WAN-IFRA Sexual Harassment Guideline
Part II - Complaints Procedure
All employees and long-term consultants have the right to report if they have been sexually harassed at work or witnessed someone else being sexually harassed at work. All reports will be taken seriously and will be dealt with sensitively, consistently, and fairly, respecting the rights of all parties involved. In some circumstances, it may be necessary to bring in external assistance or expertise to ensure a fair, impartial and objective investigation.

WHO CAN MAKE A SEXUAL HARASSMENT COMPLAINT?

All employees and long-term consultants have a right to complain if they or someone else is being sexually harassed at work. Sexual harassment can be reported by:

1. The person who has been sexually harassed
2. A witness to sexual harassment.

As a manager, if someone reports to you an incident of sexual harassment, you should encourage him/her to report this to the HR department and/or the Gender and Diversity Officer.

WHO HANDLES SEXUAL HARASSMENT COMPLAINTS

The Gender and Diversity Officer and the HR department are the designated persons in WAN-IFRA for dealing with sexual harassment cases with Support from the CEO and the COO.

An employee can make a complaint to the Gender and Diversity Officer or HR. They can also make a complaint to any person with responsibility in WAN-IFRA, as well as third parties, including:
- An immediate manager;
- Another manager at WAN-IFRA;
- A staff representative;
- The occupational health service

Each of these individuals should refer the complaint to the Gender and Diversity Officer or HR, who will put the complaint on the record.

GENERAL REMARKS ON COMPLAINTS

Those responsible for investigating complaints should consider all available evidence, including any surrounding evidence, and make their finding on the balance of probabilities. It is more probable than not that the harassment did or did not occur.
It is important to note that even if there is not enough evidence for a complaint to be substantiated, it does not mean that the discrimination did not occur or that the complainant is a liar. Findings may be that harassment did or did not occur or that it was impossible to make a conclusive finding.

Evidence that may be relevant includes:
- proof that the person alleging harassment discussed his or her concerns with a family member, friend, co-worker, medical practitioner or counsellor;
- supervisor’s reports and personnel records (for example, unexplained requests for transfer or shift changes, sudden increase in sick leave);
- complaints or information provided by other employees about the behaviour of the alleged harasser;
- records kept by the person claiming to have been harassed whether the evidence was presented by the parties credibly and consistently;
- the absence of evidence where it should logically exist.

**Sequence of events**

**Step 1 – Sexual harassment complaint made**

- A verbal or written complaint is made about sexual harassment experienced at WAN-IFRA.
- The complaint is made to a person with responsibility in WAN-IFRA (defined above).
- Whoever receives the complaint informs HR and the Gender and Diversity Officer, who are the designated persons for sexual harassment cases at WAN-IFRA.

**Step 2 – Complaint received**

- If the complaint is about sexual assault, HR and Gender and Diversity Officer will encourage the complainant to report the case directly to the police.
- The HR and the Gender and Diversity Officer contact or request a meeting with the person making the complaint.
- If the complaint was verbal, HR and the Gender and Diversity Officer will make a written note of the complaint and share a copy with the person making the complaint:
  - Informs them of their rights, the process going forward and answers any questions;
  - Explains about confidentiality and what it means for them and the person they are accusing;
  - Explains what the potential professional and legal consequences will be for the person they are accusing if a case is found;
  - Explains what support is available to them and ascertains what support they might want or need;
  - Puts the above in writing.
- The HR and the Gender and Diversity Officer contacts or calls a meeting with the person accused of sexual harassment and:
  - Informs them about the case against them;
  - Informs them of their rights (including their right to respond) and the process going forward and answers any questions;
  - Explains about confidentiality and what it means for them and the person who is accusing them;
  - Explains what the potential professional and legal consequences will be for them if a case is found;
  - Explains WAN-IFRA’s policy on retaliation or victimisation of anyone making a complaint about sexual harassment;
  - Puts the above in writing.
- A sexual harassment case file is opened.
- A small number of senior management are informed about the case: the Head of Department where appropriate, the CEO and the COO.

**Step 3 – Investigation**

- Interviews are conducted with:
  - The person being sexually harassed;
  - The person being accused of sexual harassment (satisfying their right to reply);
  - Any witnesses or third parties.
- HR will represent WAN-IFRA alongside the Gender and Diversity Officer in any meeting or interview. If any of these parties are implicated either as a complainant or accused, a member of the WAN-IFRA Presidency (President, Vice President, Treasurer) may represent WAN-IFRA alongside HR and the Gender & Diversity Officer. Where appropriate, an external, non-partisan HR expert will also be engaged by WAN-IFRA to advise on proceedings.
- Written statements are taken from:
  - The person being sexually harassed;
  - The person being accused of sexual harassment (satisfying their right to reply);
  - Any witnesses or third parties;
  - The facts of the case are compiled, including diaries and evidence collated by the person being sexually harassed and any counter evidence from the person being accused.
- A confidential record is kept of all information relating to the case, including all discussions and communication with all parties.
- Confidentiality of all parties is safeguarded.
Step 4 – Decision and Outcome

- WAN-IFRA (Represented by the CEO, the COO, or HR and Gender and Diversity Officer) decides whether or not sexual harassment has happened, based on the facts and evidence compiled.
- WAN-IFRA decides on what disciplinary measures are to be taken if any.
- A legal basis for the decision will be specified. WAN-IFRA will check the applicable laws for employees (labour laws) and long term consultants (service and business laws). WAN-IFRA will assess the need for legal support.
- If no case is found, all documents relating to the case will be destroyed after an appropriate time (normally a few weeks).
- WAN-IFRA will produce a report detailing the investigations, findings, outcomes, and disciplinary measures taken if a case is found. WAN-IFRA points out that disciplinary measures are recorded in the personnel file. In all respects, the data protection provisions shall apply.
- WAN-IFRA will detail an appropriate plan for follow-up and support.
- Feedback is given to the parties involved in the case while ensuring that confidentiality is safeguarded.

Outcomes will depend on factors such as:
- the severity or frequency of the harassment;
- the wishes of the person who was harassed;
- whether the harasser could have been expected to know that such behaviour was a breach of the guideline;
- the level of contrition;
- whether there have been any prior incidents or warnings.

If there is insufficient proof to decide whether or not the harassment occurred employers should nevertheless:
- remind those involved of expected standards of the guideline;
- conduct further training and awareness-raising sessions for staff;
- monitor the situation carefully.

Step 5 – Follow-up & support (not applicable to long-term consultants)

- HR and/or the Gender and Diversity Officer will systematically follow up with both parties to ensure that the sexual harassment has stopped (in cases where there was a case of sexual harassment found or where there was insufficient proof).
- HR and/or the Gender and Diversity Officer will also conduct follow-up meetings with line managers.
- HR and/or the Gender and Diversity Officer will continue to assess the need for support.