

2021

Policy on Prevention of sexual harassment



ICSF

International Collective in Support of Fishworkers

The purpose of this policy is to provide a safe working environment free from discrimination, harassment including sexual harassment.

Version 1.0

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1. Preamble

ICSF 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. ICSF will operate a zero tolerance policy for any form of sexual harassment in the workplace, treat all incidents seriously and promptly investigate all allegations of sexual harassment. Any person found to have sexually harassed another will face disciplinary action, up to and including dismissal from employment.

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

2. Application

Anyone, including employees of ICSF, donors, associates, consultants, casual workers or contractors who sexually harasses another will be reprimanded in accordance with this internal policy.

3. Definition of sexual harassment

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

Physical and verbal 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

Unwelcome 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 or gender of the worker
	Condescending or paternalistic remarks
	Sexual stereotyping
Non-verbal conduct	Display of sexually explicit or suggestive material Sexually-suggestive gestures
	Whistling
	Leering

Anyone can be a victim of sexual harassment, regardless of their sex and gender and of the sex or gender of the harasser. ICSF 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.

ICSF recognises that sexual harassment is a manifestation of power relationships and often occurs within unequal relationships in the workplace, for example between manager or supervisor and employee.

All sexual harassment is prohibited whether it takes place within ICSF premises or outside, including at social events, business trips, training sessions, workshops or conferences organised by ICSF.

Ombudsperson	will be a Member with non-executive position for the purpose of receiving all complaints under this Policy and ensuring appropriate action. The Board shall appoint the Ombudsperson. In the event of any vacancy arising, the same will be filled within 30 working days.
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Protected Disclosure	means a concern about "Reportable Matter" raised by a written communication made in good faith that discloses or demonstrates information that may evidence unethical or improper activity.
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Reportable Matter	(a) fraud or deliberate error in the preparation, evaluation, review or audit of financial statement of ICSF
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	(b) fraud or deliberate error in the recording and maintaining of financial records of ICSF and/or
	(c) any other ICSF's matter involving abuse of authority; breach of contract; financial irregularities including fraud or suspected fraud; bribery; corruption; deliberate violation of law/regulation; wastage/misappropriation of ICSF's funds/assets; employee misconduct; breach of ICSF's code of conduct and ethics and any other unethical conduct.
Subject	a person against or in relation to whom a protected disclosure is made or evidence gathered during the course of an investigation.
Whistle-blower	someone who makes a protected disclosure under this policy.
Whistle Officer or Committee	an officer or committee of persons who is nominated/appointed to conduct detailed investigation.

4. Complaints procedures

Anyone who is subject to sexual harassment should, if possible, inform the alleged harasser that the conduct is unwanted and unwelcome. ICSF 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. If a victim cannot directly approach an alleged harasser, he/she can approach the Internal Complaints committee to address sexual harassment at the workplace.

Complaints shall be registered within 120 from the last incident. When the Internal Complaints Committee receives a complaint of sexual harassment, the committee 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

(a) Informal complaints mechanism:

If the victim wishes to deal with the matter informally, the committee will appoint a counsellor who 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 60 days of the complaint being made.

(b) 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.

Where initially informal complaint mechanism was explored and a satisfactory resolution could not be reached, the counsellor's report shall be placed before the committee. The committee shall carry out an investigation by referring the matter to an internal or external investigator or take it up on its own accord. 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 all records concerning the matter are kept confidential
- ensure that the process is done as quickly as possible and the recommendations implemented within 150 days of the complaint being made.

5. 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
- adverse performance evaluation
- reduction in wages
- transfer
- demotion
- 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.

6. Implementation of this policy

ICSF will ensure that this policy is widely disseminated to all relevant persons. All new employees must be trained on the content of this policy as part of their induction into the company. Every year, ICSF will require all employees to attend a refresher training course on the content of this policy. It is the responsibility of every manager to ensure that all his/her employees are aware of the policy.

7. Amendments

Amendments may be necessary, among other reasons, to maintain compliance with various regulations and/or organisational changes within ICSF.

Amendments to the policy due to changes in Law, maybe done at the earliest by the Board with ratification in the immediate following General Meeting of Members and any other amendments shall take effect upon confirming by the Members in the General Meeting of Members.