FV-20 | Sexual Harassment Policy

APPROVED BY THE COMMITTEE
Reviewed November 2026

Scope

All workforce members, volunteers, applicants and work-related dealings, including travel, events and online activity.

Purpose and prohibited conduct

Fishcare prevents sexual harassment, sex-based harassment, sex discrimination, hostile workplace environments on the ground of sex and related victimisation. Sexual harassment is an unwelcome sexual advance, request for sexual favours or other unwelcome sexual conduct where a reasonable person, considering all circumstances, would anticipate possible offence, humiliation or intimidation. It may be a single incident; intent is not the test.

Examples include unwanted touching, sexual comments or images, repeated requests for dates after refusal, sexual messages, intrusive questions, coercion or conduct exploiting a power imbalance. People of any gender may experience or perpetrate it. A past relationship or earlier consent does not establish present consent. Volunteers also have protections against sexual harassment.

Positive duty and prevention

The Committee and EO must take reasonable and proportionate steps to eliminate relevant unlawful conduct as far as possible under the Sex Discrimination Act 1984 and meet the Victorian Equal Opportunity Act positive duty. Identify risks in power imbalances, isolated work, travel, accommodation, alcohol, public-facing events and online communication. Consult the workforce, provide clear standards, leadership, training, safe reporting and independent response options, monitor effectiveness and resource improvements. Apply psychosocial risk duties as well as responding to complaints.

Reporting and immediate safety

A person may speak to a facilitator or EO, the President about the EO, or an unconflicted Committee member about the President. They do not need to confront the respondent, use a form or first attempt informal resolution. Call 000 for immediate danger and contact Police for suspected crime. Child-related conduct follows the Child Safe Reporting Policy immediately. A manager who observes a risk must act even without a formal complaint.

Support and fair response

Listen without blame, ask about immediate needs and preferred communication, explain information sharing and reporting obligations and offer a support person

and appropriate specialist help. Provide proportionate interim measures without automatically disadvantaging the person reporting. Confidentiality is limited to those who need information for safety, lawful reporting and fair process; never promise secrecy or impose unlawful gag conditions.

Use an unconflicted, competent decision maker, explain allegations and provide a reasonable opportunity to respond. Do not force mediation, joint meetings or withdrawal of an external complaint. Record reasons, communicate appropriate outcomes and review safety and retaliation afterwards. An unsubstantiated complaint is not necessarily false. Breaches may lead to proportionate discipline or ending an engagement under fair procedures.

External pathways

People may seek advice or make complaints to VEOHRC, the Australian Human Rights Commission, Fair Work Commission or Police as applicable without Fishcare permission or completing an internal process. Different remedies have different time limits. Fishcare must not retaliate against someone who reports, supports a person, gives evidence or exercises a legal right.

References and review

Reviewed November 2026. Review again in November 2027, or earlier after a relevant legal, service or risk change.

Sex Discrimination Act 1984 (Cth): positive duty
https://humanrights.gov.au/know-your-rights/rights-of-individuals/workplace-rights/positive-duty-sex-discrimination-act

Equal Opportunity Act 2010 (Vic): workplace rights and positive duty
https://www.humanrights.vic.gov.au/for-individuals/employment/

VEOHRC: volunteers and sexual harassment
https://www.humanrights.vic.gov.au/for-individuals/volunteering/

OHS (Psychological Health) Regulations 2025 (Vic)
https://www.worksafe.vic.gov.au/psychological-health-regulations-frequently-asked-questions