

THE SCHOOL

SEXUAL HARASSMENT POLICY

DEFINITION:

Sexual harassment covers a range of unwelcome, unsolicited and non reciprocated behaviour. This may constitute deliberate or unintentional communication (verbal or otherwise) or physical contact of a sexual nature.

Sexual harassment may occur even when there is no intention of causing offence. It may occur through the words or actions of an individual or of a group. It extends from unwelcome actions such as gestures and the display of offensive pictures, comments of a sexual nature, and implied or explicit demands for sexual activity, to physical contact such as patting or pinching, through to more hostile conduct. In general, sexual harassment does not arise in the context of mutual attraction and flirtation based upon choice and consent. Allegations of sexual harassment can be considered to be substantiated when the following criteria are established:

1. **Either** the behaviour was grossly offensive or constitutes an indecent assault **or** the behaviour is such that a reasonable person would view it as offensive and it is continued after the aggrieved person has clearly signalled that it is unwelcome.
2. **Either** the offensive behaviour is such that it interferes with the complainant's work performance or that it creates a hostile work situation **or** it is such that the employee's career prospects could be seen to be jeopardised.

POLICY:

The **Equal Opportunity Act 1984** makes it unlawful for any person to sexually harass another. Sexual harassment is unwelcome activity of a sexual nature in the workplace. Sexual harassment will not be tolerated by the School in any form. Employees engaging in such behaviour will be subject to disciplinary proceedings.

Behaviours which involve choice and consent such as flirtation, friendship and sexual attraction are easily distinguishable from unwelcome activity and do not constitute sexual harassment.

Unwelcome sexual conduct occurs when the conduct interferes with another employee's performance, or the conduct creates an intimidating, hostile or offensive work environment, or acceptance or rejection of

the conduct is used to make employment decisions.

COMPLAINTS PROCEDURE:

After due consideration, and possibly consultation with a trusted colleague, employees who consider that they are being subjected to sexual harassment should report the matter immediately to the Deputy Headmaster. The initial point of contact may be with the Senior Nursing Sister, if preferred. The person making the report should have all events documented and give an indication of the feelings experienced at the time of the alleged harassment. A trusted colleague may be present at the time that the complaint is made. The Deputy Headmaster will ensure that all details are kept confidential except those raised with the person or persons causing the harassment when a subsequent investigation is conducted. The person making the report should clearly identify the outcome desired from subsequent action undertaken by the Deputy Headmaster.

People making reports are assured that their complaints will not generate adverse job consequences.