



ROTARY INTERNATIONAL

DISTRICT 9510

BULLYING AND HARASSMENT POLICY

When Rotarians and Volunteers are involved in Rotary Short Term Youth Programs and or are assisting the Elderly and Infirm, they should refer to the "Rotary District9510 Guide to Protecting Youth involved in Short Term Rotary programs & the Elderly & Infirm- when Being Assisted by Rotary". This Bullying & Harassment Policy is intended to provide a process for situations not covered by that Guide.

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‘If any part of this policy is found to be inconsistent with the provisions of Rotary Code of Policies Article 26 then the provisions of the Code of Policies are to prevail.’ Refer to Appendix.

Introduction

Rotary International District 9510 is committed to providing a safe and harmonious club environment which enhances the achievement of Rotary International goals. In this environment, all members and participants in Rotary associated activities have the right to be treated fairly and with respect. Accordingly, bullying and harassment will not be tolerated.

This Policy applies to all Clubs in the District.

Club Presidents, Officers of Rotary District 9510 and members must:

- Understand what constitutes bullying and harassment in Rotary.
- Act promptly to discourage any such behaviour of which they become aware.
- Make sure all members and participants in Rotary associated activities who report to them are aware of what constitutes bullying and harassment and are aware of what to do if they believe they are being bullied and/or harassed.
- Fully understand their responsibilities in relation to a claim of bullying and/or harassment by a member or participant in Rotary associated activities.
- Know who to contact for further assistance or guidance regarding bullying and harassment.

Disciplinary action will be taken following any substantiated complaint against an individual engaging in such conduct.

This position has been formulated considering Rotary International's

- Legal responsibilities.
- Interest in maintaining a productive Rotary Club environment.
- Commitment to the principles of equal opportunity.
- Brand.

Definition of Bullying

Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening.

Bullying can happen in person or online, via various digital platforms and devices and it can be obvious (overt) or hidden (covert). Bullying behaviour is repeated, or has the potential to be repeated, over time (for example, through sharing of digital records).

Bullying of any form or for any reason can have immediate, medium, and long-term effects on those involved, including bystanders.

What bullying is not

- Single episodes of social rejection or dislike.
- Single episode acts of nastiness or spite.
- Mutual arguments, disagreements, or fights.
- Random acts of aggression or intimidation.

The actions can cause great distress. However, they do not fit the definition of bullying and they are not examples of bullying unless someone is deliberately and repeatedly doing them.

Definition of Harassment

Harassment is any improper conduct by an individual that is directed at and offensive to another person or persons and which the individual knew, or ought reasonably to know, would cause offence or harm. It comprises any objectionable act, comment or display that belittles, causes personal humiliation or embarrassment or any act of intimidation or threat. It is important to note that harassment may occur physically, verbally or via online comments (referred to as Cyber Bullying).

Any conduct that might, on reasonable grounds, be perceived by that person as a condition or threat on any opportunity within Rotary.

Sexual harassment is any unwanted or unwelcome behaviour of a sexual nature which makes a person feel offended or intimidated. 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 environment. The act, while not intended to, may still result in offence or intimidation. An act may constitute sexual harassment even if it was not intended to offend or intimidate.

Forms of Harassment

Under federal and state legislation, it is unlawful to harass someone based on any of the attributes specified under the anti-discrimination or human rights legislation. Below are some examples of behaviours that harassment can take, however this is not an exhaustive list.

Sexual Harassment

Sexual Harassment occurs when a person is subjected to unwanted sexual conduct and which makes a person feel offended, intimidated and where that reaction is reasonable in the circumstances. Sexual harassment can take various forms such as:

- Unwelcome touching, kissing; staring or leering or suggestive comments; sending sexual material online or via email.
- Unwanted invitations to go out on dates or requests for sex; insults and taunts based on a person's gender.
- Behaviour which would also be an offence under the criminal law, such as physical

assault, indecent exposure, sexual assault, stalking or obscene communications.

Other Harassment Examples

- Making rude or insulting comments or using actions about a person's disability which are insulting or humiliating, such as suggestive pictures, or computer screensavers.
- Making comments or using actions which create a hostile environment.
- Using overbearing or abusive behaviour with a person.
- Racially oriented ridicule, e.g., derogatory reference to physical features, skin colour or cultural and religious observances or imitating someone's accent.
- Derogatory remarks about a person's age, mental and physical appearance.
- Circulating cartoons or literature, displaying offensive material on walls, online or on computer screens.

What Harassment is Not

Conduct involving the proper exercising of responsibilities or authority related to the provision of advice, counselling, and other supervisory/leadership functions does not constitute harassment.

Sexual harassment is not behaviour, which is based on mutual attraction, and respect I.e., if the interaction is consensual, and reciprocated.

Acts of harassment *may* result in legal action taken against the offender and the club.

Who is at Risk?

No Rotary Club, individual, or activity is immune from the potential for bullying and harassment, but special care should be taken when dealing with vulnerable people.

The Impacts

For the individual being harassed, it is threatening and offensive. People can feel annoyed, embarrassed, intimidated, and distressed.

Bullying and/or harassment has implications for all Rotarians and participants in Rotary associated activities. It creates an unfair club environment which may affect:

- Club morale.
- Club performance.
- Attendance.
- Retention of members.

What you can do if you are being Bullied or Harassed

If you have been bullied and/or harassed you are advised to keep a record of incidents, dates, times, places, witnesses, and effects on your personal life.

If you believe you are being bullied and/or harassed there are courses of action open to you:

- Approach the alleged harasser, asking that the behaviour stop.
- If you do not feel able to talk to the alleged harasser, another option is to write a letter giving examples and requesting that the behaviour cease. You may wish to have someone accompany you while you hand-deliver the letter. It is important to keep a copy of the letter.
- If this does not resolve the problem or you feel unable to face the alleged harasser or write her/him a letter asking that the behaviour cease, then the next step is to inform your Club President, as soon as possible.
- If you are unable or unwilling to discuss the matter with your Club President, then you should report the matter to your Area Governor or District Governor as soon as possible.

In all cases the enquiry or complaint will be taken seriously and will be dealt with confidentially and promptly.

It is Rotary International District 9510's policy that your Club President, Area Governor and/or the District Governor will:

- Provide you with support.
- Treat the complaint seriously.
- Take the appropriate steps to deal with the complaint.

Note: You will not be victimised in any way for making an enquiry or a complaint of bullying or harassment. Victimisation will not be tolerated.

Bullying and Harassment Complaint Process

The Bullying and Harassment flow chart can be seen in Figure 1

It is critical that bullying and/or harassment is dealt with promptly and appropriately.

1. The complainant should attempt to resolve the dispute directly with the alleged harasser. The approach should be polite but firm and clear, indicating that the harassment should stop. In some circumstances it may be appropriate to seek the assistance of a person for support or to make the complaint to the harasser in writing.
2. If this approach is unsuccessful then the complaint should be reported to the appropriate person of authority as per the following escalation process:
 - a. If the alleged harassment occurs within a Club context between Club members, then the complaint should be reported to the Club President.
 - b. If the alleged harasser is the Club President, then the complaint shall be reported to the Group Area Governor.
 - c. If the alleged harassment occurs at a District Committee Meeting or a District-level managed activity, then the complaint shall be reported to the District Officer in charge (either the Chair of the District Committee or Area Governor). If the alleged harasser is the District Officer, then the report should be made to the District Governor.

The District Officer to whom the complaint has been made should:

- Treat the complaint seriously and address it promptly and confidentially.
 - Provide the complainant with support and establish what outcome the complainant wants while providing options available to resolve the complaint.
 - Record the grievance. Take accurate notes, using the Complainant's own language where possible.
 - Check all details with the complainant and obtain their agreement before proceeding.
 - Make every attempt to resolve the matter informally. Where appropriate, encourage the Complainant to confront the alleged harasser and convey their feelings on the matter. This may involve the Club President or District Officer accompanying the Complainant to see the alleged harasser. In this capacity, the role of the Club President or District Officer is one of support not action.
 - Review the situation regularly to ensure the harassment has ceased.
3. If there is still no resolution the matter will immediately be referred to the District Governor.
 - The District Governor shall appoint a qualified person to investigate any complaint of harassment. The District Governor should not investigate the matter, because they will have to make the final decisions about the outcome. Where the District Governor needs assistance with handling complaints of harassment, they may arrange with the College of Governors for assistance to be provided.

- If the Respondent is the District Governor, the matter shall be turned over to Rotary International for investigation. This is a critical point; the allegation may prove unfounded, but the Complainant must be reasonably sure that the investigation has been unbiased.
- The Investigator and other District and Club Officials shall be mindful of the rights and responsibilities of the Complainant and the Respondent. Until shown otherwise, a 'complaint' is an 'allegation'. Neither person involved should be characterised as the 'victim' or the 'harasser'. The activity or behaviour that gave rise to the complaint should be referred to as the 'allegation(s)' until proven otherwise.
- If at any time it appears that the behaviour the complaint is about is of an indictable nature, or may involve child or sexual abuse, the appropriate legal authority shall be advised immediately by the Investigator. It is important to involve the Police or Family Services early in the process to avoid the loss of evidence. Rotary should never be seen as impeding justice in any way.
- Once the Investigator has completed the investigation, the findings (without the statements of witnesses) shall be delivered to the Complainant and the Respondent who shall be given seven days to respond in writing. The Complainant and the Respondent have a right to review the findings prior to any decision being made by those in authority.
- On receipt of the responses (if any) the Investigator shall deliver his/her finding to a Panel selected by the District Governor, who will propose a resolution process. The Investigator shall make a full disclosure of his/her findings to the Panel and provide any details needed to formulate a resolution process.
- The District Governor or designate shall ensure the resolution process is implemented in a timely and sensitive manner.
- The Complainant and/or the Respondent shall be informed in writing of the decision made by the Panel. The Complainant and/or the Respondent shall have the right to appeal the decision of the Panel by responding in writing within seven days. The panel shall meet again to review the appeal and come to a resolution or refer the matter to Rotary International for final resolution.
- At any point in the process the Panel may opt to seek the advice of legal counsel.

Remember:

Investigate thoroughly and take your time. Do not form opinions or jump to conclusions until the investigation is complete and the documentation is reviewed. There are times when allegations of harassment cannot be proved or are proved false. Keep an open mind. Both parties' rights should be maintained throughout the investigation.

Unsubstantiated Complaint

If a complaint is not substantiated (as determined by the District Governor) the District Governor will:

- Clearly explain the reasons for the findings to both parties.
- Advise the Complainant that if they are not satisfied with the findings, the matter can be taken to the Commissioner for Equal Opportunity or the Anti- Discrimination Board.
- Retain all records relating to the complaint in a secure place.
- Continue to monitor the situation to ensure that the behaviour complained about is not occurring and that any animosities have ceased.

Substantiated Complaint

The disciplinary measures which may be imposed on the harasser where appropriate include any or all the following:

- Warning and counselling.
- Closer supervision.
- Transfer to another committee.
- Club Membership terminated.

The appropriate disciplinary action will be gauged on the severity of the offence as considered by the District Governor.

Other Options

Complainants retain the right to lodge a complaint with the Equal Opportunity Commission, Anti-Discrimination Board (or equivalent body) at any point during the complaint resolution process.

The Police will be contacted in instances where harassment may constitute a criminal offence (i.e., sexual assault or child abuse). District 9510 and Club processes must cease when a police investigation is initiated.

Resources

The following resources are available:

South Australia

Equal Opportunity Commission of South Australia Phone: (08) 8207 1977

Email: eoc@agd.sa.gov.au Web: www.eoc.sa.gov.au

Victoria

Victorian Equal Opportunity and Human Rights Commission Level 3, 204 Lygon Street

Carlton Vic 3053

Phone: 1300 891 848

Email: information@veohrc.vic.gov.au

Web: www.humanrightscommission.vic.gov.au

New South Wales

Anti-Discrimination Board of NSW Web:

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

Northern Territory

Northern Territory Anti-Discrimination Commission

<https://adc.nt.gov.au/complaints>

APPENDIX.

1. ROTARY CODE OF POLICIES

26.120. Harassment-free Environment at Meetings, Events, or Activities

Rotary is committed to maintaining an environment that is free of harassment. Harassment is broadly defined as any conduct, verbal or physical, that threatens, denigrates, insults, or offends a person or group based on the following characteristics: age, ethnicity, race, colour, disability, religion, socioeconomic status, culture, sex, sexual orientations, or gender identity.

All members and individuals attending or participating in Rotary meetings, events or activities should expect an environment free of harassment and shall help maintain an environment that promotes safety, courtesy, dignity, and respect to all. Adults who work with youth are subject to policies outlined in Rotary Code of Policies section 2.120. Rotary Code of Policies 128 October 2023.

District Leaders, including governors, assistant governors, and committee chairs are encouraged to work with their clubs to create a harassment-free environment. District leaders should also work with their clubs to establish a code of conduct and policies for how to address and prevent harassment within their clubs, among their membership, and with other participants in Rotary.

All allegations of criminal activity should be referred to appropriate local law enforcement authorities.

The Rotary or Rotaract club board, district, or zone leadership shall promptly address allegations of harassment and shall not retaliate against those making the allegation. For Rotary or Rotaract clubs, allegations of harassment at Rotary events or activities shall be reviewed by the Rotary or Rotaract club board and responded to within a reasonable timeframe, typically one month. If the alleged offender is a member of the Rotary or Rotaract club board, the individual is expected to remove oneself from the discussion. The review and/or investigation shall be dependent on the circumstances including the severity and pervasiveness of the behaviour. Concerns that allegations of harassment were not adequately addressed by the Rotary or Rotaract club, may be referred with appropriate documentation to the district governor.

For districts, allegations of harassment at Rotary events or activities shall be reviewed by the governor, or a committee appointed by the governor for this purpose, and responded to within a reasonable timeframe, typically one month. If the district governor is the alleged offender, the immediate past district governor (or most recent past governor), directly or by appointment of a committee for this purpose, shall review and respond to the allegation. The general secretary shall be informed within two weeks of any allegations of harassment by district governors, governors-elect, and governors-nominee. The review and/or investigation shall be dependent on the circumstances including the severity and pervasiveness of the behaviour. Concerns that allegations of harassment were not adequately addressed by the district, may be referred with appropriate documentation to the RI Director whose zone includes the district.

For zones, allegations of harassment at Rotary meetings, events or activities shall be reviewed by the RI Director, or a committee appointed by the RI Director for this purpose, and responded to within a reasonable timeframe, typically one month. If the RI Director is the

alleged offender, either another current or past RI director as appointed by the RI president shall review and respond to the allegation.

The RI president shall be informed within two weeks of any allegations of harassment by RI directors, directors-elect, and directors-nominee. Concerns that allegations of harassment were not adequately addressed by the zone, may be referred with appropriate documentation to the RI president.

Any person involved in Rotary against whom any allegation of sexual abuse or sexual harassment is made must be removed from all contact with youth until the matter is resolved. A non-Rotary volunteer who admits to, is convicted of, or is otherwise known or found to have engaged in sexual abuse or sexual harassment must be prohibited from working with youth in a Rotary context. Rotary Code of Policies 129 October 2023.

A Rotary or Rotaract club must terminate the membership of any individual who admits to, is convicted of, or is otherwise known or found to have engaged in sexual abuse or sexual harassment or severe and/or pervasive harassment.

A Rotary or Rotaract club may not grant membership to a person who admits to, is convicted of, or is otherwise known or found to have engaged in sexual abuse or sexual harassment, or severe and/or pervasive harassment. Upon obtaining information that a club has knowingly failed to terminate the membership of such an individual, the RI Board may terminate the club for failure to function.

Rotary and Rotaract club, district, and zone leaders must promptly report sexual abuse, sexual harassment, and severe and/or pervasive harassment and any resulting membership terminations to the general secretary. Failure to adequately address findings of harassment will be reported to the RI Board for appropriate action, which may include club termination or other sanctions.

As it pertains to Rotary Alumni Associations, Rotary Action Groups, and Rotary Fellowships, the Alumni Association, Rotary Action Group, and Rotary Fellowship leadership shall promptly address allegations of harassment and shall not retaliate against those making the allegation. Allegations of harassment at an Alumni Association, Action Group, or Fellowship event or activity shall be reviewed by the Alumni Association, Action Group, or Fellowship, or a committee appointed by the chair of the Alumni Association, Action Group, or Fellowship for this purpose, and responded to within a reasonable timeframe, typically one month. If the chair or other leaders of the Alumni Association, Action Group, or Fellowship is/are the alleged offender, the immediate past chair (or most recent chair), directly or by appointment of a committee for this purpose, shall review and respond to the allegation. If the alleged offender is a member of the board of the Alumni Association, Action Group, or Fellowship, the individual is expected to remove oneself from the discussion. The review and/or investigation shall be dependent on the circumstances including the severity and pervasiveness of the behaviour. Concerns that allegations of harassment were not adequately addressed by the Alumni Association, Action Group, or Fellowship may be referred with appropriate documentation to the RI president.

Rotary Alumni Associations, Rotary Action Groups, and Rotary Fellowships must report allegations of harassment to the alleged offender's club president and district governor. If a Rotary Alumni Association, Rotary Action Group, or a Rotary Fellowship fails to adequately address findings of harassment, the RI president shall notify the RI Board for appropriate action. Such action may include termination or other appropriate sanctions. *(April 2023 Mtg., Bd. Dec. 114)*

Source: January 2019 Mtg., Bd. Dec. 119; *Amended by* October 2019 Mtg., Bd. Dec. 48; April 2020 Mtg., Bd. Dec. 132; June 2021 Mtg., Bd. Dec. 177

26.120.1. Training on Adult Harassment Policies

Incoming and current club presidents, governors, regional leaders, and directors shall be provided annual training on RI's adult harassment policies and procedures at events including, but not limited to, presidents-elect training seminars (PETS) and International Assemblies.

(January 2020 Mtg., Bd. Dec. 85)

Source: October 2019 Mtg., Bd. Dec. 34; *Amended by* January 2020 Mtg., Bd. Dec.

Figure 1: Rotary District 9510 Bullying and Harassment Resolution Process

