

Toronto High School

SEXUAL HARASSMENT

POLICY

To be read in conjunction with DEC policies

1. Rationale

Toronto High School considers sexual harassment to be an unacceptable form of behaviour. All staff and students should be able to work in an atmosphere based on mutual respect and the dignity of each individual. Sexual harassment is unlawful under both Commonwealth and NSW legislation and is contrary to the duty of care to provide a safe environment for work and learning. Sexual harassment will not be tolerated and action will be taken against any breach of this policy.

2. Aims

- 2.1 To create a working and learning environment that is free from sexual harassment and where all members are treated with courtesy, dignity and respect
- 2.2 To promote appropriate standards of conduct at all times
- 2.3 To implement strategies to ensure that all members of the school community know their rights and responsibilities in this area
- 2.4 To encourage the reporting of prohibited behaviour
- 2.5 To provide an effective complaints procedure based on principles of natural justice
- 2.6 To treat all complaints in a serious, sensitive, fair, timely and confidential manner
- 2.7 To guarantee against victimisation or reprisals

3. Definition

3.1 Sexual harassment is defined as verbal or physical behaviour that:

- Has a sexual element
- Is unwelcome and non-reciprocated

3.2 Can be understood to:

- Offend
- Humiliate
- Intimidate.
- Behaviour which may be considered mild or trivial can contribute to an offensive or humiliating work environment.

3.3 Sexual Harassment may include:

- unwelcome jokes and comments of a sexual nature
- leering and whistling
- displaying of offensive pictures and publications (printed or electronic)
- subtle or explicit requests for sexual activity
- unwanted and unnecessary physical contact such as patting, stroking, pinching, etc.
- offensive messages by E-mail, text messages, e-mails, telephone, answering machines, faxes, notes, etc.
- harassment around a person's presumed or actual sexuality.

Sexual harassment may occur between colleagues, students, across age and gender, between groups or individuals. In relationships where formal authority and power can be exercised, it can be particularly distressing and intimidating.

4. Impact of sexual harassment

4.1 Sexual harassment can have a serious adverse impact on the work satisfaction and performance of teachers and students. For example it can:

- affect work performance and opportunities;
- create a hostile or unpleasant environment;
- make employees feel insecure and anxious;
- lower morale;
- cause occupational health and safety problems, including stress related illnesses;
- reflect on the integrity and reputation of the school;
- be costly for employers in terms of time, money and other resources when having to deal with and resolve complaints.

5. Policies and procedures

5.1 In dealing with issues of sexual nature EPHS endeavours to ensure:

- observance of natural justice
- observance of confidentiality
- acceptance of the legitimacy of the complainant's feelings
- support and protection for all parties concerned
- preservation of a non-judgmental and non-adversarial approach by mediators.

This policy was last ratified by the School Executive in....