



## ANTI HARASSMENT POLICY

- Western Suburbs Badminton Association is committed to providing a sport and work environment free of harassment. We believe that anyone who works for us or represents us, and everyone with whom we deal, has the right to be treated with respect and dignity. Western Suburbs Badminton Association will not tolerate harassment in our organisation. We will take all complaints of harassment seriously, and will ensure they are dealt with promptly, seriously, sensitively and confidentially. Disciplinary action can be taken against a person who is found in breach of this policy.
- This policy applies to all athletes, coaches, employees, administrators, officials, volunteers and members of Western Suburbs Badminton Association.
- This policy applies to behaviour occurring both within and outside the course of Western Suburbs Badminton Association business, activities and events, when the behaviour involves individuals associated with Victoria and negatively affects relationships within our sport and work environment.
- This policy applies to harassment occurring between any participants in the organisation. Harassment may occur, for example, from:
  - coach to athlete
  - athlete to athlete
  - administrator to employee
  - athlete to coach
  - administrator to coach
  - coach to coach
  - coach to administrator
  - athlete to administrator.
- Sexual harassment and various other forms of harassment are unlawful under Australian and Victorian anti-discrimination laws applying to Western Suburbs Badminton Association. People engaging in harassment can have legal action taken against them under these laws. In some cases, legal action can also be taken against the organisation for which they work or which they represent. For this reason, Western Suburbs Badminton Association has a legal responsibility to ensure that harassment does not occur in the course of any of our activities.
- The definition of harassment immediately following has been adopted by Western Suburbs Badminton Association for the purpose of this policy. It includes but goes beyond what is prohibited by law and does not distinguish between the various different types of harassment.

### *Harassment (general)*

*Harassment consists of offensive, abusive, belittling or threatening behaviour directed at a person or people, because of a particular characteristic of that person or people (including the person or peoples' level of empowerment relative to the harasser). The behaviour must be unwelcome and the sort of behaviour a reasonable person would recognise as unwelcome and likely to cause the person to feel offended, humiliated or intimidated.*



- The particular form of harassment known as sexual harassment is variously defined in federal and state/territory legislation. The *Sex Discrimination Act 1984* (Cwlth) provides that:

### *Sexual harassment*

*A person sexually harasses another person (the 'person harassed') if:*

- (a) the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or*
- (b) engages in unwelcome conduct of a sexual nature in relation to the person harassed; in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated or intimidated.*

*'conduct of a sexual nature' includes making a statement of a sexual nature to a person or in the presence of a person, whether the statement is made orally or in writing.*

- Behaviour constituting harassment can take many different forms and may be explicit or implicit, physical, verbal or non-verbal. Examples include, but are not limited to:
  - abusive behaviour aimed at humiliating or intimidating someone in a less powerful position
  - jokes or comments directed at a person's body, looks, age, race, religion, sexual orientation or disability
  - unwelcome remarks including teasing, name-calling or insults
  - innuendo or taunting
  - homophobic comments and/or behaviours
  - uninvited touching, kissing, embracing or massaging
  - unwelcome staring, leering or ogling
  - unwelcome smutty jokes and comments
  - unwelcome persistent or intrusive questions about people's private lives
  - repeated invitations to go out, especially after prior refusal
  - unwelcome sexual propositions
  - the use of promises or threats to coerce someone into sexual activity
  - the creation of a hostile or sexually permeated environment by constant inappropriate references to sexual matters, the display of sexually explicit material (posters, cartoons, graffiti) or by the use of offensive email, faxes, letters or notes
  - sexual insults, taunts or name-calling.
- Jokes and behaviour that are genuinely enjoyed and consented to by everyone present are not harassment. Sexual interaction or flirtation that is based on mutual attraction or friendship, and which is consensual or invited, is not sexual harassment. However, it is important to recognise that some people may accept or put up with behaviour they find harassing, especially if they hold a subordinate position relative to the group or individual engaging in the flirtatious or jovial behaviour. It is the responsibility of all people covered by this policy to err on the side of caution and to be sensitive to the impact of their behaviour, not just those to whom the behaviour is primarily directed.
- Western Suburbs Badminton Association is responsible for taking all reasonable steps to prevent harassment in our organisation and for ensuring our policy is well known throughout the organisation. This means we will take whatever steps necessary to ensure that everyone in the organisation knows:
  - what harassment means
  - that it is against the law
  - that it will not be tolerated.
- While the Board of Western Suburbs Badminton Association has ultimate responsibility for ensuring this organisation is free of harassment, a senior official will accept day-to-day responsibility for implementing this policy. The Implementation Officer is the WSBA Manager.
- Administrators, officials, managers, supervisors and coaches have a direct responsibility to make sure that members, employees, volunteers and athletes know about this policy and adhere to it. The Anti-harassment policy is to be made available to all the above listed Western Suburbs Badminton Association personnel.