



SEXUAL HARASSMENT POLICY

Approved School Council – June 2016

RATIONALE

It is the policy of Bentleigh Secondary College to ensure that all students and staff enjoy the right to work and learn in an environment free from harassment. Under the Victorian Equal Opportunity Act 1995, sexual harassment is illegal. Sexual Harassment communicates to people that they are seen as a sexual object. They are denied the personal respect which is their right to expect from others. Sexual Harassment is personally offensive, promotes feelings of powerlessness and has a negative effect on the working environment of the School.

DEFINITION

Sexual Harassment is any verbal or physical conduct of a sexual nature which is unwelcome and offensive.

There are three basic categories of Sexual Harassment - subtle, explicit and criminal action. **SEXUAL HARASSMENT IS NEVER ACCEPTABLE AND IS NEVER TOO TRIVIAL TO WARRANT COMPLAINT.**

Subtle forms of Sexual Harassment tend to be the most common. They include:

- offensive leering and staring,
- suggestive comment about a person's physical appearances or sexual preference,
- offensive comments or jokes,
- questions or comments about another's sexual standards,
- unwelcome physical contact,
- offensive name calling.

Explicit forms are easier to identify as they are often overtly offensive or intimidating behaviour. They include:

- pinching, patting, touching, embracing,
- repeated requests to go out with someone especially after prior refusal,
- offensive jokes and comments,
- sexually provocative remarks or actions,
- displays of sexually graphic material such as on screen savers,
- requests for sexual favours.

Criminal action may include some of the above but also includes:

- indecent exposure,
- sexual assault (including attempted or actual rape)
- sending suggestive letters emails, faxes, text messages, or making obscene phone calls.

GRIEVANCE PROCEDURE GUIDELINES

Any report of sexual harassment will be treated seriously and confidentially.

The harassed person has the right to define the act or acts which she/he believes constitutes harassment. It is not up to the harasser to decide whether harassment has occurred.

Students will be encouraged to report any possible cases to a confidante, Head of Year Level, Wellbeing Co-ordinator or a teacher they trust, who will ensure appropriate follow up.

The complaint will be relayed to the Head of Year Level who will ensure appropriate records are maintained. This Co-ordinator or the Wellbeing Co-ordinator will investigate the complaint.

After investigation, if it is found that subtle, explicit or criminal action type sexual harassment has occurred, the following procedures will be implemented.

SUBTLE AND EXPLICIT INCIDENTS

Consequences for students who are involved in subtle or explicit incidents involving sexual harassment may include:

- A contract assuring that the behaviour will not be repeated.
- Detention or suspension.
- Notification to parents.
- Monitoring to ensure the behaviour does not continue.
- A conference with the principal.



CRIMINAL ACTION INCIDENTS

If explicit sexual harassment behaviour is repeated it will be dealt with under the procedures outlined in the Criminal Action Incidents.

In cases of physical assault of a sexual nature, involvement of police is mandatory, according to Department regulations.

Documentation of the incident must be accurately recorded and filed.

If it is found that any student has deliberately or falsely accused another student of sexual harassment, then the accusing student will be dealt with as the offending student.

Implementation for staff:

The Department of Education and Training and school councils are responsible for providing a work environment free from sexual harassment. This responsibility will be discharged through the school principal.

All staff have a responsibility to ensure their behaviour does not constitute or foster sexual harassment, and will be involved in sexual harassment professional development.

All staff will be provided with a copy of the DET *Sexual Harassment Policy and Procedures* and complete DET online Workplace Discrimination & Sexual Harassment training.

All staff are referred to the following DET Eduweb site for information relating to the Equal Opportunity Act and associated information:

<http://www.eduweb.vic.gov.au/divequity/eo/discrim.htm>

The School Council President will be informed of all potential harassment claims. All complaints will be treated with utmost confidentiality.

EVALUATION

Review as part of the college's four-year review cycle.