

Sexual Harassment

Rationale

- To ensure a procedure and support is in place for any staff member or student who may be subjected to offensive behaviour of a sexual nature.
- Sexual Harassment ‘takes away from the employee equal employment opportunities, by creating a working environment in which that employee’s ability to perform is impaired.’
(Section 15, 62 and 68 of the Human Rights Commission Act 1993 and section 77 of the Education Act 1989.)
- Sexual Harassment is not acceptable in the school and the Principal and Board will consider complaints of sexual harassment sympathetically and seriously, and ensure the person making the complaint is not subjected to victimisation.

Guidelines

1. A school staff member or student has been sexually harassed in the school if a Board member or another staff member or student:
 - a) Makes a request of the complainant for sexual intercourse, sexual contact or other form of sexual activity which;
 - implies or overtly promises preferential treatment in the school; or
 - implies or overtly threatens detrimental treatment in the school; or
 - implies or overtly threatens the present or future status of the complainant within the school; or
 - b) Uses the written or spoken word of a sexual nature or non-verbal behaviour of a sexual nature.
 - c) Makes deliberate and unwelcome physical contact.
2. In the event of a sexual harassment complaint, the school will ensure the complainant is aware of the procedures attached to this policy.
3. Any complaint of sexual harassment made to the school when dealt with by the school will be according to the guidelines and procedures in the school’s Complaints Policy.

Signed

_____ **Chairperson**

_____ **Date**

_____ **Review Date**

Procedures

1. In the event of sexual harassment the complainant may approach the following for immediate assistance:
 - the school's EEO person or
 - NZEI/PPTA Field Officers or NZEI/PPTA Women's Contact Person or,
 - in the case of students, any staff member, or
 - the Guidance Counsellor maybe used, or
 - a senior manager.
2. The complainant should document the case with the assistance of the supporting person or persons.
3. If the complainant decides that further action should be taken, the alleged harasser should be informed and a decision made to lay a complaint through one or more of the following avenues:
 - the principal and/or the Board of Trustees
 - Personal Grievance through an Industrial Advocate or an NZEI /PPTA Field Officer (Award 9.1.9.3)
 - Human Rights Commission through a NZEI/PPTA Field Officer.
 - The Police.
4. The complainant should be supported and notified of the availability of guidance and counselling.
5. All information pertaining to the case will remain confidential to the parties involved. This allows for feedback on any disciplinary process or outcome to be given to the parties involved.