



## **Sexual Harassment Student Policy**

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### **Definition:**

Sexual harassment is unlawful behaviour under the Commonwealth Sex Discrimination Act 1984 and the Victorian Equal Opportunity Act 2010.

Sexual harassment is unwanted and unwelcome sexual behaviour that a person should have realised would have offended, intimidated or humiliated the other person.

Sexual harassment covers a range of behaviours and may be deliberate or unintentional, verbal or physical. Forms of harassment which some may consider trivial, others may find distressing.

### Examples of unlawful behaviour in this context include:

- suggestive comments about a person's alleged sexual behaviour or physical appearance
- cat calls, wolf whistles, leering or staring, suggestive facial expressions
- intrusive sexual questioning
- smutty or suggestive jokes
- display of sexually suggestive or pornographic pictures
- persistent unwelcome social invitations or telephone calls or requests for dates
- obscene notes, letters, e-mail, graffiti, text messages, internet postings
- unnecessary familiarity such as deliberately brushing against a person
- physical contact such as pinching, fondling or touching
- direct propositioning
- indecent exposure
- making promises or threats in return for sexual favours
- stalking, indecent assault or rape

### **What Sexual Harassment is Not:**

Sexual harassment is not behaviour that is based on mutual attraction, friendship or respect. If interaction between individuals is consensual, welcome and reciprocated, it does not constitute sexual harassment.

### **General Policy:**

The College acknowledges its legal and moral obligation to ensure that its students and staff are not subjected to sexual harassment of any kind.

The College is committed to providing a safe and secure learning and working environment in which sexual harassment does not occur and where all members of the community are treated with dignity, courtesy and respect. All students and employees are required to honour and support this commitment.

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However, if sexual harassment does occur, the College is committed to the effective (and early) resolution of any complaint, providing appropriate counselling and disciplinary procedures to deal with it.

The College will regularly publish and promote discussion of the Sexual Harassment policy in appropriate student, staff (teaching and administrative and services) and parent groups within the College community and will implement strategies to ensure that everyone is aware of his or her rights and responsibilities.

The College will also review the Sexual Harassment Policy from time to time to ensure that it is continuing to meet the needs of the College and takes into account any changes to relevant legislation.

**Equal Opportunity Contact Officers:**

Initially it is advised that students seek support from the Schools Equal Opportunity Contact Officers, also known as Sexual Harassment Advisers. This is an informal process to discuss your concern in confidence and they can inform you regarding appropriate processes and options.

The EO Contact Officers' names and contact details are on StudentNet.

**General Procedures for Dealing with Sexual Harassment:****Sexual Harassment Complainant**

If a student believes he/she is being sexually harassed, he/she should be encouraged to deal with the problem in the following ways:

- tell the alleged harasser that he/she objects to the behaviour and does not want it repeated
- *if the alleged harasser is a fellow student:*
  - ⇒ report the matter to a responsible adult (Head of House, Head /Deputy Head of Student Welfare, Team Leader, Area Leader, Class Teacher, Tutor, Learning Mentor, School Counsellor) who will fill in a behavioural incident report form, offer advice on strategies for dealing with the problem and help to implement these using a no-blame or restorative practices approach in the first instance, if appropriate
- *if the alleged harasser is a teacher:*
  - ⇒ report the matter to a Deputy Head/Director of Campbell House or Head of School, who will advise on and deal with the matter (or to a Team/Area Leader in the Preparatory School or Head of House in the Senior School, or School Counsellor, who will report it to the relevant Head of School)
- *if the alleged harasser is the parent of another student:*
  - ⇒ report the matter to a trusted member of staff who must report it the Head of School

*If the above fail, it is possible to lodge a formal complaint with a Head of School or the Principal. A student who is sexually harassed can expect ongoing support by appropriate members of staff.*

**Sexual Harasser**

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If a person is deemed to be sexually harassing someone else, the following procedures apply:

- a restorative approach will be taken where the sexual harasser will be encouraged to understand the offence caused by his/her behaviour and to cease it immediately; every effort will be made to ensure a good understanding of the issues concerned. As sexual harassment requires a coordinated response from all members of our school community, parents will generally be involved in any discussion, be it at an informal or formal level.
- if the school believes that a restorative approach is not in keeping with the offence/s, is not practical, is not working, or the sexual harassment has persisted -- consequences such as detention, community service, suspension, expulsion, or reporting the matter to the police or appropriate authorities may be applied. The sexual harasser's parents will always be contacted in these circumstances.
- the sexual harassment offence will be recorded in the harasser's and victim's file

**Appeals/Grievances**

If the person making a complaint or the person accused wishes to take the matter to the Principal, they may do so. The Principal (or Principal's delegate) will carry out a further investigation of the matter and then act on his/her findings in an appropriate manner. This may be the invoking the College's disciplinary measures or reporting of the matter to the police or appropriate authorities.

**Bystander**

The positive behaviour of the bystander (person observing the sexual harassment) can have a major impact on the reduction of the harassment. Most students report that they wish to support victims by intervening directly or indirectly (by telling a teacher). We encourage students and members of staff to be active bystanders by:

- directly indicating to the alleged harasser that you feel the behaviour is sexual harassment and that you will take action by talking to the appropriate teacher (or Head of School) so the appropriate action can be taken
- telling a responsible adult (or Head of School) that the sexual harassment has occurred and detailing what occurred, so the appropriate action can be taken

*It is crucial that this reporting responsibility be assumed by all members of the community.*