

HORIZONS COLLEGE – POLICY & PROCEDURE

SEXUAL HARRASSMENT POLICY



Purpose: The purpose of this policy is to protect students and employees from sexual harassment.

Scope: 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.

- References:**
- [Anti-Discrimination Act 1991 \(Qld\)](#)
 - [Sex Discrimination Act 1984 \(Cth\)](#)
 - Horizons College Child Protection Policy
 - Horizons College Student Code of Conduct
 - Horizons College Staff Code of Conduct
 - Horizons College Dispute Resolution Policy

Policy Name:	Sexual Harassment Policy	Version 202103_01	
Policy Type:	Governance		
Supersedes:	Version 202006_01		
Authorised by:	Board Chair	Date of Authorisation:	March 2021
Review Date:	Every 2 Years	Next Review Date:	March 2023
Policy Owner:	Principal		

Note: Policy types marked with asterisks as follows are:

* published on school website

** only mandatory for schools incorporated through the *Corporations Act 2001* (Cth)



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Policy

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

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

In particular, and in accordance with the legislation, it is Horizons 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 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.

Just because someone does not object to inappropriate behaviour in the workplace at the time, it does not mean that they are consenting to the behaviour. A single incident is enough to constitute sexual harassment – it doesn't have to be repeated.

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



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Responsibilities

School Responsibilities

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

- Implement this sexual harassment policy to assist in preventing any instances of sexual harassment
- Educate and train 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 Horizons College **Dispute Resolution Policy** 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 Responsibilities

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

Responsibilities of Principal and Deputy Principal

School leaders are responsible for:

- modelling appropriate behaviour
- monitoring the working environment to ensure that acceptable standards of conduct are maintained at all times and that sexual harassment is not tolerated
- promoting awareness of the avenues for advice and the complaints procedures with respect to sexual harassment as set out in the Horizons College dispute Resolution Policy and
- treating complaints and behaviour which may constitute sexual harassment seriously and taking immediate action
- treating complaints of sexual harassment with appropriate confidentiality
- ensuring that a person is not victimised for making, or being involved in, a complaint of sexual harassment
- following due process when a complaint is made as per the Horizons College Dispute and Resolution Policy and Procedures

Responsibilities of all Employees

The responsibilities of all employees are to:

- comply with this Policy
- report any incident of sexual harassment that they have experienced or witnessed
- participate in any training provided by the school, including around provision of equal opportunity
- model appropriate behaviour and school values
- treat any allegations or complaints of sexual harassment with appropriate confidentiality
- ensure that a person is not victimised for making or being involved in a complaint of sexual harassment.

If the complainant is a student, then the child protection policy may apply. The Principal will make that determination. If not a police matter, the Principal and another senior staff member will meet with both the complainant and alleged offender (separately) and gain a written statement from each. A support worker will be provided to both parties. Total confidentiality is required.



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The course of action will then be decided unanimously by the staff members involved in dealing with this issue and will follow the processes outlined in the Horizons College Dispute Resolution Policy and Procedures.

Some types of sexual harassment may also be unlawful under criminal law. These include indecent exposure, stalking, sexual assault and obscene or threatening communications, such as phone calls, letters, emails, text messages and posts on social networking sites.

Implementation

The steps that Horizons College will take to prevent sexual harassment include:

- regularly raising the awareness of sexual harassment to staff, students and parents/carers via school newsletters, on student assemblies and through the provision of relevant educational programs
- providing regular training to employees, especially senior staff, on how to prevent and manage sexual harassment
- promoting a healthy school culture by removing any discriminatory or offensive materials and practices
- maintaining an appropriate dispute resolution policy
- keeping appropriate records and monitoring and reporting on sexual harassment issues

Compliance and Monitoring

Horizons College is committed to the regular review of this policy. Horizons College will record, monitor and report to the school board, the Senior Executive Team and others, as appropriate, regarding any breaches of the policy.

In addition, Horizons College is committed to other various compliance and monitoring arrangements made under relevant policies and procedures.