

**POLICY NO. OHS016 (Previously #57)      SEXUAL HARASSMENT POLICY**

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**Date approved by School Council:** 9<sup>th</sup> August, 1999

**Reviewed by:** J Satchwell in conjunction with the Education Sub Committee 11/02/14

**Date approved by School Council:** 9/02/15

**Definition:**

Sexual harassment is any verbal or physical conduct of a sexual nature that could reasonably be expected to make a person feel offended, humiliated or intimidated and is identified by any of the following occurrences:

- It is uninvited, unreciprocated, unwelcome and/or repeated.
- Submission to such conduct is implicitly or explicitly a term or condition of an individual's employment, or a condition for decisions that might affect promotion, salary or any job conditions.
- Such behaviour creates an intimidating, hostile or offensive work environment for any employee.
- People are defined in terms of their gender or sexual preference, and their individual contribution and worth are denigrated or ignored as a result.
- Sexual harassment can be physical, verbal, or written and can include words, actions, statements or images. It is unlawful behaviour under the Commonwealth Sex Discrimination Act 1984 and the Equal Opportunity Act 2010.

**Rationale:**

- Sexual harassment creates an intimidating, hostile and offensive work environment.
- Both males and females can be victims. It is unwelcome, illegal and will not be tolerated.
- The school recognises that everyone has a legal right to protection from sexual harassment.

**Aims:**

- To promote the right of every student to experience a school environment that is free from sexual harassment
- To promote the right of all staff to experience a workplace that is free from sexual harassment
- To provide appropriate procedures to deal with complaints of sexual harassment

### **Implementation:**

- The Department of Education and Training and school councils are responsible for providing a work environment free from sexual harassment. This responsibility will be discharged through the school Principal and/or Assistant Principal or OH&S Leader.
- All staff have a responsibility to ensure their behaviour does not constitute or foster sexual harassment, to report instances of sexual harassment, and will be involved in sexual harassment professional development.
- All staff will complete the Department of Education online workplace discrimination and harassment training as required.
- A workplace contact person will be nominated by the Principal and/or Assistant Principal or OH&S Leader as the initial point of contact for complaints. The appointed sexual harassment contact person will receive appropriate professional development on sexual harassment policy and receive advice on managing sensitive matters.
- 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.
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- The workplace contact person will inform the Principal and/or Assistant Principal or OH&S Leader of the school of all allegations of sexual harassment or sexual misconduct, and will maintain confidentiality at all times.
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- The Principal and/or Assistant Principal or OH&S Leader will treat all allegations of sexual harassment or misconduct seriously, will ensure the principles on natural justice are observed at all times, and will report all allegations of sexual harassment involving staff to the Conduct & Ethics Branch for further instruction. If the allegation of sexual harassment involves a student/s the matter will be referred to the Student Critical Incident Advisory Unit, ensure the student receives support, guidance and counselling, and the Principal and/or Assistant Principal or OH&S Leader will liaise with parents as appropriate. If the Principal and/or Assistant Principal or OH&S Leader believes a crime has been committed they will report the matter to police
- If at any time any person involved in any complaints process requires counselling, contact should be made with the Employee Assistance Program on 1800 337 068.
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- All staff members are referred to the following website for detailed information regarding Sexual Harassment – [Sexual Harassment Policy & Procedures](#)

### **Evaluation:**

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