

## SEXUAL HARASSMENT POLICY

	Fairholme College (Toowoomba ) Pty Ltd ABN 78 096 814 130 CRICOS Provider Code 00651J		
<b>Purpose</b>	The purpose of this policy is to protect students and employees from sexual harassment		
<b>Scope</b>	Students and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements		
<b>References</b>	<i>Anti-Discrimination Act 1991 (Qld)</i> <i>Sex Discrimination Act 1984 (Cth)</i> Anti-Discrimination Policy Child Protection Policy Code of Conduct Students Complaints and Dispute Resolution Policy Staff Code of Conduct		
<b>Policy Type</b>	Public		
<b>Policy Location</b>	College Website		
<b>Version</b>	4.0		
<b>Supersedes</b>	All previous versions of this policy		
<b>Policy Owner</b>	Deputy Principal, Head of Senior School		
<b>Review Date</b>	7 July 2016	<b>Next Review Date</b>	7 July 2018
<b>Authorised By</b>	Leadership Team	<b>Date of Authorisation</b>	Digitally signed by Catrina Sharp DN: cn=Catrina Sharp, o, ou, email=catrina.sharp@fairholme.qld.edu.au , c=AU Date: 2016.09.07 13:16:38 +10'00'

### **POLICY STATEMENT**

All students and employees at Fairholme College have the right to learn and work in an environment free from sexual harassment. Fairholme College will provide a fair and safe learning and teaching environment where all students and employees have equal opportunities.

Fairholme College is committed to taking action to protect students and employees from sexual harassment and to responding appropriately should such behaviour occur, including possible discipline. Any instances of sexual harassment should be reported under the College Complaints and Dispute Resolution Policy.

In particular, and in accordance with the legislation, it is Fairholme College's policy that:

- An employee at the school must not sexually harass anyone in the course of their duties, including another employee, a student at the school or someone seeking to become a student at the school, or a student at another school
- An adult student at the school must not sexually harass another student or employee at the school or a student or employee at another school

### **DEFINITIONS**

**Sexual harassment** - a person sexually harasses another person if:

- a) the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or
- b) engages in other unwelcome conduct of a sexual nature in relation to the person harassed;
- c) in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

Sexual harassment can take various forms and may be obvious or indirect, physical or verbal. Specific examples of sexual harassment include:

- Unwelcome physical touching
- Sexual or suggestive comments, remarks insinuation, jokes or innuendo
- Unwelcome requests for sex
- Intrusive questions about a person's private life
- Showing a person sexually explicit images or material e.g. On a phone or computer
- Indecent exposure
- Unwanted invitations of a sexual nature
- Leering
- Sex based insults or taunts
- Sexually offensive communications, including telephone calls, letters, faxes, email and computer screen savers

Some forms of sexual harassment, such as assault, physical molestation, stalking, sexual assault and indecent exposure, are also criminal offences and should be reported to the police.

**Adult student** - an adult student means a student who has attained the age of 16 years

**Principal** - Within this document, the term Principal refers to the Principal or the Principal's delegate.

## **RESPONSIBILITIES**

### **College Responsibilities**

Fairholme College acknowledges its responsibility to provide an environment free from sexual harassment. Fairholme College will undertake the following steps to prevent and appropriately respond to any instances of sexual harassment:

- Develop and implement a sexual harassment policy to assist in preventing any instances of sexual harassment
- Educate and train relevant employees to assist in preventing any instances of sexual harassment and to appropriately respond to any instances of sexual harassment
- Establish appropriate grievance and complaints procedures via its Fairholme College Complaints and Dispute Resolution Policy and Procedures to appropriately respond to any instances of sexual harassment
- Remove any discriminatory or offensive materials, rules and practices to assist in preventing any instances of sexual harassment
- Encourage employees and students to contribute to a healthy workplace culture to assist in preventing any instances of sexual harassment

### **Student and Employees Responsibilities**

All students and employees at Fairholme College have a responsibility not to engage in sexual harassment against any person.

## **IMPLEMENTATION**

Staff will be asked to read this policy to familiarize themselves with the information it contains upon orientation at the commencement of employment. Whenever changes are made, these will be communicated to all staff for their reference.

Concerns in the implementation of this policy should be addressed in line with the college complaints and disputes resolution policy.

## **COMPLIANCE AND MONITORING**

Any reports of sexual harassment will be treated seriously, sensitively and impartially by Fairholme College, and will be investigated thoroughly and confidentially. It is the expectation of Fairholme College that all complaints of sexual harassment will be reported to the Principal although staff may seek the support of another member of the leadership team [Deputy Principal/Head of Senior School, Head of Middle School, Head of Junior School, Head of Teaching & Learning, Head of Boarding, Head of Ministry and Mission, and Business Manager]. Any staff member who receives a report alleging a breach of this policy must communicate this to the Principal as a matter of urgency.

Disciplinary action will be taken against anyone found to be guilty of sexually harassing a co-worker, volunteer or student. If, following investigation, a complaint is judged to have no foundation the complainant and respondent will be offered further support and counselling. If it is considered that the allegation was made frivolously or maliciously, disciplinary action may be taken against the complainant. [Refer also Staff Code of Conduct, Child Protection Policy]