

# CHRISTCHURCH RUDOLF STEINER SCHOOL

## Board of Trustees and/or School Management

### School Management

Policy            NAG.5            **Health and Safety**  
Procedure        1.3                **SEXUAL HARASSMENT**

The Board of Trustees is charged with responsibility to ensure a safe working environment for staff, students and visitors.

Freedom from sexual harassment is a Human Rights issue. Section 68(3) of the Human Rights Act 1993 provides the Board with a defence where reasonably practicable steps have been taken to prevent sexual harassment.

Section 103.1.d of the 'Employments relations act 2000' defines sexual harassment as grounds for personal grievance, for which the Board as employer can be held liable.

All employees, students and visitors must be able to work in, learn in, and be part of an environment that is free from sexual harassment.

This procedure is to ensure that all complaints of sexual harassment are dealt with effectively, speedily, with regard to natural justice, and in a procedurally correct manner.

To protect staff rights, in particular in case of false, vexatious or frivolous allegations.

### **Guidelines**

Sexual harassment is offensive, unasked for behaviour. Sexual harassment generally occurs when a person is subjected to unwelcome verbal or physical conduct of a sexual nature, and can also occur between groups.

It can include:

- sex orientated jokes, cartoons, posters, pin-ups;
- offensive questions, comments, abuse, leering;
- unwanted, unnecessary deliberate physical contact, touching and gestures;
- questions and comments about private life;
- requests for sexual favours implying promises of favourable treatment or threats of unfavourable treatment.

Sexual harassment is a serious offence not to be tolerated within the school community, and is detrimental to work performance, to learning, to job opportunities, as well as to self-esteem and reputation.

Sexual relations between staff and students constitute serious misconduct on the part of the staff member are not acceptable under any circumstances and will lead to disciplinary action which may result in summary dismissal.

The school will appoint two Sexual Harassment Officers, one for each gender.

Raise awareness through training programmes for staff and students. The school's sexual harassment officers, school counsellor and teacher responsible for Careers & Transition are charged with special responsibility for initiating such programmes.

Provide options for resolving complaints of sexual harassment, appropriate to the seriousness the incident(s), and in consultation with the sexual harassment officer(s).

Options may include:

- discussion with a Sexual Harassment officer (self-help) who can advise the complainant and recommend an appropriate level of action;
- informal intervention through mediation or facilitation;
- formal complaints processes.

Always aim to resolve complaints at the lowest possible level of options.

Deal with formal complaints against students initially by investigation by the sexual harassment officer, who then passes the matter on to the Discipline Committee of the BOT, if necessary. Complaints against visitors or people helping in the school will be referred to the sexual harassment officer, who will discuss the matter with the College Principal Group to decide on an appropriate course of action.

All formal complaints or allegations by staff against staff require that the College Principal Group be informed. If lower level options for resolution have failed or are inappropriate (in case of serious allegations), allegations by staff against staff will initially be dealt with by an investigator/investigative committee of the BOT, (pursuant to the section 66 of the Education Act 1989), and always with reference to the relevant Employment Agreement, and if applicable with reference to the personal grievance provisions of the Employment Relations Act 2000.

In case of allegations of sexual harassment by students or visitors against staff, the procedures of the relevant employment contract apply, as well as the school's own policies and procedures for dealing with complaints against staff.

Alternatively, a complainant may wish to see a serious complaint referred to the Human Rights Commission, to be dealt with under the provisions of the Human Rights Act.

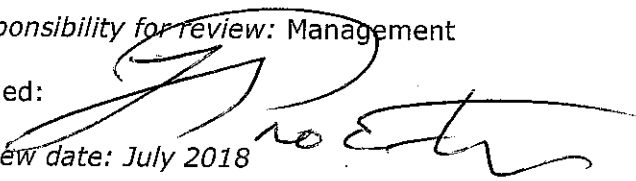
*Date approved: 30 July 2014*

*Responsibility for administering this procedure: Management*

*Responsibility for review: Management*

Signed:

*Review date: July 2018*

A handwritten signature in black ink, appearing to be 'G. R. O. E. T. H.', is written over the 'Signed:' and 'Review date:' text.