

Bullying and Harassment Policy

Policy statement/Principle

Rotary International District 9815 is committed to providing a safe and harmonious club environment which enhances the achievement of Rotary International goals.

Purpose

This Policy ensures that Club Presidents, Officers of Rotary District 9815 and members:

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

At any point in the process, the allegation may prove unfounded, but the Complainant must be reasonably sure that the investigation has been unbiased and escalated as warranted.

Definition

Bullying - repeated less favourable treatment of a person by another or others in a Rotary Club which is unreasonable and inappropriate behaviour of Rotarians. It includes behaviour that could be expected to intimidate, offend, degrade, humiliate, undermine, or threaten.

Bullying is physical or psychological behaviour or conduct where strength (including strength of personality) and/or a position of power is misused by a person in a position of authority or by a person who perceives that they are in a position of power or authority.

Bullying is generally associated with an ongoing systematic pattern of behaviour. An isolated incident of behaviour is generally not considered bullying but may lead to action being taken against the perpetrator based on that single incident.

Complainant – the person making the complaint

Harassment - 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, demeans, or causes personal humiliation or embarrassment or any act of intimidation or threat.

Harassment is not - conduct involving the proper exercise of responsibilities or authority related to the provision of advice, counselling, discipline, and other supervisory/leadership functions does not constitute harassment.

Respondent – the person against whom the complaint has been made

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, humiliation, or intimidation.

An act may constitute sexual harassment even if it was not intended to offend, humiliate, or intimidate.

Sexual harassment is not - behaviour which is based on mutual attraction, friendship, and respect – if the interaction is consensual, welcome, and reciprocated.



Responsibilities/Application

It is critical that harassment or bullying in the Club or other Rotary Managed Activity is dealt with promptly, appropriately and impartially.

- Until shown otherwise, a 'complaint' is an 'allegation' and referred herein as the "matter"
- Both persons are treated equally. Neither person involved is characterised as the 'victim' or the 'harasser'. The harasser is referred to herein as the Respondent.
- The activity or behaviour that gave rise to the complaint should be referred to as the 'allegation(s)' until proven otherwise.

Initial Level:

1. The Complainant should attempt to resolve the dispute directly with the Respondent.
2. The approach should be polite but firm and clear, indicating that the harassment or bullying should stop.
3. In some circumstances it may be appropriate to seek the assistance of a person for support or to make the complaint to the Respondent in writing.

First level Escalation:

4. If the above approach is unsuccessful then the matter is reported to the appropriate person of authority as per the following escalation process:

Within A Club

- a) If the alleged harassment or bullying occurs within a Club context between Club members, then the matter is reported to the Club President.
- b) The Club President to whom the matter has been reported will:
 - i. Treat the matter seriously, promptly and confidentially.
 - ii. Provide the Complainant with support and establish what outcome the Complainant wants while providing options available to resolve the matter.
 - iii. Record the grievance. Take accurate notes, using the Complainant's own language where possible.
 - iv. Check all details with the Complainant and obtain their agreement before proceeding.
 - v. Make every attempt to resolve the matter informally.
 - Where appropriate, encourage the Complainant to confront the Respondent and convey their feelings on the matter.
 - This may involve the Club President accompanying the Complainant to see the Respondent.
 - vi. Provide support to encourage resolution to occur.
 - vii. Review the situation regularly to ensure the harassment or bullying has ceased.
 - viii. If the matter is resolved at this level, or the Complainant decides not to proceed with the matter, no further escalation is required.

First Level Escalation matters which are referred directly to the District Governor

- a) If the Respondent is the **Club President**, then the matter is reported directly to the District Governor.
- b) If the alleged harassment or bullying occurs at a District Committee Meeting or a District-level managed activity, then the matter is reported to the Chair of the District Committee or District Governor.

First Level Escalation matters which are referred directly to Rotary International

- a) If the **Respondent is the District Governor**, the matter is referred to Rotary International for investigation.

Second level Escalation:

3. If there is no resolution, the matter will be **immediately referred to the District Governor** who shall appoint a qualified person to investigate any complaint of harassment or bullying.
 - The District Governor ***should not*** investigate the matter, because he/she will have to make the final decisions about the outcome.
 - Where the District Governor needs assistance with handling complaints of harassment or bullying, he/she may arrange that independent assistance be provided.
- b) The Investigator and other District and Club Officials shall be mindful of the rights and responsibilities of the Complainant and the Respondent.
- c) 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.
- d) On receipt of the responses (if any) the Investigator shall make a full disclosure of his/her findings, including any details needed, to a Panel selected by the District, for their consideration and decision on a resolution process.
- e) The Complainant and the Respondent shall be informed in writing of the decision made by the Panel and the suggested resolution process.
- f) The Complainant and the Respondent shall have the right to appeal the decision of the Panel by responding in writing within seven days.
- g) The District Governor or designate will continue communication with the Complainant and Respondent during the resolution process and ensure the resolution process is implemented in a timely and sensitive manner and that any follow up is implemented.
- h) The panel shall meet again to review the outcome of implementation of the suggested resolution.
 - a. If both parties have come to an agreement the matter will be closed.
 - b. If both parties cannot reconcile to the suggested resolution, they may refer the matter to Rotary International for final resolution.

Determination of complaint

1. Unsubstantiated Complaint

When a complaint cannot be substantiated and the Complainant persists, it is escalated for determination by the District Governor.

The District Governor will:

- Consider the complaint by reviewing documentation and interviewing both Complainant and Respondent
- Decide a finding
- 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 Victorian Equal Opportunity and Human Rights Commission
- 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.

2. Substantiated Complaint

When a complaint is substantiated, disciplinary measures may be imposed on the Respondent where appropriate and will be gauged on the severity of the offence as considered by the District Governor.

Suggested responses are:

- Warning and counselling and any of the following:

- Closer supervision
- Transfer to another Committee
- Club Membership terminated

Other Options

- a) If at any time it appears that the complaint is about behaviour, harassment or bullying of an indictable nature, which may constitute a criminal offence (e.g. child or sexual abuse), the Police can and should be contacted **immediately**.
 - ***District 9815 and Club processes must cease as soon as a police investigation is initiated.***
 - It is important to involve the Police early in the process to avoid the loss of evidence.
 - Rotary should never be impeding justice in any way.
- b) **At any point in the process the Panel may opt to seek the advice of legal counsel.**
- c) Complainants retain the right to lodge a complaint with the Victorian Equal Opportunity and Human Rights Commission at any point during the complaint resolution process.

Failure to follow this process to a satisfactory outcome may result in disharmony within the Club and/or District and/or extreme legal action.

References/Resources

The following resources are available:

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

Associated documents/Flowcharts

No other Policies, forms, attachments or flowcharts are applicable to this Policy.

Laws which relate to this Policy (if any)

Commonwealth of Australia

- Fair Work Amendment Act 2013
- Sex Discrimination Act 1984
- Racial Discrimination Act 1975
- Disability Discrimination Act 1992

Victoria

- Crimes Act 1958
- Brodie's Law
- Equal Opportunity Act 2010

Document/Version control

Version Date	Author	Version No.	Nature of Change	Next revision date
26/7/2024	Multiple input sought.	1	Combination of Policies from D9810 and D9820 in the amalgamation to D9815	26/7/25