



HARASSMENT

Revised January 2016

Introduction

Each member of the School community has the right to be treated with respect and as an individual, free from prejudice, discrimination, and physical and/or emotional abuse or intimidation. These procedures clarify what constitutes harassment, and provide guidelines for addressing complaints.

Definition

Harassment is any spoken, written or physical behaviour which is unwelcome and offensive. Behaviour constitutes harassment if it is offensive and unwelcome by the recipient, whether or not the offender intends or understands it to be. There are three types of harassment. All are unacceptable.

1. *Subtle*

Inappropriate personal comments about appearance, dress, sex, ethnic origin, religion, private life, etc.
Offensive jokes.
Leering or staring.
Belittling comments (put-downs).
Unwelcome physical contact or behaviour.

2. *Explicit*

Swearing or unacceptable language directed at an individual.
Threats or threatening comments.
Persistent personal comments or unwelcome behaviour.
Offensive gestures.
Display of offensive material.
Overt physical behaviour, eg. punching, grabbing, pushing, fighting.

3. *Criminal*

This form of harassment is where behaviours may be subject to legal action. They include assault, sexual assault, indecent exposure and sending obscene messages. Under the Victorian Equal Opportunity Act (1995) and the Commonwealth Sex Discrimination Act (1984) sexual harassment is unlawful.

Aims

- The School Council and Principal are required to ensure that all employees and students are treated fairly and equitably and are not subject to harassment.
- It is important to ensure that complainants and witnesses are not victimised in any way.

- Any complaints of sexual harassment will be treated seriously, sympathetically and confidentially.
- A teacher will be elected as Equal Opportunity Advisor with responsibility for listening to and advising student complainants, and also for recommending options for adult complaints of sexual harassment.
- It is intended that any complaints involving conduct between students will be taken seriously and dealt with either according to the Discipline Policy or, for more serious complaints, the complaint will be investigated by the Principal in conjunction with the Equal Opportunity Advisor, and further action will be recommended.
- Consequences for harassment will vary according to the seriousness of the offence and the student's previous history of behaviour.

Implementation

Mediation is the process for resolving disputes. It assumes that individuals may have different opinions or interpretations of an incident. It is aimed at negotiating an agreement for the future that is acceptable to all.

The mediator's role is to listen to both sides, and ensure that an agreed outcome is reached and recorded.

Students need to be instructed to take direct personal action by making it clear that the behaviour/action is unacceptable by speaking up and saying how they feel. If this action does not stop the harassment, the student needs to talk to someone they can trust - parents, teacher, Principal.

If the harassment continues, a formal complaint will be referred to the Equal Opportunity Advisor who will refer the matter to the Principal and mediation will take place to attempt to resolve the issue.

Disciplinary measures will be carried out.

Staff and students need to be informed as to different types of harassment and the procedures to follow.

This policy needs to be reviewed every two years.