

## POLICY

### SEXUAL HARASSMENT

#### RATIONALE

Sexual Harassment is an unacceptable form of social behaviour and discrimination, which can adversely affect the learning chances, and personal development of students and adults within the school.

#### PURPOSES

1. To fulfil the legal requirements under Section 33 of the Human Rights Commission Act (1977)
2. To clarify the nature of sexual harassment.
3. To set up a procedure for complaints which is consistent with Awards requirements and the Labour Relations Act.

#### GUIDELINES

- i. The principal, Deputy Principal or Assistant Principal will be the initial contact people for receiving complaints.
- ii. A grievance committee comprising staff and trustees will be set up as required.
- iii. Sexual Harassment in the school occurs if a trustee, staff member or student...
  - a) Makes a request of the person for sexual intercourse, sexual contact or other forms of sexual activity, which promises preferential treatment, detrimental treatment or threatens the status of the person.
  - b) Uses the written or spoken word or physical behaviour of a sexual nature.

#### PROCEDURES

1. In the event of a sexual harassment a complainant may approach any of the people in Guideline 1, or
  - The school's EEO person (Staff rep BOT)
  - An N.Z.E.I. staff officer, counsellor or Field Officer.
2. The complaint will be documented by the complainant with the assistance of supporting people.
3. The accused person must be given the right to answer the allegation in a fair manner.
4. The person responsible for the harassment must be confronted and informed that the behaviour is unacceptable and must stop. An apology should be made.
5. If it is decided that further action should be taken, then the harasser should be informed and a decision taken to lay a complaint through one of the following:
  - The Principal and/or Board of Trustees (Award 2.2.3)
  - Personal Grievance through N.Z.E.I. Field Officer
  - Human Right Commission through N.Z.E.I. Field Officer.
6. All complaints and investigations to be kept confidential.

#### CONCLUSION

Students, staff and trustees should be free of any form of sexual harassment at school or school related environments.

Formulated: March 1993  
Rewritten: July 1999  
Adopted: 18 August 1999  
Review Date: October 2014