

HOW TO: DEVELOP A COMPREHENSIVE SEXUAL HARASSMENT POLICY

This guide seeks to support organisations in developing comprehensive policies to prevent and address sexual harassment in the workplace. It identifies the key components of a sexual harassment policy and presents a number of best practice policies and additional resources on addressing sexual harassment.

Why sexual harassment policies matter

Sexual harassment is a form of gender-based discrimination and a human rights violation that occurs in a context of power imbalances. It can result in significant mental health consequences, derail careers, and is enabled by and contributes to fostering an organisational culture of hostility, distrust and discrimination. Women are at particular risk of sexual harassment, in particular young women and women with precarious contracts, and people with non-conforming gender identities.

While many countries have legislation criminalising workplace sexual harassment, organisations have a responsibility to staff to shape and enforce their own tailored policies.

Not only is discrimination and harassment unacceptable from a moral standpoint, but harassment in the workplace can result in substantial costs to organisations, including legal costs and costs related to reduced productivity due to increased absences and lower motivation. In this way, sexual harassment can have significant implications for how organisations attract and retain talent.

Sexual harassment in the global health and development sector is widespread despite the sector being entrusted with respecting, protecting and fulfilling the fundamental principles of human rights.

While sexual harassment and abuse is common, comprehensive policies to prevent and address it are not. The GH5050 assessment of sexual harassment policies of 198 organisations active in global health found that only 32% publish their sexual harassment policies online. Even where policies exist, they are often weak or their enforcement ineffective. Just 25 of 77 organisations whose policies were available for review were found to have comprehensive sexual harassment policies.

A comprehensive policy is a fundamental first step towards preventing and addressing sexual harassment. These policies should be made available to all staff and board members to provide clear guidance and direction about organisational protocol, prevention, training, resolution and accountability. Putting sexual harassment policies in the public domain further demonstrates an organisation's prioritisation of the prevention of sexual harassment and willingness to bring the issue out of the shadows.

Policies on paper are essential but insufficient on their own. An inclusive and diverse workforce paired with a non-discriminatory organisational culture are key to shaping a workplace that empowers women and models gender equality.

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It is high time to move beyond rhetoric and tokenism and instead walk the talk in creating workplaces that are safe and dignified. Our efforts only matter if they are visible, measurable and truly improve the lived experiences of the people who serve our organisations.

RAVI VERMA

ASIA REGIONAL DIRECTOR
INTERNATIONAL CENTER FOR RESEARCH ON WOMEN

Key components of a comprehensive sexual harassment policy

Drawing on existing global norms and guidelines, GH5050 has identified four best practice elements of a comprehensive sexual harassment policy, drawn from international standards. These four best practice elements and their essential components include:

Commitment & Definition

- ❑ a statement of non-tolerance of sexual harassment
- ❑ a definition of sexual harassment
- ❑ examples of sexual harassment

Confidentiality & Non-Retaliation

- ❑ a guarantee of confidentiality to the complainant
- ❑ a guarantee that complainants will not be retaliated against

Training

- ❑ the provision of mandatory training for all staff

Reporting & Accountability

- ❑ a description of reporting and investigation processes
- ❑ a stipulation of sanctions that will apply to those found to commit sexual harassment
- ❑ a transparent reporting mechanism to all staff and the board on, at minimum, number of complaints, number of cases investigated and outcomes of investigations

Organisations should adopt a policy to prevent and address sexual harassment that meets these best practice standards and is situated in a wider organisational policy framework that promotes dignity and civility at work. The scope of such policies should be clear: it should be explicit as to when and to whom the policy applies. For example, the policy should specify that it applies regardless of where harassment takes place - both on work premises and outside including social events, conduct after hours or business trips sponsored by the organisation.

It is also important that policies are clear about who can report experiencing or witnessing sexual harassment and what can be reported. Organisations should ensure that all staff know how to report and to whom, and emphasise that any behaviour that might be considered unwelcome can be reported.

Moreover policies should be explicit that anyone can be a victim of sexual harassment, regardless of their sex/gender, the sex/gender of the harasser or their employment status.

Best practice sexual harassment policies

Best practices that have proven effective over the medium- or long-term in preventing and addressing sexual harassment are still being identified. Promising practices and comprehensive guidance are however emerging.

A number of organisations are setting high standards through their sexual harassment policies, including those working in global health. Below are examples of GH5050 best practice components in action:

1 Commitment and definition

ICDDR,b provides an explicit definition of sexual harassment:

“Sexual harassment is inappropriate, unwanted and unwelcome conduct or behaviour of a sexual nature perceived as harassment by the receiver, which has an adverse effect on the dignity of women and men both inside and outside the workplace.

Sexual harassment is defined as any direct or indirect form of the following behaviours:

- *unwanted physical contact or conduct*
- *verbal abuse of a sexual nature*
- *demeaning, insulting, intimidating or sexually aggressive comments*
- *threats that refusal of sexual advances will have an adverse effect on employment conditions*
- *demeaning comments or psychological pressure for refusing sexual advances.”*

2 Confidentiality and non-retaliation

DNDi’s policy commits to maintaining confidentiality in reporting:

“Confidentiality is particularly important during the reporting of potential incidents of Sexual Misconduct in order to ensure that the rights and dignity of victims are respected, that those with information are not hesitant to come forward, and to avoid damaging the reputation of individuals, workplaces, projects or organizations by the premature disclosure of allegations. As such, the number of people who are informed about any reported complaint should be kept to a minimum, although other persons believed to be vulnerable and likely to become victims may be informed of the disclosing person’s concerns. In particular, the identity of any person or entity reporting observed or suspicions of Sexual Misconduct must be kept confidential.”

Accenture outlines provisions for non-retaliation:

“Accenture has zero tolerance for retaliation against anyone who speaks up in good faith. Retaliation means any kind of unfair treatment, whether subtle or overt. There are serious consequences for retaliation, up to and including dismissal.”

3 Training

DNDi recognises the need for organisation-wide training and awareness raising:

“DNDi is committed to ensuring that effective sensitization and training measures are continuously developed and implemented with the aim to provide guidance and increase awareness of the risks of Sexual Misconduct or other inappropriate sexual behaviour and to develop skills for understanding, detecting, preventing and reporting any form of Sexual Misconduct or other forms of inappropriate sexual behaviour by any DNDi Staff. These trainings and sensitization courses are to be conducted at regular intervals in all DNDi workplaces.”

4 Reporting and accountability

UNOPS outlines the procedure for the open reporting of results back to staff and the Board:

“In the interests of transparency, the Executive Director may inform the Executive Board of disciplinary/ administrative decisions taken in the course of the preceding year, and publish an annual report of cases of misconduct (without the individuals’ names) that have resulted in the imposition of disciplinary/ administrative measures. The Executive Director may choose to not disclose a case at his or her discretion. Any such report shall be made available to all personnel.”

What you can do

... if you are a senior manager or human resources officer

- Show zero tolerance for sexual harassment and commit to preventing and addressing gender-based discrimination.
- Examine your organisation’s current sexual harassment policy in relation to the best practice standards set out in this guide.
- Put a consultative process in place to modify or develop your organisation’s policy to ensure that it is effective, tailor-made and compliant with local legislation, and increase ownership and commitment among staff, management and board members.
- Engage with employees on the issue, provide clear resources and normalise dialogue around sexual harassment.
- Ensure that new, present and exiting staff members are aware of processes of reporting and investigation, and sanctions that can be applied.
- Participate in and ensure that effective training is mandatory for all employees. Ensure that extra training is provided for staff serving in roles where they will be supporting individuals who report sexual harassment and misconduct.

- Conduct regular surveys on sexual harassment in the organisation to identify harmful practices, magnitude and underlying causes.
- Promote transparency around your sexual harassment policy and ensure complementary and reinforcing policies to support a culture of intolerance of sexual harassment and the promotion of gender equality.

... if you are an employee

- Get to know your organisation's policies and processes of reporting and investigation - if the policy is not readily available, talk to your manager about accessing it.
- Examine your organisation's current sexual harassment policy in relation to the best practice standards set out in this guide and consider looking at other examples from your sector.
- Participate in training and lobby for training to be provided to all new and present staff.
- Engage with unions, other staff or senior managers on the issue and contribute to normalising dialogue around the issue of sexual harassment and gender inequality.



Show zero tolerance for sexual harassment and commit to preventing and addressing gender-based discrimination.

Recommended resources

This guide has outlined the key components of a comprehensive sexual harassment policies. The following resources offer further support in developing and implementing comprehensive sexual harassment policies. These resources can also be found on the GH5050 site [globalhealth5050.org/resources].

- ✓ The UN System [Model Policy](#) on Sexual Harassment and the ILO [Sample Sexual Harassment Policy](#) are based on international best practices with the aim of supporting organisations as they develop sexual harassment policies.
- ✓ The UN Women report [Towards an End to Sexual Harassment: The Urgency and Nature of Change in the Era of #MeToo](#) provides essential guidance to policy makers, employers and activists and sets out a framework to address sexual harassment at work.
- ✓ The UN Women-ILO Handbook on [Addressing violence and harassment against women in the world of work](#) presents promising practices from governments, employers, trade unions, and nongovernmental organisations worldwide.
- ✓ These UN Women [Enabling Environment Guidelines](#) support efforts to implement policies and create a working environment that embraces equality, eradicates bias and is inclusive of all staff.

The GH5050 2019 Report acknowledges 14 global health organisations that scored “best practice” across all four elements of a comprehensive sexual harassment policy and made their policies available in the public domain. Several of those policies can be found below:

- Accenture ([Code of Business & Conduct Counts](#))
- [Global Alliance for Improved Nutrition \(Anti-harassment & Grievance\)](#)
- [Drugs for Neglected Diseases Initiative](#)
- [Icddr,b](#)
- [Food and Agricultural Organization of the United Nations](#)
- [Mercy Corps](#)
- [United Nations Development Programme](#)

About the series

GH5050 How-To Guides consolidate global best practice and evidence to support organisations in developing and improving gender-related policies and practices. GH5050 encourages organisations to use these guides as a starting point. Recognising that every organisation – their staff, sector, context and experience – is unique, organisations should develop their policies through rigorous, evidence-informed and consultative processes to ensure that they are effective and tailor-made, while increasing ownership and commitment among all staff, management and board members.

In the series:

- Measuring and Addressing the Gender Pay Gap in Global Health
- Guide to Parental Leave, Flexible Working and Family-Friendly Workplace Policies *[coming]*
- How to Develop a Comprehensive Sexual Harassment Policy
- Reviewing Gender-Related Policies and Practices: Global Health 50/50 2019 Report Methodology

Located here: globalhealth5050.org/GH5050-How-To-Series

GH5050 2019 Report and Organisational performance

Global Health 50/50 is an independent initiative to advance action and accountability for gender equality in global health and contribute to the 2030 Agenda for Sustainable Development. Its 2019 Report, [Equality Works](#) reviewed the gender-related policies and practices of 198 global organisations active in health, with a special focus on gender equality in the workplace.

To review your organisation’s results, visit globalhealth5050.org/data-2019/. If your organisation was not included in the report, we encourage you to take the GH5050 Organisational [Self-Assessment](#).

For more information contact: info@globalhealth5050.org.

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