

Balloon Sexual Harassment and Assault Prevention Policy

Policy Statement

Balloon is committed to providing a safe environment for all its employees free from discrimination on any ground and from harassment at work including sexual harassment. Balloon will operate a zero-tolerance policy for any form of sexual harassment and abuse in the workplace, treat all incidents seriously and promptly investigate all allegations. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment.

All complaints of sexual harassment or abuse will be taken seriously and treated with respect and in confidence. No one will be victimised for making such a complaint.

Policy Summary

The Sexual Harassment/Assault Prevention Policy clarifies what Balloon means by sexual harassment and sexual assault and provides organisation wide definitions. The policy also outlines Balloon's stance on any form of unwanted sexual or sexually inferred behaviour.

This policy applies to staff, volunteers and anyone who acts in our name.

It also applies to the businesses we support, and staff will report any incidents they observe and are alerted to within the businesses we support.

Definition of sexual harassment and Assault

Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated. It includes situations where a person is asked to engage in sexual activity as a condition of that person's employment, as well as situations which create an environment which is hostile, intimidating or humiliating for the recipient.

Sexual harassment can involve one or more incidents and actions constituting harassment may be physical, verbal and non-verbal. Sexual harassment and sexual assault mean different things to different people. To prevent misunderstandings, we want to make sure that everyone is clear about our policy on sexual harassment/assault:

Anyone can be a victim of sexual harassment/assault regardless of their sex and of the sex of the harasser. Balloon recognises that sexual harassment may also occur between people of the same sex. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

Examples of conduct or behaviour which constitute sexual harassment include, but are not limited to:

Physical conduct

- Unwelcome physical contact including patting, pinching, stroking, kissing, hugging, fondling, or inappropriate touching
- Physical violence, including sexual assault
- Physical contact, e.g. touching, pinching
- The use of job-related threats or rewards to solicit sexual favours

Verbal conduct

- Comments on a worker's appearance, age, private life, etc.
- Sexual comments, stories and jokes
- Sexual advances
- Repeated and unwanted social invitations for dates or physical intimacy
- Insults based on the sex of the worker
- Condescending or paternalistic remarks
- Sending sexually explicit messages (by phone or by email)

Non-Verbal Conduct

- Display of sexually explicit or suggestive material
- Sexually-suggestive gestures
- Whistling
- Leering

Sexual Assault

- By sexual assault, we mean: *any aggression on the integrity of a person with sexual intention whether or not accompanied by a physical violence.*

Balloon Principles

- Balloon believes that no sexual harassment or assault is acceptable, and that no individual should ever be blamed for becoming a victim/target;
- Balloon will ensure that appropriate medical care and support is available as soon as possible to victims of serious sexual assault and rape;
- Balloon will offer choices that empower the victim as far as possible, but will always intervene if the victim could be at further risk;
- Balloon will provide support and advice on legal and justice processes and will not prosecute without the victim's consent;
- Balloon will respect the confidentiality of the victim and keep the number of people informed of a case to a minimum.

The complaints process

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. Balloon recognises that sexual harassment may occur in unequal relationships (i.e. between a supervisor and his/her employee) and that it may not be possible for the victim to inform the alleged harasser.

You should report the incident/is to the country director or If you would prefer not to go through the Country Director, for example if they are involved in the incident, please contact the Balloon Chief Operations Officer, Doug Cochrane doug@balloonventures.com

He/she will:

- immediately record the dates, times and facts of the incident(s)
- ascertain the views of the victim as to what outcome he/she wants
- ensure that the victim understands the company's procedures for dealing with the complaint

- discuss and agree the next steps: either informal or formal complaint, on the understanding that choosing to resolve the matter informally does not preclude the victim from pursuing a formal complaint if he/she is not satisfied with the outcome
- keep a confidential record of all discussions
- respect the choice of the victim
- ensure that the victim knows that they can lodge the complaint outside of the company through the relevant country/legal framework

Informal complaints mechanism

If the victim wishes to deal with the matter informally, the person investigating will:

- give an opportunity to the alleged harasser to respond to the complaint
- ensure that the alleged harasser understands the complaints mechanism
- facilitate discussion between both parties to achieve an informal resolution which is acceptable to the complainant, or refer the matter to a designated mediator within the company to resolve the matter
- ensure that a confidential record is kept of what happens
- follow up after the outcome of the complaints mechanism to ensure that the behaviour has stopped
- ensure that the above is done speedily and within 10 working days of the complaint being made

Formal complaints mechanism

If the victim wants to make a formal complaint or if the informal complaint mechanism has not led to a satisfactory outcome for the victim, the formal complaint mechanism should be used to resolve the matter.

The person who initially received the complaint will refer the matter to a senior manager to instigate a formal investigation. The senior manager may deal with the matter him/herself, refer the matter to an internal or external investigator.

The person carrying out the investigation will:

- interview the victim and the alleged harasser separately
- interview other relevant third parties separately
- decide whether or not the incident(s) of sexual harassment took place
- produce a report detailing the investigations, findings and any recommendations
- if the harassment took place, decide what the appropriate remedy for the victim is, in consultation with the victim (i.e.- an apology, a change to working arrangements, a promotion if the victim was demoted as a result of the harassment, training for the harasser, discipline, suspension, dismissal)
- follow up to ensure that the recommendations are implemented, that the behaviour has stopped and that the victim is satisfied with the outcome
- if it cannot determine that the harassment took place, he/she may still make recommendations to ensure proper functioning of the workplace
- keep a record of all actions taken

- ensure that the all records concerning the matter are kept confidential
ensure that the process is done as quickly as possible and in any event within 14 working days of the complaint being made

Sanctions and disciplinary measures

- Anyone who has been found to have sexually harassed another person under the terms of this policy is liable to any of the following sanctions:
 - verbal or written warning
 - suspension
 - dismissal
- The nature of the sanctions will depend on the gravity and extent of the harassment. Suitable deterrent sanctions will be applied to ensure that incidents of sexual harassment are not treated as trivial. Certain serious cases, including physical violence, will result in the immediate dismissal of the harasser.

Communication of this policy

All staff employed have an induction programme soon after joining Balloon. This is also covered in the staff handbook and on the website.

On boarding for volunteers covers the critical Balloon policies such as this.

Staff and volunteers and businesses we work with are required to sign a code of conduct which covers sexual harassment and abuse.

Related policies.

Safeguarding and Child protection
Whistleblowing
Anti-Bullying
Code of Conduct
Anti-Fraud, Bribery and Corruption
Modern Slavery and Human Trafficking
Equal Opportunities and Diversity
Health and Safety.

Reviews

All documents are reviewed annually at the same time
Policies apply to the Balloon group of companies
Last Annual Update December 2019.
We acknowledge the excellent template provide by the ILO.