

**Rationale**

Paparangi School has a commitment to ensuring that the School remains free from any form of harassment, which may occur when a person is subjected to verbal, online/digital or physical behaviour which is unwelcome and personally offensive and fails to respect the rights of others. *Harassment includes sexual harassment, racial harassment and bullying.*

Staff, students, parents and visitors have a right to be treated with equal regard, dignity, concern and decency. Any action or inaction, communication or behaviour that could reasonably be interpreted as harassment or bullying will not be tolerated. Harassment of any kind denies the worth, integrity and dignity of human beings, fails to respect human rights, and may constitute unlawful discrimination. It affects both males and females and no-one has to put up with it.

The School and the Board of Trustees will:

- a) Promote a safe environment where employees and students can work and learn free from offensive behaviours.
- b) Meet the requirements of the Human Rights Act, Employment Relations Act and Health and Safety in Employment Act, which deal with harassment issues.
- c) Describe what constitutes sexual harassment, racial harassment and bullying.
- d) Establish procedures for handling harassment concerns or complaints.

**Definitions**

*Sexual harassment* occurs when there is verbal or physical conduct of a sexual nature by a person or group of people toward another and the conduct is unwelcome and offensive or might reasonably be perceived as unwelcome and offensive.

Examples of sexual harassment include:

- a) Requests for sexual intercourse, sexual contact or other form of sexual activity that contains an overt or implied promise of preferential treatment, or detrimental treatment or threat about the present or future employment status of the employee;
- b) Personally offensive verbal comments;
- c) Sexual jokes;
- d) Comments or teasing about an employee's alleged sexual activities or private life;
- e) Comments regarding an employee's sexual preference;
- f) Persistent, unwelcome social invitations, telephone calls, emails, letters, texts, faxes, social media, or other material from co-workers at work or home;
- g) Offensive hand or body gestures;
- h) Inappropriate or unwelcome physical contact such as patting, pinching or touching;
- i) Provocative images such as posters, graphics, screen savers etc.

*Racial harassment* may include expressing hostility against, or bringing into contempt or ridicule, an employee on the grounds of race, colour, ethnic or national origin or the attribution of stereotypical or extreme behaviour to a particular racial group.

*Bullying* occurs where unwelcome and unreasonable behaviour that is intended to and does create a hostile, uncomfortable or offensive work environment for those who are the target of bullying. Bullying behaviour is intended to, and demeans, intimidates, degrades or humiliates people, often in the presence of others.

Examples of bullying behaviour include:

a) Verbal bullying – including abusive or offensive language, insults, teasing, sarcasm, using aggressive body language, spreading rumours and unwarranted and unjustified criticism and trivializing of achievements;

b) Manipulating the workplace – by isolating individuals from others in the workplace, over-work or under-work individuals maliciously, or set impossible deadlines or expectations;

c) Psychological manipulation – this can be an insidious form of bullying where by individuals can be:

- Deliberately and unjustly excluded from activities;
- Subjected to practical jokes;
- Unreasonably allocated humiliating or demeaning tasks;
- Belittle or disregarded when making suggestions or giving an opinion;
- Unfairly blamed for mistakes or delays, and
- Unnecessarily or unfairly disciplined/chastised in front of others.

## Guidelines

1. Cases of harassment should be dealt with as quickly as possible, and with the least degree of formality as appropriate.
2. The feelings of the person claiming harassment should be respected.
3. All parties should be protected from victimisation and/or unfair accusation. Confidentiality during any investigation process will be maintained.
4. It should be noted that harassment by a staff colleague or student may result in a personal grievance under the Employment Relations Act 2000.
5. All these procedures may be omitted when the complainant, and/or their parents in the case of a student, choose to contact the police.
6. In serious cases where the complaint is substantiated, the person found guilty of harassment is disciplined appropriately according to the Board of Trustees resolution. This may include dismissal for staff members and disciplinary processes for students.
7. In all cases where the complaint is substantiated, management must ensure that harassment ceases immediately and the complainant is not made to suffer in any way for having made the complaint.
8. In the unlikely case where a decision cannot be reached, management must attempt to restore harmonious working relationships.
9. It should be noted that complainants are protected against defamation where the complaint is made honestly to those who have a duty to receive it.

10. If a complaint is found to have no substance, all records shall be destroyed (shredded) and no notes of the allegations shall be recorded on any personnel (in the case of staff); academic (in the case of students) or family (in the case of parents) files.
11. If a complaint is made, investigated and substantiated, then the relevant personnel file of the person found guilty of harassment should contain a summary of the nature of the complaint, with the outcome and the penalty.
  - a. A full record of information obtained during the investigation and at the disciplinary interview(s) shall be kept in a separate file marked “confidential” and kept under strict security so that only staff who absolutely need to have access to it.
  - b. A full record of all complaints and investigations are kept in a secure and confidential place. Access to this information is limited to the Principal and Board Chair, both of whom are bound by the Privacy Act.

#### **Related Policies**

- Concerns and Complaints
- Health and Safety
- Bullying Prevention and Response

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