

## **Harassment (Student Against Student) Policy**

### **Commitment to Child Safety**

All students enrolled, and any child visiting, have a right to feel safe and be safe all of the time. The wellbeing of children in our care will always be our first priority and we have zero tolerance for child abuse. At Sacred Heart we strive to maintain a child safe and child friendly environment where children feel safe and are free to enjoy life to the full without any concern for their safety. We are committed to continually reviewing our Child Safe policies and practices to ensure that every effort is made for ongoing improvement of our Child Safe environment.

We at Sacred Heart recognise that some groups of children are particularly vulnerable and we are committed to promoting the cultural safety of Aboriginal/linguistically diverse children and also promoting the safety of children with a disability.

### **What is harassment?**

Harassment is unwelcome behaviour that intimidates, offends, or humiliates a student because of a particular personal characteristic.

Harassment is similar to bullying but is distinguished by the fact that harassment is a form of discrimination and is unlawful where the basis for harassment relates to a personal characteristic which is protected by law, such as:

- sex and gender identity or sexuality and sexual orientation
- race, religion, ethnic background, or
- disability.

### **Sacred Heart's Policy**

Sacred Heart is committed to providing a safe School learning and working environment that is based on mutual respect and is free from harassment. Harassment is not acceptable in any circumstances and will not be tolerated.

The School is responsible for ensuring that students are treated fairly and with respect, and is committed to ensuring that all staff:

- model appropriate standards of behaviour
- educate and make students aware of their obligations under this policy and the law
- intervene quickly and appropriately when inappropriate behaviour is identified
- act fairly to resolve issues and enforce the School's behavioural standards, making sure relevant parties are heard
- help students resolve complaints informally where this is reasonably practicable
- ensure students who raise an issue or make a complaint are not victimised.

The School investigates more serious incidents and formal complaints about breaches of this policy and will take appropriate prompt remedial action, including counselling, education, mediation and disciplinary action up to and including expulsion.

### **What is sexual harassment?**

Sexual harassment occurs when a student is subjected to unwelcome and uninvited sexual conduct by another student which could be expected to make a student feel offended, humiliated, or intimidated.

Sexual harassment can also result when a sexually intimidating or offensive environment is created.

Sexual harassment can be physical, verbal, written or pictorial, including social media, and can range from relatively mild sexual banter to actual physical violence.

It is important to remember that it is the way the victim perceives the behaviour that is important in determining whether or not harassment has taken place, not the intent of a particular individual.

Mutual attraction or consenting friendships do not constitute sexual harassment.

Examples of sexual harassment include, but are not limited to:

- unwanted physical contact, touching, brushing against another student, hugging
- persistent jokes or innuendos of a sexual nature
- repeated requests to go out
- offensive gestures
- persistent or intrusive enquiries into another student's private life, sexuality, or physical appearance
- sexual propositions
- sexually offensive phone calls, messages on email, voicemail or in writing
- displaying offensive screen savers, photos, calendars or objects
- sexual innuendo or sexually explicit emails, text messages, or posts on social networking sites (refer to the Social Media – Student Usage policy and Cyber Safety policy)
- stalking, both physical and electronic
- sexual assault.

### **What is racial harassment?**

Racial harassment is also found in many forms. Examples include, but are not limited to:

- abusive, threatening or insulting words and behaviour
- deliberate exclusion from conversations
- displaying abusive writing and pictures
- insensitive jokes related to race
- pranks.

## **What is disability harassment?**

Examples of disability harassment include, but are not limited to:

- humiliating comments or insults about a student's disability
- disparaging remarks to students who have received learning adjustments
- comments or actions which create a hostile environment for a student with a disability
- deliberately excluding a student where the disability is not an issue.

Refer to the Disability Discrimination Policy.

## **Victimisation of Complainants**

Action will be taken against anyone who victimises a student who makes a complaint of harassment in good faith.

## **Students' Responsibilities**

All students are required to:

- treat other students, all staff and any other person at the School professionally and with respect
- avoid behaviour that could be interpreted as harassing and act to prevent other students from engaging in harassment, where this is reasonably practicable
- report any witnessed harassment at the School to a staff member.

## **Harassment Response Procedures**

A key part of the School's harassment prevention and intervention strategy is to encourage reporting of harassment incidents as well providing assurance to students who experience harassment (and parents/guardians) that harassment is not tolerated within the School.

Students who believe that they are being harassed should make it known that the comments, contact or behaviour is unwelcome and offensive.

If the student does not feel comfortable in talking directly to the perpetrators or if they seek advice on how to proceed, they should contact any of the following:

- a teacher
- the School Chaplain, or
- the Deputy Principal or the Principal.

The School will then apply its Bullying Prevention and Intervention Policy and associated procedures.

## **Implementation**

This policy is implemented through:

- staff training
- education of students
- effective incident notification procedures
- timely initiation of corrective actions where necessary.

## **Discipline for Breach of Policy**

Depending upon the nature and seriousness of the breach of this policy, Sacred Heart may take disciplinary action against students, including in the case of serious breaches, suspension or expulsion. Engaging in unlawful harassment may result in legal action being taken against the perpetrator and the School.

**Last Review: May 2020**

