



MAGDALENE CATHOLIC HIGH SCHOOL

"Because I have seen the Lord"

Preventing Sexual Harassment Policy

Rationale

As part of the Catholic system of schools in the Diocese of Wollongong, Magdalene Catholic High School is committed to the development of a safe and healthy workplace which:

- supports and fosters the dignity of each individual
- integrates faith with life and contemporary culture
- takes as its foundation the person and Gospel of Jesus Christ

Guidelines

Sexual harassment is a form of sex discrimination and is unlawful under the *Commonwealth Sex Discrimination Act 1984*, and the *NSW Anti-Discrimination Act 1997*.

Definition of Sexual Harassment

In general, sexual harassment is unsolicited and unwelcome behaviour of a sexual nature which causes offence to its recipients and creates an intimidating, hostile or offensive work environment.

The following kinds of behaviour may constitute sexual harassment and, if they are unsolicited and unwelcome, are always unacceptable in the workplace:

- Attempts at sexual intercourse/sexual assault/rape
- Kissing
- Sexual propositions
- Gender based insults or taunts
- Physical conduct such as petting
- Unwelcome questions, remarks or insinuations about a person's sex, private life, or sexual morality
- Suggestive comments about a person's physical appearance
- Sexually explicit conversations
- Demands that certain clothing be worn
- Offensive telephone calls, SMS text messages or emails
- Intrusive questions at an interview
- Jokes, pin ups, calendars, graffiti, vulgar or abusive language, innuendos, obscene gestures, references to sexual activity or overt sexual conduct by fellow workers or students.

Some behaviour of a sexual nature can constitute criminal behaviour and may include:

- Physically molesting a person
- Indecent exposure
- Sexual assault
- Obscene telephone calls or letters

Sexual harassment is a Workplace Health and Safety issue which could result in a Worker's Compensation claim.

- Students and staff need to be informed of their Rights and Responsibilities in regards to Sexual Harassment each year.
- Staff are to be informed at a Term 1 staff meeting by the Principal.
- Students will be informed through their Year Coordinator.

INSTANCES OF STUDENT SEXUAL HARASSMENT

Student – Student

If a student makes a complaint against another student, they may approach any teacher, Assistant Principal or Principal. The Principal / Assistant Principal or delegate will investigate the matter and determine the best course of action, depending on the student's age and the legal requirements.

Student – Teacher

The student will take the complaint directly to the Principal.

INSTANCES OF STAFF SEXUAL HARASSMENT

Staff – Student

The staff member may approach the Principal with their complaint.

Staff – Staff

- The staff member may approach the Principal with their complaint.
- If the Principal is part of the complaint then the staff member may approach either the Assistant Principal to take the matter to the CEO or approach the Head of School Services at CEO directly.

Basis of Discretion

Mandatory guidelines as outlined above must be followed in all reported cases of Sexual Harassment

Supporting Documents

- Work Health and Safety Act 2011
- CEO Document – Safe Work Environment, Preventing Harassment in the Workplace.
- CEO Document – Maintaining Right Relationships, Working in Catholic Schools of the Diocese of Wollongong.

Evaluation

The policy will be reviewed in 2015.