In order to maintain confidentiality of the mandatory reporting process further details regarding the Incident Report cannot be provided, but it is reiterated that the assessment of the report is that there is no case for you to answer at this stage, and this notification is provided for the purpose of alerting you that **the above alleged behaviour / some perceived behaviour of yours [delete inappropriate option]** triggered a report, and requesting that you undertake the above action(s).

in addition to the above requested action(s), you are requested by the Management Committee, on behalf of the Queensland Greens, to read the attached Queensland Greens Code of Ethics and *Queensland Greens Sexual Harassment, Intimidation and Assault Policy: Mandatory Reporting and Zero Tolerance Procedures* in full, and to be mindful of any ways in which others may perceive your behaviour to be contrary to the expectations outlined in these documents.

Information in the Incident Report that is the subject of this letter is currently confidential and only known to the office bearers nominated in [section 6](#) of the Procedure. The Incident Report will not be referred to again unless future Incident Reports are received. You are also invited to submit a response to this notification letter, to be kept on file with the Incident Report, if you wish to do so.

- A-3.3 If the incident is assessed under the Sexual Harassment Matrix as Serious (refer [section 7](#)) and the IAT+ recommends referral to an **external professional mediator**, the wording will follow the following format:

Dear [Name]

This letter is to inform you that you have been named as the Respondent in an Incident Report under the *Queensland Greens Sexual Harassment, Intimidation and Assault Policy: Mandatory Reporting and Zero Tolerance Procedures*.

In accordance with the Queensland Greens Code of Ethics all cases where sexual harassment, intimidation and assault has been perceived must be mandatorily reported.

Your behaviour has triggered a mandatorily reported Incident Report and may have been in breach of the Queensland Greens Code of Ethics and/or procedure.

The Management Committee has determined that an external professional mediator should be retained to assist you and the complainant to reach an acceptable resolution. The mediator will be in touch with you in due course to inform you of the particulars of the report made against you and begin the mediation process in which you will have an opportunity to respond. (The full incident report remains confidential and will not be provided.) In the event that the mediation is unable to achieve a resolution, the next steps would be determined by the CAC in accordance with By-law 1.5 *Complaints Made to the Constitution and Arbitration Committee*.

In the meantime you are requested by the Management Committee, on behalf of the Queensland Greens, to read the attached Queensland Greens Code of Ethics and *Queensland Greens Sexual Harassment, Intimidation and Assault Policy: Mandatory Reporting and Zero Tolerance Procedures* in full, and to be mindful of any ways in which others may perceive your behaviour to be contrary to the expectations outlined in these documents.

If you would like to have the opportunity to ask questions about the process, this can be arranged with a member of the IAT (Intake Assessment Team, a sub-committee of the Management Committee) - please reply to this correspondence if you would like that. Please note that the IAT will not be in a position to discuss the details of the report with you, but the professional mediator will do so.

Information in the Incident Report is currently confidential regarding details of the incident, the name of the Complainant and the name of the Respondent (you), and we remind you that it is your responsibility under the Qld Greens Code of Ethics to maintain this confidentiality. Maintaining confidentiality means that you can discuss the issues surrounding the incident with up to three nominated support person/s (being a person or people with whom you have relationships of support and mutual expectations of confidentiality), in addition to professionals engaged by you who have ethical duties of confidentiality (for example, medical professionals, lawyers, etc), members of the members of the IAT, Management Committee, MRWG and CAC, but not with anyone else. If you fail to maintain confidentiality, the Management Committee may lodge a formal complaint against you for the breach of confidentiality.

It is important to bring this matter to a close that you participate cooperatively in the mediation process.

Please note that one of the functions of the Mediation and Resolution Working Group (MRWG) is to provide support to members who are undergoing a formal complaints process. Please get in touch with the MRWG (mrwg@qld.greens.org.au) if you would like to avail yourself of this support, noting that any members of the MRWG who are associated with the incident report or otherwise conflicted will recuse themselves.

- A-3.4 If the incident is assessed under the Sexual Harassment Matrix as Moderate or Serious (refer [section 7](#)) and the IAT+ recommends referral to an **independent investigator**, the wording will follow the following format:

Dear [Name]

This letter is to inform you that you have been named as the Respondent in an Incident Report under the *Queensland Greens Sexual Harassment, Intimidation and Assault Policy: Mandatory Reporting and Zero Tolerance Procedures*.

In accordance with the Queensland Greens Code of Ethics all cases where sexual harassment, intimidation and assault has been perceived must be mandatorily reported.

Your behaviour has triggered a mandatorily reported Incident Report and may have been in breach of the Queensland Greens Code of Ethics and/or procedure.

The Incident Report has been referred to an external investigator to determine whether the allegations can be substantiated. The external investigator will be in touch with you in due course and will inform you of the particulars of the report made against you and provide you an opportunity to respond. (The full incident report remains confidential and will not be provided to you). In the event that the external investigator makes a finding that the allegations are substantiated, the next steps would be determined by the CAC in accordance with By-law 1.5 *Complaints Made to the Constitution and Arbitration Committee*.

In the meantime you are requested by the Management Committee, on behalf of the Queensland Greens, to read the attached Queensland Greens Code of Ethics and *Queensland Greens Sexual Harassment, Intimidation and Assault Policy: Mandatory Reporting and Zero Tolerance Procedures* in full, and to be mindful of any ways in which others may perceive your behaviour to be contrary to the expectations outlined in these documents.

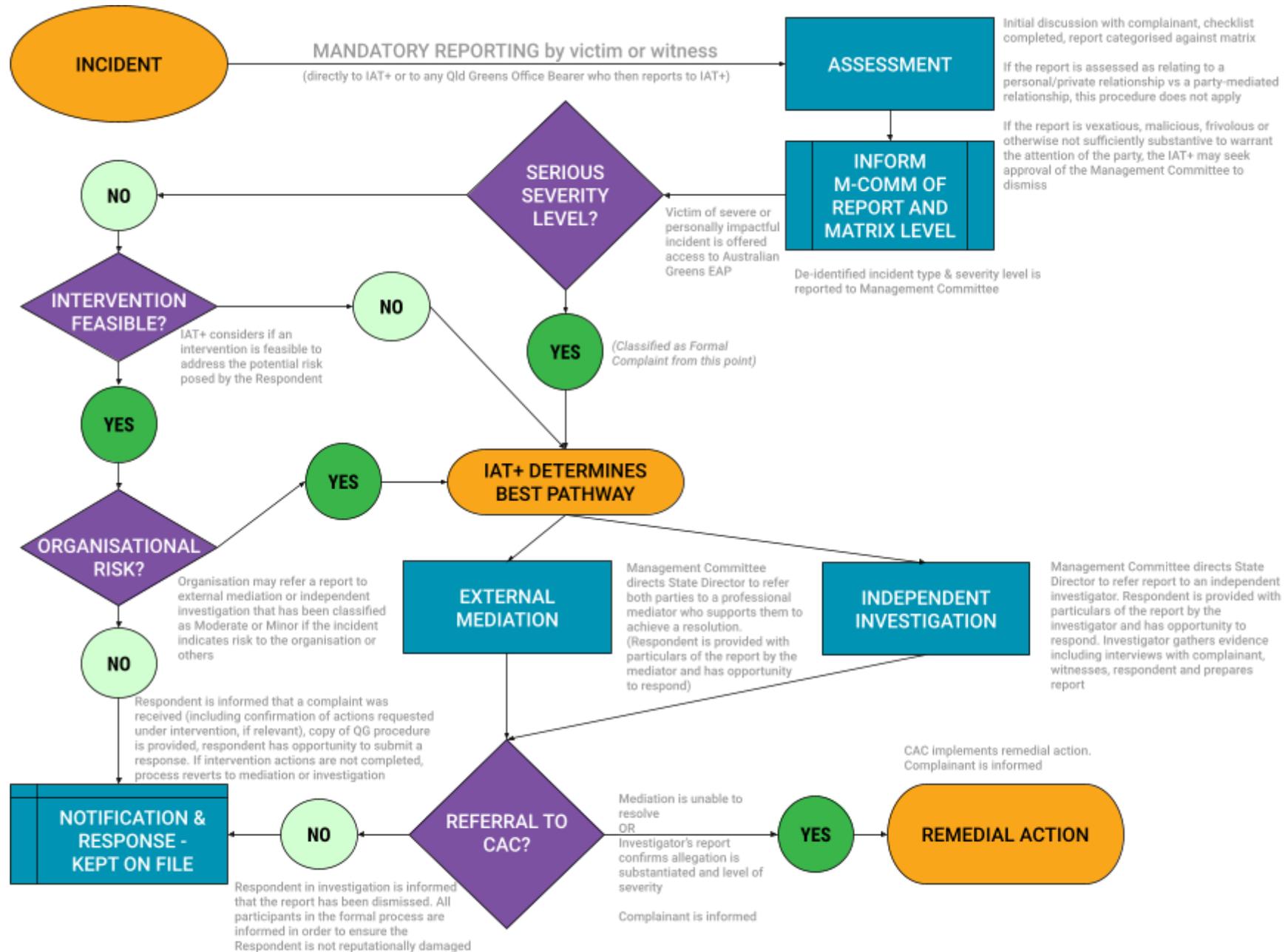
If you would like to have the opportunity to ask questions about the process, this can be arranged with a member of the IAT (Intake Assessment Team, a sub-committee of the Management Committee) - please reply to this correspondence if you would like that. Please note that the IAT will not be in a position to discuss the details of the report with you, but the external investigator will do so.

Information in the Incident Report is currently confidential regarding details of the incident, the name of the Complainant and the name of the Respondent (you), and we remind you that it is your responsibility under the Qld Greens Code of Ethics to maintain this confidentiality. Maintaining confidentiality means that you can discuss the issues surrounding the incident with up to three nominated support person/s (being a person or people with whom you have relationships of support and mutual expectations of confidentiality), in addition to professionals engaged by you who have ethical duties of confidentiality (for example, medical professionals, lawyers, etc), members of the members of the IAT, Management Committee, MRWG and CAC, but not with anyone else. If you fail to maintain confidentiality, the Management Committee may lodge a formal complaint against you for the breach of confidentiality.

It is important to bring this matter to a close that you participate cooperatively in the external investigation process.

Please note that one of the functions of the Mediation and Resolution Working Group (MRWG) is to provide support to members who are undergoing a formal complaints process. Please get in touch with the MRWG (mrwg@qld.greens.org.au) if you would like to avail yourself of this support, noting that any members of the MRWG who are associated with the incident report or otherwise conflicted will recuse themselves.

APPENDIX - Qld Greens Sexual Harassment, Intimidation & Assault Procedure Map



APPENDIX 5 - Queensland Greens Complaints Processes Summary

Queensland Greens Complaints Processes Summary

Type of behaviour	Inappropriate Behaviour in QG-OMG	Member Disputes and Poor Behaviour	Breach of Constitution & By-laws	Bullying	Sexual Harassment or Assault
Description	<p>May include:</p> <ul style="list-style-type: none"> - Breach of QG-OMG rules - Unacceptable language - Inappropriate tone - Harmful interactions 	<p>May include:</p> <ul style="list-style-type: none"> - Repeated bad behaviour - Unresolved disagreements - Need for mediation - Need for restorative processes 	<p>Alleged breach of Qld Greens Constitution and Bylaws (including Code of Ethics), accompanied by evidence, or alleged breach of procedural fairness by a party body</p>	<p>Alleged bullying behaviour as defined in the Bullying and Behaviour Management Procedure, accompanied by evidence</p>	<p>Alleged behaviour as described in the Sexual Harassment, Intimidation and Assault Procedure</p>
Report to	<p>QG-OMG Moderators Group (discretionary report)</p> <p>Submission via email qg-omg-mods@qld.greens.org.au</p>	<p>Mediation and Resolution Working Group (discretionary report)</p> <p>Submission via online form https://bit.ly/2Gq8jkq</p>	<p>Constitution and Arbitration Committee (discretionary report)</p> <p>cac@qld.greens.org.au</p>	<p>Intake Assessment Team (IAT) (sub-committee MCom) (mandatory report)</p> <p>Submission via online form https://bit.ly/2Gf7omS</p>	<p>State Director (mandatory report)</p> <p>director@qld.greens.org.au or call 07 3357 8458 / 0409 548 892</p>
Actioned by	<p>QG-OMG Moderators Group</p> <p>QG-OMG Mods</p> <p>Or other Qld Greens committee, working group or office bearer as determined by the QG-OMG to be most suitable to address reported issue</p>	<p>Mediation and Resolution Working Group</p> <p>MRWG</p> <p>Or other Qld Greens committee, working group or office bearer as determined by the MRWG to be most suitable to address reported issue</p>	<p>Constitution and Arbitration Committee</p> <p>CAC</p>	<p>Meets definition of bullying</p> <p>Constitution and Arbitration Committee</p> <p>CAC</p> <p>Doesn't meet definition of bullying</p> <p>Mediation and Resolution Working Group</p> <p>MRWG</p>	<p>State Director reporting to Management Committee</p> <p>MCom</p>
Process	<p>Moderator Group makes ruling as required. Moderators may refer matters to another Committee/body if required</p> <p>(More details: By-law 7.9 – Official Members Group Terms of Reference in Constitution & By-laws)</p>	<p>Working Group members provide support as required. Working Group may refer matters to another Committee if required</p> <p>(More details: By-law 7.7 – Mediation and Resolution Working Group Terms of Reference in Constitution & By-laws)</p>	<p>Committee assesses evidence and provides ruling as to the nature and extent of the breach. Committee imposes remedial action if required</p> <p>(More details: By-law 1.5 – Complaints Made to the CAC in Constitution & By-laws)</p>	<p>Intake Assessment Team confirms if evidence meets the formal definition of bullying. If yes, matter is referred to CAC. If no, MRWG may assist</p> <p>(More details: Bullying and Behaviour Management Procedure in Greenhouse Guidelines for Branches and Members)</p>	<p>State Director reports de-identified incident to MCom. Incidents above a set threshold of severity are referred to external investigation, and if substantiated referred to CAC for action. Incidents below the threshold trigger a warning/notification, kept on file</p> <p>(More details: Sexual Harassment, Intimidation and Assault Procedure in Greenhouse Guidelines for Branches and Members)</p>
Intended outcome	<p>Collegiate and productive interactions in the members forum</p>	<p>Working relationship between disputing parties</p>	<p>Remedial action imposed for substantiated breaches</p>	<p>Remedial action imposed for substantiated bullying</p>	<p>Remedial action imposed for substantiated breaches</p>

Queensland Greens Complaints Processes Flow

NOTE: This is an abbreviated summary of the process followed for various types of complaints. Please check the supplied references for full detail.

The first step:

REPORT

May come via various channels (refer "Qld Greens Complaints Processes Summary").
Mandatory for bullying or sexual harassment/assault



Then action per complaint type

Inappropriate Behaviour in QG-OMG

Reference: By-law 7.9 – Official Members Group Terms of Reference

Moderator Group assesses any complaints received about posts/comments

QG-OMG Mods make ruling (appeals process is available)

QG-OMG Mods may refer matters to another party officer or body if required.

Member Disputes and Poor Behaviour

Reference: By-law 7.7 – MRWG TOR, and Bullying and Behaviour Management Procedure

MRWG assesses report (if received via MRWG form) or IAT assesses report (if received via Bullying form) and refers to MRWG

MRWG provides support as required (future reports may trigger other action)

IAT or MRWG may refer matters to another party officer or body if required.

Breach of Constitution & By-laws

Reference: By-law 1.5 – Complaints Made to the CAC

CAC assesses evidence provided

CAC provides particulars to Respondent

CAC assesses Respondent's reply

CAC provides ruling (including remedial action if substantiated)

Bullying

Reference: Bullying and Behaviour Management Procedure, and By-law 1.5 – Complaints Made to the CAC

Preliminary assessment against procedure

Action required per procedure?

- Including:
- Report is neither vexatious nor insubstantive
 - Definition of bullying appears to have been met
 - Complainant gives permission for referral to CAC

Notification, MRWG may assist, future report may trigger further action

Key position in Qld Greens?

Refer to CAC

CAC assesses evidence provided

CAC provides particulars to Respondent

CAC assesses Respondent's reply

CAC provides ruling (including remedial action if substantiated)

Refer to external assessor

Assesses report against definition of bullying and confirms whether or not the standard may have been met

May be bullying?

Requires Complainant to give permission for referral to CAC

Notification, MRWG may assist, future report may trigger further action

Sexual Harassment or Assault

Reference: Sexual Harassment, Intimidation and Assault Procedure, and By-law 1.5 – Complaints Made to the CAC

Preliminary assessment against procedure

Action required per procedure?

Including report is neither vexatious nor insubstantive

Notification, MRWG may assist, future report may trigger further action

Intervention feasible?

Yes

Respondent requested to undertake appropriate action

If intervention is refused / not completed, process resumes

Assesses evidence from both parties, conducts interviews with both parties, and witnesses if necessary

Refer to external mediator or investigator

Substantiated?

No

Notification, MRWG may assist, future report may trigger further action

CAC provides particulars to Respondent

CAC assesses Respondent's reply

CAC provides ruling (including remedial action as required)

Abbreviated summaries only: please check the supplied references for full detail.