



EngenderHealth
for a better life

Anti-Harassment Policy

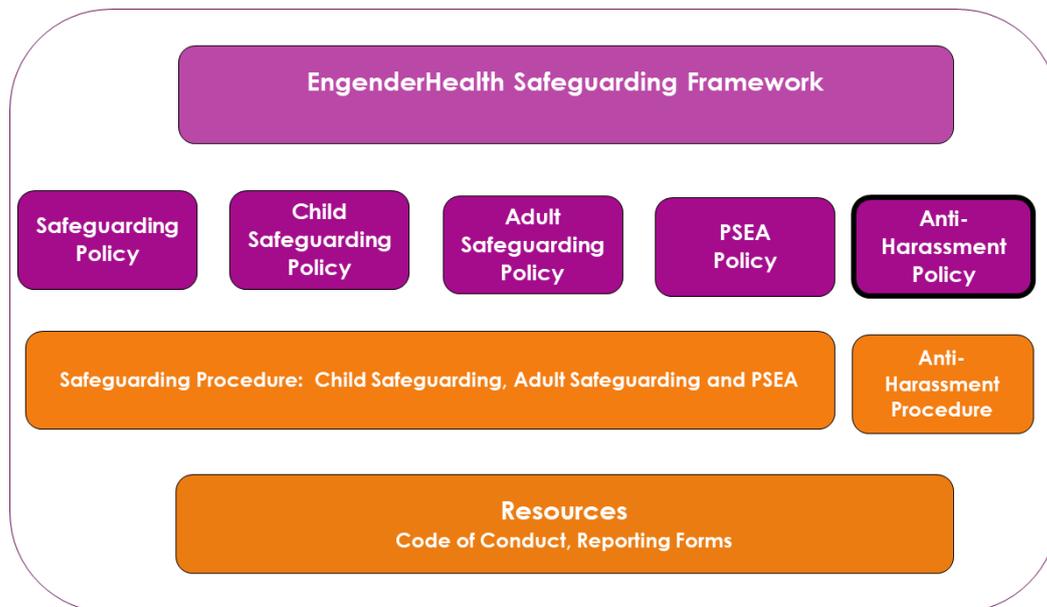
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Anti-Harassment Framework

This document is part of EngenderHealth's Anti-Harassment Framework that consists of this policy, procedures and resources, as illustrated below.



Policy Introduction

EngenderHealth is committed to providing all staff and associates with a work environment free from all forms of harassment or retaliation where every individual is treated with honor, dignity and respect. Included under the umbrella of harassment are bullying, discrimination, sexual violence and sexual exploitation.

To that end, EngenderHealth has a policy of zero tolerance for discrimination or harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), race, color, religion, ancestry, creed, national origin, age, disability, genetic information, citizenship, veteran status, marital status, status as a victim of domestic violence, sexual orientation, gender, gender identity (including transgender status), gender expression, marital status or civil partnership/union status, physical or mental disability (actual or perceived), medical condition, protected activity (such as opposition to prohibited discrimination or participation in a legal complaint process) or any other characteristic or status protected by law.

The purpose of the anti-harassment framework, including the policy, procedures and resources, is to establish an outline of the importance of the framework and clear procedures. This policy ensures that all staff and associates are treated with dignity and respect and are aware of their role and responsibilities in maintaining a workplace free of any form of discrimination, harassment, bullying, and sexual violence and sexual exploitation. The policy clarifies definitions and responsibilities

regarding prohibited behaviour through informal and formal means. The associated anti-harassment procedures outline the reporting and investigation processes. The anti-harassment resources outline the reporting format.

Accountability Statement

EngenderHealth takes this policy very seriously, and the mandate prohibiting any form of harassment, bullying, discrimination, sexual violence and sexual exploitation comes from EngenderHealth's management team and board.

This policy applies to all persons in the workplace and any staff, supervisors, managers or associates who violate this policy are subject to discipline, up to and including termination of employment, and may also be held personally liable for their own harassing conduct. Any deliberate breach of this policy and the anti-harassment framework is considered a disciplinary matter and may result in disciplinary action, including termination of any contract, in a manner that follows our Human Resources and disciplinary procedures.

EngenderHealth encourages all staff and associates to report any form of harassment promptly before it becomes severe or pervasive.

Policy Approach

This policy details how EngenderHealth achieves its obligations and applies to all staff and associates regardless of their location.

Framework Principles

This policy and EngenderHealth's entire Safeguarding Framework are guided by the following principles:



Primacy of Life and Wellness

The safety, security and wellbeing of EngenderHealth's staff and associates is our highest priority and takes precedence over anything else, including operations, property and reputation.



Safeguarding

EngenderHealth is committed to safeguarding all staff and associates from any forms of harassment, bully, or discrimination.



Shared Responsibility

For the anti-harassment policy and practice to be effective in reducing the risks to staff and associates, all must share the responsibility for their implementation and improvement. As such, a failure at one level of the organization constitutes a failure at all levels of the organization.



Effective Communication

EngenderHealth effectively communicates with all staff and associates in simple and accessible language to create a positive safeguarding culture. This includes providing access to information and to those with safeguarding and wellbeing responsibilities.



Continuous Improvement

EngenderHealth provides reflection and feedback mechanisms through quarterly incident reviews to inform the organisation of any improvements that can be made to our policies and practices.



Dignity and Respect

EngenderHealth creates a work environment where the principles of dignity and respect for all staff and associates, in all locations is at the heart of what the organisation does.



Zero Tolerance

EngenderHealth has a zero tolerance for any forms of harassment, discrimination, bullying, discrimination, sexual violence and sexual exploitation.

Policy Implementation

Policy Map

This policy will guide EngenderHealth staff and associates through the definitions of harassment, discrimination, bullying, sexual violence and sexual exploitation as well as governance and responsibilities. The associated procedures and resources will provide information on how to report any harassment complaints, the format of the reporting, and how these complaints will be managed.

Definitions of Harassment

All forms of harassment, bullying, discrimination of any type, sexual violence and sexual exploitation are prohibited at EngenderHealth. The definitions below will clarify the difference between general harassment, sexual violence, sexual exploitation, as well as bullying and discrimination.

Harassment

Harassment is generally described as "unwanted conduct which affects the dignity of women or men at work that takes place both within the office and off-site at places such as clinics, conferences, and meetings ; it encompasses unwelcome physical, verbal or non-verbal behaviour which denigrates or ridicules or is intimidating". The essential characteristic of harassment is that the

action(s) is unwanted by the recipient.¹

General Harassment

Harassment can take many forms and may be directed in particular against women and ethnic minorities or towards people because of their age, disability, gender/ gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion or belief, sex, or sexual orientation, or any other protected class. It may involve action, behaviour, comment or physical contact which is found objectionable or which causes offence; it can result in the recipient feeling threatened, humiliated or patronised and it can create an intimidating work environment.²

Examples of prohibited harassment can include but are not limited to the following:

- Cartoons or other visual displays of objects, pictures, or posters that depict protected groups in a derogatory way.
- Verbal conduct, including making or using derogatory comments, epithets, slurs, or jokes towards such groups.

Sexual Harassment

The definition of sexual harassment includes 'unwelcome sexual advances, requests for sexual favors, and other conduct that creates a coercive, hostile, intimidating, or offensive work environment'.³ The harassment of a sexual nature may be directed to a person of the same or opposite sex.

The key elements are that the behaviour is **uninvited, unreciprocated** and **unwelcome** and causes the person involved to feel threatened, humiliated or embarrassed. The behaviour may also be determined to be sexual violence and harassment if:

- Submission to such conduct is explicitly or implicitly made a term or condition of employment.
- Submission to or rejection of this conduct is used as a basis for an employment decision affecting the staff member or associate.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Some examples of sexual harassment can include, but are not limited to:

- Excessive, one-sided, romantic attention in the form of requests for dates, love letters, telephone calls, emails, or gifts.
- Unwelcome sexual advances, such as requests for dates or propositions for sexual favors, whether or not they involve physical touching. This may include an expression of sexual interest after being informed that the interest is

¹ Human Resources Solutions. www.human-resource-solutions.co.uk

² Human Resources Solutions. www.human-resource-solutions.co.uk

³ SEXUAL HARASSMENT IN THE HUMANITARIAN CONTEXT Dr. Linda Wagener, Senior Consulting Psychologist, Headington Institute April 25, 2012

unwelcome or a situation, which began as reciprocal attractions, but later ceased to be reciprocal.

- Offering employment benefits in exchange for sexual favors.
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive comments, staring, sexual flirtation, or proposition.
- Displaying a sexually-suggestive object in the workplace or telling or showing sexual jokes, stories, drawings, pictures, or gestures.
- Making or repeating a sexually-related rumor about another staff or associate.
- Making an inquiry into a staff or associate's sexual experiences.
- Reprisal or making a threat after a negative response is made to a sexual advance.
- Unwelcome physical contact, including pats, hugs, brushes, touches, shoulder rubs, assaults, or impeding or blocking movements.
- Physical assault, such as rape, sexual battery, an attempt to commit an assault, or intentional physical conduct, such as:
 - Impeding or blocking movement.
 - Touching or brushing against another staff or associate's body.
 - Making a derogatory comment or joke regarding an individual's sexual orientation or perceived sexual orientation.
 - Making sexual comments about someone's looks or clothes.

Some additional notes include:

1. Such conduct is actionable if offensive to a reasonable person and the victim was actually offended. Such conduct may be found to be harassment also if those in close proximity to the harassment were offended.
2. A man or woman may be the harasser of the same or opposite sex as the victim.
3. Sexual violence and harassment can occur regardless of the grade or level of the job and may also occur when dealing with external clients and/or members of the public.
4. The harasser does not necessarily have to be the victim's supervisor.
5. The victim does not necessarily have to be the one to whom the remark or conduct is directed but may be someone in the area who overhears the remark or observes the conduct and is offended.
6. A consensual relationship may lead to claims by non-involved staff members or associates who believe that they were disadvantaged when favoritism is shown to a paramour but is not shown to a staff member or associate who did not have a romantic relationship with the person granting the favors. If such sexual favoritism is widespread, it sends a message that staff and associates are sexual playthings, or creates an atmosphere where staff and associates believe they must consent to such relationships as a term or condition of employment.

Discrimination

Any unfair treatment or arbitrary distinction based on a person's race, sex, religion, nationality, ethnic origin, sexual orientation, disability, age, language, pregnancy status, fertility status, social origin, or any other protected class. Discrimination may

be an isolated event affecting one person or a group of persons similarly situated or may manifest itself through harassment or abuse of authority.⁴

Sexual exploitation

Any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. PSEA (Protection from Sexual Exploitation and Abuse) – the term used by the UN and NGO community to refer to measures taken to protect vulnerable people from sexual exploitation and abuse by their own staff and associated personnel. EngenderHealth's policy on PSEA is covered in the Safeguarding Framework.

Racial or Sectarian Harassment

"In the workplace, racial or sectarian harassment may take the form of actual or threatened physical abuse or it may involve offensive jokes, verbal abuse, language, graffiti or literature of a racist or sectarian nature or offensive remarks about a person's skin colour, physical characteristics or religion. It may also include repeated exclusion of a person from an ethnic or religious minority from conversations, patronising remarks, unfair allocation of work or pressure about the speed and/or quality of their work in a way which differs from the treatment of other staff or associates."⁵

Bullying

"Bullying is the intimidation or belittling of someone through the misuse of power or position which leaves the recipient feeling hurt, upset, vulnerable or helpless. It is often inextricably linked to the areas of harassment described above. The following are examples of bullying:

1. Unjustified criticism of an individual's personal or professional performance, shouting at an individual, criticising an individual in front of others.
2. Spreading malicious rumours or making malicious allegations.
3. Intimidation or ridicule of individuals with disabilities and /or learning difficulties.
4. Ignoring or excluding an individual from the team / group "⁶

Governance

The Chief Executive Officer (CEO), together with the Board of Directors, has ultimate responsibility for this policy and the anti-harassment framework and its proper management, using a systematic approach. As such, the CEO will receive a summary of any reported harassment incidents and follow-up measures at each Executive Team meeting.

⁴ UNHCR Policy on Discrimination, Harassment, Sexual Harassment and Abuse of Authority. 2014.

⁵ Human Resources Solutions. www.human-resource-solutions.co.uk

⁶ Human Resources Solutions. www.human-resource-solutions.co.uk

Responsibilities

EngenderHealth's Obligations

We have a duty of care obligation to staff and associates to create a working environment that is respectful and free of any forms of harassment, discrimination, sexual exploitation or bullying. It is the responsibility of all members and levels of staff and associates to adhere to this policy and to treat each other with dignity and honor.

Staff and Associates Responsibility

All staff and associates are responsible for ensuring that harassment does not occur by complying with this policy and by conducting themselves at all times in an appropriate and professional manner. Every staff member or associate, whether witness, complainant, or alleged harasser, is expected to cooperate fully with every investigation. Staff and associates may also help to prevent harassment by taking the initiative to oppose and report conduct that they reasonably believe to be harassment.

Moreover, staff and associates are expected to immediately report any inappropriate behavior to Human Resources, regardless of whether the behavior is directed towards himself or herself or towards another staff or associate.

Every staff member and associate has a personal responsibility **NOT** to harass, discriminate against or bully other members of staff or associates.

Consequences

Any staff member and associate who initiates or persists in conduct that is viewed by another as being harassment assumes the risk of liability and the possible penalties for such conduct. All staff and associates who violates this policy may face a range of disciplinary actions, including dismissal.

Staff and Associates Rights

If a staff member and associate believes they are the target of harassment, bullying, or discrimination or if they have witnessed any forms of harassment, you are encouraged to inform the offending individual, Human Resources or senior management that the behavior is unwelcome, offensive, and inappropriate. However, if the individual is not comfortable directly speaking with the alleged offender, they may report the conduct without confronting the offender.

Every reasonable effort will be made to intervene early and resolve the complaint.

Why Report

If a staff member and associate perceives comments, gestures or actions of a staff or associate, at any level, to be offensive, mere documentation of that conduct or only confiding in family members or co-workers about it without doing more is insufficient to prevent that conduct from occurring again. Inappropriate behavior must be reported to Human Resources and/or the line manager, so EngenderHealth has an opportunity to put a stop to the conduct and take appropriate corrective action. It is the responsibility of all staff and associates to prevent harassment, bullying and discrimination and the only way EngenderHealth can prevent it

effectively is if those subjected to it or who become aware of it come forward immediately.

How to Report

The reporting process is outlined in the anti-harassment procedures.

Manager Responsibility

While maintaining a work environment free from harassment is everyone's responsibility, each manager has the additional responsibility for setting the tone for a harassment-free work environment and for taking appropriate measures, whether or not a complaint has been received, whenever they witness or learn of behavior which could be perceived as harassment. All managers will set an example for a harassment-free work environment through their own behaviour

If a manager becomes aware of possible workplace harassment, the manager should immediately bring the information to the attention of HR. Disciplinary action may be taken where it is determined that a manager failed to report violations of this policy, or staff or associates' complaints of workplace harassment to HR.

Managers and supervisors are responsible for acts of harassment between staff and associates in the workplace where the managers and supervisors know or should have known of the conduct, unless they can show that they took timely and appropriate corrective action. Ignorance is not an acceptable defense for inaction of a manager or supervisor if, through reasonable care, they should have been aware of the conduct.

Managers and supervisors may also be responsible for harassment by non-employees where the manager, supervisor, or lead person knew or should have known of the conduct and failed to take timely and appropriate corrective action. In reviewing these matters, the extent of the manager's or supervisor's control and any other legal responsibility which they may have with respect to the conduct of such non-employees will be taken into consideration.

Safeguarding Focal Points

Safeguarding Focal Points have been trained at the HQ level as well as in each field location. The Safeguarding Focal Points have the responsibility for informing and training all staff and associates in both safeguarding and harassment policies and procedures. The Focal Points are available to provide information on harassment, bullying and discrimination.

Confidentiality of Complaint

EngenderHealth will protect the confidentiality of harassment, bullying and discrimination allegations to the greatest extent possible in order to protect the integrity of the investigation and prevent embarrassment, further discrimination or harassment or retaliation.

Confidential or sensitive information obtained by any staff or associate during the course of an investigation shall not be disclosed to others unless required by law. Concerns of individuals regarding confidentiality of information provided by

them will be handled as sensitively as possible, and information shall not unnecessarily be disclosed to others.

EngenderHealth cannot guarantee, however, complete confidentiality, because the organisations cannot conduct an effective investigation without revealing certain information to the alleged harasser and potential witnesses. EngenderHealth will share information about allegations of harassment only with those who need to know about it. Records relating to harassment complaints will also be kept confidential on the same basis.

Prohibited Retaliation

EngenderHealth maintains a zero-tolerance policy for retaliation against anyone for reporting harassment, bullying, or discrimination, assisting in making a harassment complaint, or participating in an investigation.

Any staff and associates who makes a good-faith complaint of harassment, assists, testifies, or participates in any harassment investigation or proceeding or who reasonably opposes such conduct in the workplace will not be adversely affected in the terms and conditions of his or her employment and will not be discriminated against or discharged for engaging in such activity.

Retaliation not only affects the recipient, but also can spread rapidly throughout EngenderHealth. It destroys faith in EngenderHealth's leadership and can damage morale.

Complaints of retaliation will be promptly investigated. If retaliation is substantiated, appropriate disciplinary action, including possible dismissal, will be taken.

Examples of retaliation:

Some examples of retaliation include but are not limited to the following:

- Termination, demotion, disadvantageous transfers or assignments, refusals to promote, threats, reprimands, or negative evaluations.
- Co-worker hostility or retaliatory harassment, which includes intimidation, gossip, rumors, insults, or otherwise offensive conduct that would subject a person to ridicule or humiliation.
- Any action or combination of actions that is reasonably likely to materially and adversely affect a staff member or associate's job performance or opportunity for advancement.

Communication and Training

It is EngenderHealth's responsibility to provide a harassment-free work environment and ensure that all teams are aware and fully compliant with the anti-harassment policy. In order to take the steps to prevent any forms of harassment, EngenderHealth will ensure that:

1. Training is provided for all staff and associates who have a specific responsibility for implementing this policy and associated procedure or who may be involved in dealing with complaints which arise.

2. Awareness raising training is provided to all staff and associates on harassment, bullying and discrimination. Through training, staff and associates will be equipped to develop awareness as well as an understanding of when and how to report any concerns.
3. Proactive steps are taken to communicate the zero-tolerance message.
4. All new staff and associates are informed of the policy and procedure.
5. All staff and associates are aware of the definitions under this policy and what constitutes harassment, bullying, and discrimination.
6. All staff and associates are aware of reporting procedures.
7. All staff and associates have signed and acknowledgement that they have read and understood the policy.

Anti-Harassment Reporting Procedures

The associated Procedure document outlines how to report any incidents of harassment, discrimination or bullying.

Policy Review

To meet with sector best practice and harassment management developments as well as any changes in applicable law, EngenderHealth agrees to review this policy and the entire Safeguarding Framework every two years, as a minimum. It is the responsibility of the Chief of Governance and Operations to complete this review, in collaboration with any key internal stakeholders or external third-party providers.