

Hauraki Primary School Policy Document

Sexual Harassment

Rationale:

Sexual harassment impairs a person's ability to work or learn and such behaviour is unacceptable at Hauraki School, and it will be treated with the utmost seriousness by the Hauraki School Board (the Board) (refer to section 62 of the Human Rights Act 1993)

Purpose:

The purpose of this policy is to provide a safe working and learning environment at Hauraki school by:

- preventing sexual harassment, and
- providing students and staff who believe they have been sexually harassed with a fair and transparent process to follow in order to achieve an appropriate resolution (refer to sections 62 and 68 of the Human Rights Act 1993).

Guidelines:

1. Sexual harassment occurs where a person:

a) makes a request of any other person for sexual intercourse, sexual contact, or any other form of sexual activity which contains an implied or overt:

- promise of preferential treatment in the school, or
- threat of detrimental treatment in the school, or
- threat to the present or future status of the person in the school.

or

b) subjects any other person to behaviour that (i) is unwelcome or offensive to that person and (ii) is either repeated or of such a significant nature that it has a detrimental effect on that person by way of:

- the use of language (whether written or spoken) of a sexual nature (e.g. sex-related jokes), or
- physical behaviour of a sexual nature (e.g. unwanted, deliberate physical contact), or
- visual material of a sexual nature (e.g. pornographic material)

(Refer to Appendix 2, 108 of the current Primary Teachers' Collective Agreement and sections 62 and 68 of the Human Rights Act 1993).

2. Where an allegation of sexual harassment is made, the Formal Complaint procedures as set out in the Concerns and Complaints policy will be followed. The Protected Disclosures policy may also apply. In addition, the following will be taken into account:
- the complaint must be in writing.
 - the complainant can enlist the assistance of an independent support person(s).
 - the person against whom the complaint is made must be (i) fully informed of the nature of the complaint and (ii) be advised that the behaviour is unacceptable and must stop.
 - the investigation into the complaint will be handled confidentially and documentation relating to the case will be stored and used in compliance with the Privacy Act 1993.
2020.
3. Sexual harassment and the procedures for making complaints will be explained to pupils via the “Keeping Ourselves Safe” programme (refer to the Health Scheme).
4. If further action is required, a decision may be taken to pursue a complaint through one of the following channels:
- Human Rights Commission
 - New Zealand Police
 - Employment Relations Authority

Signed: _____



Date: 22/2/22

Presiding Member of the Board

Review Date: Term 4, 2025