

STELLA MARIS CATHOLIC SCHOOL

POLICY: HARASSMENT

Purpose

1. To foster a positive and safe culture, which supports a diverse, collegial community within a framework of respect for the rights of others.
2. Ensure that occurrences of harassment within the school, are taken seriously and dealt with promptly and with due sensitivity.
3. Set out a framework for raising, addressing and resolving concerns about individual or collective behaviour.

DEFINITIONS

Harassment

Harassment occurs when someone engages in unwelcome conduct that results in a person feeling offended, humiliated or intimidated, and under the circumstances, it would be reasonable for them to feel this way. Even if there is no intention to offend or humiliate, seemingly harmless acts such as gossip, jokes, teasing or the use of inappropriate nicknames, could all possibly constitute harassment. Harassment includes Sexual Harassment and Bullying.

Sexual harassment

Sexual harassment is unwelcome conduct of a sexual nature that makes a person feel offended, humiliated and/or intimidated, and under the circumstances, it would be reasonable for them to feel this way.

Sexual harassment in the workplace can take various forms.

It is unlawful to **sexually** harass another person even if you did not intend to do so.

Sexual harassment is not behaviour which is based on mutual attraction, friendship and respect. If the interaction is consensual, welcome and reciprocal it is not **sexual** harassment.

Bullying

Bullying is defined as repeated and unreasonable behaviour towards a person or group that can lead to physical or psychological harm.

Unreasonable behaviour is behaviour that a reasonable person in the same circumstances would consider to be victimising, humiliating, intimidating or threatening.

Examples of bullying or unreasonable behaviour may include:

- Put downs, belittling comments, persistent criticism
- Public humiliation, teasing and taunting
- Intimidation e.g. misuse of power, threats of violence or against job security.
- Exclusion, isolating or ignoring
- Verbal abuse, shouting or yelling
- Unreasonable behaviour could be face to face, by email or text message, online or by other social media channels

Bullying is not:

- One-off or occasional instances of forgetfulness, rudeness, or tactlessness
- Setting high performance standards
- Constructive feedback and genuine peer review
- A reasonable request from your manager
- A single incident of unreasonable behaviour, but incidents should be addressed to avoid escalation.

Procedures

The Board and senior leadership team will do the following to minimise and respond to harassment:

- a. Actively look for ways to create a positive environment that staff and students feel is safe, fair, rewarding and positively challenging.
- b. Encourage positive leadership styles and investing in managers to achieve this.
- c. Promote low-key solutions e.g. an informal chat and or restorative chat before formal actions where appropriate.
- d. Draw attention towards behaviour rather than people and aim to promote harmonious relationships across the organisation.
- e. Aim to maintain and repair where needed relationships.
- f. Identify factors that contribute to harassment and put effective control measures in place.
- g. Ensure our processes and systems are fit for purpose and reviewed regularly.
- h. Have regular surveys for monitoring well-being.
- i. Create an environment and procedures that enable staff and students to report concerns without fear and feel supported throughout any process.

All staff members are expected to:

- a. Treat colleagues and students in a respectful professional manner
- b. Discourage any form of harassment by making it clear that such behaviour is unacceptable.
- c. Follow the procedures detailed in Appendix 1 for addressing or reporting harassment.
- d. Support any member of the school that feels they have been subject to harassment including supporting them to follow any pathways for resolution, including making a formal complaint if appropriate.
- e. Support any staff member who has had a complaint made against them

Appendix 1: Procedures for reporting harassment

1. When dealing with an allegation of harassment, our school will:
 - a. Treat all complaints seriously and ensure all complaints are documented.
 - b. Investigate documented complaints promptly and impartially.
 - c. Support all parties and ensure neither the complainant nor the accused party are victimised. Ask each party if they would like a support person assigned.
 - d. Communicate the process and its outcome
 - e. Ensure confidentiality
 - f. Use the principles of natural justice
 - g. Keep thorough documentation throughout the process
 - h. Use specialist external advisors where needed.
 - i. Find appropriate remedies and consequences for confirmed harassment.
2. A complainant can approach any member of SLT or BOT Chair. In addition staff complainants may approach the NZEI staff liaison officer, counsellor or field officer.
3. The complaint must be documented by the complainant (with the assistance of a support person if required). A suggested template is attached in Appendix 2.
4. Complaints will be investigated and dealt with at the lowest possible level acceptable to the complainant, within a restorative framework in order to restore the professional relationship between the parties
5. Complaints involving members of SLT should be directed to the Principal and complaints involving the Principal should be directed to the BOT Chair.
6. A written summary of alleged harassment to be formulated by the Principal.
7. The complainant should be given the opportunity to check the written summary of the alleged harassment first and if acceptable, the written summary to be given to the accused party.
8. Each complainant will be advised of their right to support and the proposed process for resolving the issue.
9. SLT to determine who is best placed to investigate avoiding conflict of interest and set an appropriate timeframe for the investigation.
10. The accused party invited to respond in writing to the allegation.
11. Post investigation: a determination as to whether the complaint is upheld or not.
 - a. **If upheld**
 - a. Resolution and restorative action explored
 - b. Consideration of whether patterns of behaviour exist
 - c. Possible outcomes
 - i. Apology
 - ii. Professional Development
 - iii. Counselling
 - iv. Note on file
 - v. Warning on file
 - vi. Disciplinary action
 - vii. Refer matter to NZEI, Principal, BOT, EDUCANZ

Appendix 2

Template for reporting harassment

(This form is to report behaviour that has upset you.) Have you considered asking a support person to assist you to resolve this informally? If you wish to proceed formally, complete this form and return it to a member of SLT, Principal or BOT Chair.

Name:
What has happened (date, time, location, who was present, what happened, who did what):
How did this behaviour make you feel:
How did this behaviour affect you:
Have you taken any action? If so, what:
What would you like to happen from this report:
Please give this report to: