



POLICY: Rangitikei College Board of Trustees

Workplace Sexual Harassment Policy

Rationale

Sexual harassment undermines the rights of the individual, has a debilitating effect on morale and diminishes the very values Rangitikei College seeks to promote. It may also be illegal.

It is the responsibility of the Board of Trustees, through the Principal, to ensure that employees are safe and free sexual harassment within their workplace. Any reports of sexual harassment should be treated seriously and dealt with promptly.

Definition

Sexual harassment is conduct of a sexual nature that is unwelcome. Sexual harassment can be physical, verbal or written. It involves behaviour that could reasonably be expected to make a person feel offended, humiliated or intimidated. Even if the behaviour is not intended by the individual to be sexually harassing, it may still be unlawful.

Sexual harassment can be physical, verbal or visual and may include statements or transmissions by phone, fax, video conference, internet and e-mail, and will vary in the degree and extent to which it causes affront and distress. Both males and females can be subjected to sexual harassment from either persons of the same or opposite gender.

Sexual harassment may include, but is not limited to:

- Offensive gestures, comments, jokes or threats of a sexual or homophobic nature
- Inappropriate inquiries into the private life of another person
- The display of offensive material of a sexual nature, including by innuendo e.g. in books, publications, posters, t-shirts, email or text messages
- Unwanted, non-accidental physical contact. It may include all unnecessary patting, stroking, pinching or touching
- sexual propositions or repeated unwanted requests for dates
- An implied or express promise of a benefit for complying with a request for sexual contact
- An implied or express threat of detriment, or actual detriment for refusing to comply with a request for sexual contact
- Stalking, indecent exposure, sexual assault or rape.

Sexual harassment is *not* behaviour that is based on mutual attraction, friendship and respect. Where the interaction is consensual, welcome and reciprocal it will not amount to sexual harassment. However, judgements about what constitutes consensual, welcome and reciprocal interaction may be influenced by the relative power of the people involved. The capacity of persons in positions of authority to influence

others and affect their well-being is a factor that will be taken into account in the management of any sexual harassment allegation.

Sexual harassment may in certain circumstances constitute a criminal offence. A criminal offence of a sexual nature can include inappropriate touching and inappropriate verbal comments concerning people in the workplace and members of the public. Sexual harassment involving physical or indecent assault, stalking, making nuisance phone calls or the sending of obscene material using mail, e-mail or the internet, may be an offence. Allegations of this nature will be reported to the police. The employer has a responsibility to deal with allegations even when the police are or have been involved, and to determine appropriate action in the context of the workplace.

Guidelines

- 1. The guiding principles behind this policy are:**
 - a. that all individuals involved are treated fairly and equitably;**
 - b. that natural justice is observed;**
 - c. that confidentiality is observed;**
 - d. that all parties concerned are afforded support and protection;**
 - e. that the accused person(s) are afforded an impartial hearing**
- 2. Any form of sexual harassment is considered to be an unacceptable form of behaviour. All staff at Rangitikei College are entitled to be treated with dignity and respect.**
- 3. The Rangitikei College Board of Trustees accepts the responsibility to take all reasonable steps to ensure that all employees/voluntary workers are not subject to sexual harassment. All reasonable steps will be taken to ensure that any persons who complain of sexual harassment or who are witnesses to such behaviour are not victimised in any way.**
- 4. When dealing with an allegation of sexual harassment the Principal, Board chair, or appropriate senior staff member will:**
 - a. treat all matters seriously and investigate promptly and impartially;**
 - b. ensure neither the person who complained nor the alleged harasser are victimised;**
 - c. support all parties involved;**
 - d. find appropriate remedies and consequences for confirmed harassment as well as for false reports;**
 - e. communicate the process and its outcome;**
 - f. ensure confidentiality;**
 - g. use the principles of natural justice;**
 - h. keep good documentation;**
 - i. seek specialist external advisors available to help either with the process or parties involved.**
- 5. If a complaint of sexual harassment is substantiated, the Rangitikei College Board of Trustees will take action to prevent further incidents. Such actions, depending on the seriousness of the offence, may include:**
 - a. counselling;**

- b. disciplinary letter or warning;
- c. mediation;
- d. ensuring the respondent attends appropriate counselling or courses on sexual harassment;
- e. relocating or transferring the respondent to another work area;
- f. termination of employment

Chairperson:



Date:

28.6.21

Next review date: June 2024

ASSOCIATED PROCEDURES AND DOCUMENTS:

1. Rangitikei College Complaints Policy and Workplace Anti-bullying Policy
2. Rangitikei College Code of Conduct
3. Refer: PPTA 'Safety in schools toolkit', <http://ppta.org.nz/dmsdocument/65>
4. The following legislation potentially impacts on this policy:
 - a. Health and Safety at Work Act 2015
 - b. Harassment Act 1997
 - c. Harmful Digital Communications Act 2015
 - d. Employment Relations Act 2000
 - e. State Sector Act 1988
 - f. Crimes Act 1961
5. Secondary Teachers Collective Agreement, Support Staff in Schools' Collective Agreement, Secondary and Area School Groundstaff Collective Agreement, Secondary and Area School Groundstaff Collective Agreement and/or individual employment agreements as appropriate.
6. Education Council of Aotearoa-New Zealand *Code of Professional Responsibility and Standards for the Teaching Profession. Our Code Our Standards*

(NB: Procedures are developed as part of school management. The Board of Trustees will be informed of the development or revision of procedures derived from Board policies by the Principal. For some especially significant procedures, these will be presented to the Board in full)