

# SEXUAL HARASSMENT

## POLICY

### **Definition:**

Sexual harassment is any verbal or physical conduct that is unwelcome and uninvited. It has nothing to do with the mutual attraction or genuine affection between two people. Such friendships, whether sexual or not, are a private concern. Sexual harassment can occur from male to male, female to female, male to female or female to male, child to adult, adult to child.

The *Sexual Harassment Policy* applies to all people in the workplace including Department and school council employees, casual staff, volunteers, contractors, parents/carers, students and the wider school community. It covers all persons in the school community acting as agents of the Department. Every person in the workplace is responsible for maintaining a working environment free from sexual harassment and is potentially liable for their actions if sexual harassment occurs

Sexual harassment may include such actions as:

1. sexually offensive staring, leering or gesturing
2. sexually oriented verbal suggestions - e.g. comments about a person's body
3. sexually based jokes, remarks or innuendos directed at, or about, another person
4. displays of offensive pictures/publications
5. sexually offensive behaviour used on social media
6. physical contact of a sexual nature such as patting, pinching or brushing up against a person unnecessarily
7. unwelcome questioning about a person's private life.

If such behaviour makes the recipient feel:

1. offended or humiliated
2. intimidated or frightened
3. uncomfortable

then it is against the law.

### **Rationale:**

1. Sexual harassment creates an intimidating, hostile and offensive work environment.
2. Regardless of gender, all people can be victims. It is unwelcome, illegal and will not be tolerated.
3. The school recognises that everyone has a legal right to protection from sexual harassment.

### **Aims:**

1. To provide an enjoyable, harmonious work and learning environment that actively discourages sexual harassment.
2. To ensure that appropriate standards of conduct are maintained at all times.

### **Implementation:**

#### **STAFF**

1. The Department of Education and Early Childhood Development and School Councils are responsible for providing a work environment free from sexual harassment. This responsibility will be discharged through the School Principal
2. All staff, volunteers and students have a responsibility to ensure their behaviour does not constitute or foster sexual harassment
3. Staff will be involved in sexual harassment professional development
4. A workplace contact person will be the nominated initial point of contact for complaints. This is the Assistant Principal
5. It is not the role of the workplace contact person to investigate, substantiate or resolve complaints, but they are responsible for providing confidential support to a complainant, and to inform the complainant of their rights and options
6. The workplace contact person will inform the Principal (Sexual Harassment Advisor) of the school of all allegations of sexual harassment or sexual misconduct
7. The Principal will treat all allegations of sexual harassment or misconduct seriously, and will report all matters to the Conduct & Ethics Branch for further instruction

## **STUDENTS**

If a student thinks that they have experienced sexual harassment, the student should contact a staff member or the Sexual Harassment Advisor (Principal) as soon as possible, and the following steps will be taken:

1. The Sexual Harassment Advisor will investigate the complaint by: meeting confidentially with the complainant, completing a report form and speaking to any witnesses; and meeting confidentially with the respondent
2. If there are sufficient grounds to believe the incident took place, the respondent will be encouraged to accept responsibility for their behaviour and they will need to make an agreement to change parts of their behaviour. Usually a form is completed listing strategies for behaviour modification for the respondent
3. Strategies may include:
  - a meeting with the person who has been harassed for mediation with the Sexual Harassment Advisor (if the student is comfortable with this)
  - an apology
  - a guarantee that it will not reoccur
4. Each case is treated individually and followed up at regular intervals by the Sexual Harassment Advisor
5. Parents are contacted

## **COMMUNITY MEMBERS**

Incidents by members of the wider school community, occurring at school, will be referred directly to the Sexual Harassment Advisor (the Principal) for advice.

### **Evaluation:**

- This policy will be reviewed as part of the school's three-year review cycle.

This policy was last ratified by School Council in....

**2016**