

**Holy Family Primary School  
GOWRIE**



**SEXUAL  
HARASSMENT  
Policy**





# Sexual Harassment Policy

## Related Policies

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CE Sexual Harassment Policy  
CE Privacy and School Counsellor Policy  
CE Guidelines for Professional Conduct in the Protection of Children and Young People Policy  
CE Grievance and Dispute Handling Policy  
CE Equal Employment Opportunity Policy *under review*

## Purpose

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At Holy Family Primary School, we recognise that sexual harassment can take a variety of forms. It may involve physical contact, verbal remarks or non-verbal conduct of a sexual nature. It can also include the display of offensive materials. We believe that sexual harassment is contrary to Catholic principles and is unlawful and may give rise to an action under the Sex Discrimination Act or other legislation. We state that sexual harassment will not be tolerated under any circumstances and that action will be taken against those who breach this Policy.

Sexual harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, the display of offensive material or other behaviour, which creates a sexually hostile working or learning environment.

Sexual harassment is not a behaviour that is based on mutual attraction, friendship or respect. If the interaction is consensual, welcome and reciprocated it is not sexual harassment.

Sexual harassment is illegal in all work-related contexts, including conferences, work functions, and field trips.

Sexual harassment can involve students, parents, visitors or staff.

## Policy

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1. To create a school environment that is free from sexual harassment and where all members are treated with dignity, courtesy and respect.
2. To ensure that all school members know their rights and responsibilities.
3. To provide an effective procedure for complaints based on the principles of natural justice.
4. To treat all complaints seriously in a sensitive, fair, timely and confidential manner.

5. To guarantee protection from any victimisation or reprisals.
6. To encourage the reporting of behaviour which breaches this policy.
7. To promote appropriate standards of conduct at all times.

## Definitions

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### **Legal Definition of Sexual Harassment**

Sexual harassment is defined as follows in section 28A of the Federal Sex Discrimination Act:

*“A person sexually harasses another person (the “person harassed”) if:*

*the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or*

*engages in other unwelcome conduct of a sexual nature in relation to the person harassed;*

*in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated or intimidated.”*

## Procedures

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Various options are available for dealing with sexual harassment:

- **informal action** – an individual may confront the harasser directly if confident enough to do so. An individual may also feel comfortable in discussing the issue with a member of the school executive.
- **formal action** – individuals may make a formal complaint to a staff member, principal or to the Human Rights and Equal Opportunity Commission, who will guarantee timeliness, confidentiality, fairness and protection from victimisation.

If a person experiences Sexual Harassment at school, they can initially speak to the Principal or a member of the Executive.

When investigating a formal complaint, staff members can contact the Catholic Education Office ( Head of Human Resources or the Principal Employment Relations Officer) for information and assistance.

When seeking help or advice in making a complaint, staff members can also contact the above-mentioned personnel at the CEO, their Union, Human Rights Office or the Anti-Discrimination Board.

## References

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*Sex Discrimination Act 1984 (Cth)*  
*Discrimination Act 1991 (ACT)*

## Forms

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Nil

Approved by:	Holy Family School Board
Implementation Date:	2012
Policy last Updated:	May 2013
School Contact Officer:	Anne-Marie Marek