

**SEXUAL & RACIAL HARASSMENT**

**PROCEDURE**

**RATIONALE**

* The School adopts the concept that sexual harassment is not acceptable within the school.
* The Christian character of the school upholds the uniqueness and sanctity of the individual and the preservation and promotion of high moral standards amongst staff and students.
* The school recognises that sexual harassment is a form of discrimination that causes an unhappy work environment and impairs the personal development and performance of staff and students. (Section 15 of the *Human Rights Commission Act*.)

**PURPOSE:**

To uphold the right all members of the school community to work and learn in an environment free from sexual & racial harassment.

To have procedures that allow any member of the school community who believes they have cause for concern or complaint, to approach another person within the school in confidence, knowing that person has a level of skill and understanding and the concern will be settled in a confidential manner which is fair and humane.

**OBJECTIVES:**

1 The Board adheres to the following definition of sexual & racial harassment:

***Sexual & Racial harassment*** is defined as any verbal or physical act of a sexual or racial nature which is unsolicited, unwelcome and offensive, or might reasonably be perceived by the complainant as being unwelcome and offensive, detrimental and/or persistent.

**The behaviour includes**: Unwelcome and deliberately physical conduct/contact; verbal comments or abuse; requests for contact or activities of a sexual or racial nature, either overt or subtle, which may be accompanied by threats; the open display of sexist material.

1. The Board encourages the prevention of sexual harassment through promoting a non-sexist curriculum and role models.
2. The Board will provide guidance and support including information for individuals making complaints.
3. Instances of sexual harassment are dealt with at three levels

**Initially**

If an act of sexual or racial harassment occurs the complainant immediately makes it clear to the offending person that their behaviour is unacceptable and offensive. This may be done face to face in the presence of a third party chosen by the complainant.

***Informal Intervention***

If self help is not possible, or the behaviour persists, the complainant approaches the Principal and/or DP or one of the designated “contact persons” of their choice. The Pr/DP must:

* let the harasser(s) know about and give explanation to any allegations;
* involve all parties in a decision on a working solution;
* check independently with all parties that they feel comfortable with the solution;
* monitor progress to ensure the solution is working to everyone’s satisfaction.

***Formal Complaint***

If self-help and informal intervention have not worked or if the allegation is, in the complainant’s view, sufficiently serious to warrant disciplinary action, the complainant submits a written detailed complaint to the Principal who investigates the complaint and takes the appropriate disciplinary action.

**CHILD SEXUAL HARRASSMENT – SPECIFIC GUIDELINES**

1. Staff **DO NOT**, under any circumstances conduct interviews with children concerning suspected cases of abuse.
2. Staff are to be receptive and sensitive to children so that children disclosing potential issues feel listened to and believed.
3. Suspected cases of abuse are reported to the Principal and SENCO.
4. Advice is sought from Ministry for Children Oranga Tamariki by the Principal or his/her delegate concerning suspected cases of abuse or disclosures made by children.
5. Following a referral, recommendations made by Children’s Young Persons & Their Families Agency are followed.
6. In the case of a report from a third party to the school, the first course of action is to direct the third party to Oranga Tamariki without becoming involved. The school may be involved at a later date.
7. Oranga Tamariki Officers from the Child Protection Unit are responsible for informing parents/guardians of confirmed or suspected cases of abuse.
8. Staff who have concerns for any pupil may discuss them with any member of the senior management team.
9. Keeping Ourselves Safe and self-esteem units are taught as part of the Health Curriculum to increase children’s awareness of abuse.
10. An ‘At Risk’ file is kept in the Principals office.
11. Keeping in mind children’s welfare is paramount; parents may be consulted about changes in behaviour to try to identify a reason. It may be caused by a change in the family’s home circumstances.
12. All information and discussions are confidential to the staff involved. Data will be stored only in the At Risk file. This data is kept for the duration of the child’s stay at school. It is forwarded at the discretion of the Principal.
13. Whenever an interview is held with a child at school by Oranga Tamariki, a staff member whom the child has confidence in may be present if requested by the child.
14. In the event of sexual harassment the complainant may approach: The BOT Chairperson, the Principal, the Staff Representative on the BOT, The Church Pastor, a NZEI staff liaison officer, Counsellor or Field Officer or any person the complainant feels comfortable with. The case will be documented by the complainant with the assistance of a supporting person or persons.

# STAFF SEXUAL HARASSMENT – SPECIFIC GUIDELINES

Sexual harassment is not acceptable in the school and the Principal and/or Board of Trustees must consider complaints of sexual harassment sympathetically and seriously, and ensure the person making the complaint is not subjected to victimisation.

1. In the event of sexual harassment the complainant may approach any one of the following: the Principal, Deputy Principal, BOT Staff representative, BOT EEO Officer, or NZEI Representative.

2. The case should be documented by the complainant with the assistance of the supporting person or persons.

3. The person responsible for the harassment should be confronted and informed that the behaviour is unacceptable and must stop. Assurances should be sought that the behaviour will stop and that an apology will be made.

4. If a further harassment occurs, the harasser should be informed and a decision made to lay a WRITTEN complaint through one of the following avenues: **The Principal and or Board of Trustees in the first instance. Complaints to the union in the first instance are not acceptable.**

5. The Principal and or school executive will act as the support group. Board personnel members may also be called upon as part of the support group.

6. A school staff member has been sexually harassed in the school if a Board of Trustee member or other staff member:

(a) Makes a request of a staff member for sexual intercourse;

- 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 staff member;

(b) - by the written (email/text) or spoken word of a sexual nature; or

- by being engaged in physical behaviour of a nature that is unacceptable to the person being harassed; or

- by the receipt of offensive emails.

**CONCLUSION**

Sexual harassment is not acceptable, and complaints of such a nature will be considered seriously and sympathetically. The Board of Trustees will also ensure that the person making the complaint is not subject to victimisation.

**Review Responsibility:  *Deputy Chair, Principal, DP & Staff Rep. & SENCO***

**Date Confirmed: 3 November 2017**

**Principal: ………………………………………………………………..........**