



Procedure 2.04

Harrassment

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Harassment

Purpose

To minimise the possibility of harassment occurring at school.

To provide guidance for an appropriate course of action in dealing with harassment.

Rationale

As part of its health and safety requirements the Board operates an environment which is free as far as possible from harassment.

Harassment is not acceptable in this school. The Principal and/or the Board of Trustees will consider complaints of harassment sympathetically and seriously, and ensure the person making the complaint is not subjected to victimization.

Policy Statement

The Board of Trustees will:

- Create a work environment where staff and students can feel comfortably able to work free from harassment
- Fulfil legislative requirements relating to employment and safety of staff.
- Clarify the nature of the harassment and how it should be recognized and addressed.
- Establish procedures for handling complaints.

Definitions

1. Harassment is illegal and is a form of discrimination.
2. Harassment is unsolicited verbal or physical conduct by a person or group and is:
 - Unwelcome or offensive; or might reasonably be perceived by the victim as unwelcome or offensive.
 - Of a serious nature or persistent to the extent of having a detrimental effect on the individual's employment, job performance or opportunities.
3. Harassment can involve:
 - Personally offensive verbal comments.
 - Racial references.
 - Sexual or smutty jokes.
 - Repeated teasing or comments about a person's gender, race, body type, alleged sexual activities or private life.
 - Persistent unwelcome social attentions or telephone calls to workmates at work or at home.
 - Being followed home from work.
 - Offensive hand or body gestures.
 - Unwanted and deliberate physical contact such as patting, pinching, touching or putting an arm around another person's body.
 - Provocative posters with sexual connotations.
4. The above is not a complete list - other behaviours may constitute harassment.



Guidelines and Procedures

Prevention of Harassment

School Teaching Programmes

The principal will ensure that teaching and learning programmes include aspects designed to:

- Protect students from any form of abuse or harassment.
- Ensure that students know the steps to take when making a complaint and where to go for support in the community and at school.

Harassment of Students

Harassment by Staff Members

1. Where a staff member becomes aware of the alleged harassment of a student by another staff member, the matter will immediately be referred to the principal.
2. The principal's obligations are to ensure the protection of the student(s) and the fair treatment of the staff member(s) against whom allegations have been made.
3. If the complainant or the offender is a minor, their parents will be informed of the incident
4. The principal will follow school procedures which follow the relevant Collective Employment Agreement for complaints against staff members.
5. Refer to [Procedure 2.05 Referral to Child Protection Agencies](#) which may be relevant.

Harassment by Other Students or Adults outside the School

1. Where staff members observe harassment - or become aware of allegations of harassment or abuse of students by other students - the matter will immediately be referred to the principal.
2. The principal will ensure that the best available information relating to the alleged harassment is gathered.
3. The principal will - in consultation with senior staff - decide on the course of action to take. This may involve:
 - Referral to child protection agencies – see Procedure 2.05 Referral to Child Protection Agencies.
 - Informing and consulting parents.

Harassment of Staff Members - (refer also to [form 5.05a Concerns and Complaints flowchart](#))

In the First Instance

In the event of harassment, the complainant should in the first instance notify the offender that he/she does not condone such behaviour and it must stop.

In the Event of Repetition

1. If the harassment is repeated, the complainant should choose another staff member to act as "buddy" and mediator.
2. The principal should be informed that there is a harassment matter being dealt with.
3. The person responsible for the harassment should be approached by the chosen mediator and informed that the behaviour is unacceptable and must stop. Assurances should be sought that the



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behaviour will stop and that an apology will be made. The principal is to be informed that the matter is resolved.

If the Complainant, Harasser and Mediator Can't Resolve the Matter

4. The principal (or, in the event that the principal is the alleged harasser, the BOT chairperson) is to be informed in writing - by the complainant - of the nature of the harassment.
5. The principal (or BOT chairperson) will promptly investigate the complaint.
6. If inquiring into a complaint relating to alleged sexual harassment; under no circumstances will the complainant's actual or alleged sexual experience or reputation be inquired into or referred to.
7. If the principal (or BOT chairperson) is satisfied that the harassment has occurred (s)he will take all practical steps to prevent a similar situation recurring.
8. The complainant may wish to contact their union representative.
9. Care must be taken during and after the investigation to prevent any disadvantage to the complainant; and to protect the position of other parties if the complaint is found to be unwarranted.

If the Principal (or BOT chairperson) Does Not Satisfactorily Resolve the Matter

10. The complainant can lay a personal grievance complaint against the employer (the BOT and/or principal) under the terms of their employment contract, the Labour Relations Act, or The Human Rights Commission Act.
11. An employee who belongs to a union may seek the support of their union.

Mediation

1. A staff member is free to seek support from a trained mediator or any other person of their choice.
2. If the support person/mediator fails to resolve the issue, the BOT should set up a Grievance Committee to deal with the issue. The Grievance Committee would have membership to suit the situation.

Reporting to the Board of Trustees

1. The principal will report to the chairperson of the BOT; any alleged incident of abuse or harassment. In doing so the privacy of individuals will be protected.
2. The BOT chairperson will decide on the extent to which the BOT will be informed and involved. In making this decision, the chairperson may seek guidance from the School Trustees Association field officers.

Approval

When the Board approved this Procedure, it agreed that no variations of this Procedure or amendments to it can be made except with the unanimous approval of the Board.

This procedure is approved by the Patricia Avenue School Board of Trustees

Reviewed:

Signed: _____ date: _____

Board of Trustees Chairperson