

SEXUAL HARASSMENT POLICY & PROCEDURE

Brigidine Asylum Seekers' Project (BASP)

Inspired by the gospel imperative: *"I was a stranger and you made me welcome."*

1. Purpose

BASP is committed to creating and maintaining a safe, respectful, and inclusive environment for all people who engage with the organisation.

Sexual harassment, sex-based harassment, sex discrimination, and conduct that creates a hostile environment on the basis of sex are incompatible with BASP's mission of dignity, hospitality, and justice, and will not be tolerated under any circumstances.

This policy outlines:

- BASP's expectations for safe and respectful conduct
- The definitions of unlawful sexual and sex-based behaviours
- BASP's zero-tolerance approach
- How to report concerns
- How BASP responds to concerns
- The consequences of breaching this policy

2. Scope

This policy applies to all people engaging with BASP, including:

- Board members
- Staff
- Volunteers
- Contractors, consultants

- Anyone representing BASP in any capacity

This policy applies to all BASP-related environments, including:

- BASP offices and accommodation sites
- Home visits and outreach locations
- Off-site meetings, community spaces and partner locations
- Transport used for BASP purposes
- All online, phone or digital communication related to BASP's work

3. Policy Statement

BASP is committed to providing a workplace and community environment where every person is treated with dignity, fairness and respect.

BASP will take all reasonable steps to prevent and address:

- Sexual harassment
- Sex-based harassment
- Sex discrimination
- Conduct creating a hostile environment based on sex
- Victimisation

Sexual and sex-based misconduct causes emotional, physical and psychological harm and undermines safety, trust and wellbeing. BASP recognises that such conduct disproportionately impacts women and people whose gender identity, sexuality or expression does not conform to social expectations.

BASP's culture is grounded in welcome, compassion and justice. We strive to ensure a safe environment for staff, volunteers, asylum seekers, and all members of our community.

Zero Tolerance

BASP has zero tolerance for sexual harassment, sex-based harassment, and sex discrimination.

All reports will be taken seriously and responded to promptly, respectfully, and confidentially.

4. Definitions

4.1 Sexual Harassment

Sexual harassment is unlawful under the Sex Discrimination Act 1984 (Cth) and the Equal Opportunity Act 2010 (Vic).

Sexual harassment is any unwelcome sexual advance, unwelcome request for sexual favours, or other unwelcome conduct of a sexual nature where a reasonable person would expect the behaviour to cause offence, intimidation or humiliation.

Examples include (but are not limited to):

- Sexualised jokes, comments or innuendo
- Unwelcome comments about appearance, clothing or body
- Unwanted touching or physical contact
- Intrusive questions about private life or sexuality
- Displaying sexualised material (online or in person)
- Sending sexual messages, images or videos
- Contact outside work hours for sexual reasons
- Sharing intimate images without consent

A single incident can constitute sexual harassment.

Even if someone does not verbally object, the behaviour can still be unlawful.

Consensual, mutual and respectful conduct between adults does not constitute sexual harassment.

However, after a consensual relationship ends, any conduct must continue to be fully consensual.

4.2 Sex Discrimination

Sex discrimination occurs when a person is treated unfavourably because of their sex or characteristics associated with a sex group.

Direct discrimination

Treating someone less favourably because of their sex (e.g., refusing to hire a woman because “men cope better with the role”).

Indirect discrimination

A rule or requirement that disadvantages one sex more than another, without a valid justification.

Examples include:

- Unequal pay for equal work
 - Assuming women should do administrative or “caring” tasks
 - Not promoting someone due to assumptions about gender roles
 - Inequitable access to training or development
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4.3 Sex-Based Harassment

Sex-based harassment is unwelcome, demeaning or sexist behaviour that is not necessarily sexual.

Examples include:

- Jokes or remarks that degrade a person because of their sex
 - Intrusive comments about reproductive health, body functions, or gender
 - Insults based on gender stereotypes
 - Requests for degrading or gender-based behaviour
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4.4 Hostile Environment Based on Sex

A workplace or organisational environment becomes hostile when behaviours, comments or practices create a degrading, offensive or humiliating atmosphere, even if not directed at a particular person.

Examples:

- Regular sexist jokes or conversations
 - Displaying sexualised or degrading images
 - A culture that tolerates or excuses sexist conduct
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4.5 Victimisation

Victimisation occurs when someone is treated unfairly because they:

- Made a complaint
- Supported another person who made a complaint
- Participated in an investigation

Victimisation is unlawful and strictly prohibited.

5. Responsibilities

5.1 All BASP People (Staff, Volunteers, Board, Contractors)

All people engaged with BASP must:

- Act respectfully and uphold BASP's values
 - Avoid any conduct that could constitute sexual harassment, sex-based harassment or discrimination
 - Report any concerning behaviour they witness or experience
 - Support people affected by misconduct, where safe and appropriate
 - Maintain confidentiality when involved in a report or investigation
 - Never retaliate against someone who raises a concern
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5.2 BASP Leadership (Board, Co-CEOs)

Leaders are responsible for:

- Modelling respectful and gender-safe behaviour
 - Promoting awareness of this policy
 - Ensuring accessible reporting processes
 - Responding promptly and fairly to concerns raised
 - Preventing victimisation
 - Providing trauma-informed support to impacted individuals
 - Ensuring safe work practices, training and safeguarding standards
 - Taking proactive steps to manage risks
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6. Procedure: Reporting Sexual Harassment or Related Behaviour

BASP uses a “no wrong door” approach, any person can report to any trusted BASP leader.

Reports can be made by people who:

- Experience the behaviour
- Witness the behaviour
- Receive information about the behaviour

6.1 How to Report

Concerns can be reported to:

- A Co-CEO
- A Board member

Reports may be made:

- In person
- In writing
- By phone or email

Anonymous reports will be accepted, noting investigation options may be limited.

6.2 What to Include

If possible:

- What occurred
- When and where it occurred
- Who was involved
- Any witnesses
- Any previous related incidents

6.3 BASP's Response

When a report is received, BASP will:

1. Acknowledge the concern promptly
2. Ensure immediate safety and wellbeing
3. Assess the information
4. Conduct an impartial investigation if required
5. Treat all parties with respect and confidentiality
6. Communicate outcomes where appropriate
7. Implement actions to restore a safe environment

Possible actions include:

- Verbal or written warnings
- Training or supervision
- Mediation (only if mutually agreed)
- Adjusting roles or responsibilities
- Ending a volunteer or staff engagement
- Reporting to external authorities if required

7. Consequences of Breach

A breach of this policy may result in:

- Counselling or retraining
- Verbal or written warnings

- Removal from duties
- Termination of employment or volunteer role
- Termination of contractor engagement
- Referral to external authorities if required

8. Safeguarding and Risk Management

BASP commits to:

- Identifying and addressing risks that may enable sexual or sex-based harassment
- Embedding gender-safe and trauma-informed practices
- Reporting any concerns involving children or vulnerable adults in accordance with BASP's Child Safe and safeguarding policies

9. Privacy and Confidentiality

All reports will be managed confidentially and respectfully.

Information will only be shared with those who need to know in order to respond to the concern, ensure safety, or meet legal obligations.

De-identified data may be used to improve BASP's safety practices.

10. Monitoring and Review

This policy will be reviewed every three years, or sooner if:

- Legislation changes
- Organisational needs change

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- A significant incident requires review

Feedback regarding this policy may be provided to the BASP Co-CEOs or Board at any time.

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Next Review: 01/03/2029