



SEXUAL HARASSMENT POLICY

“And what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?” Micah 6:8

Rationale

Our Lady of Sion College operates within the Catholic tradition and maintains sensitivity to the richness of our Jewish-Christian heritage. At Our Lady of Sion College the dignity of the human person is the foundation of all Catholic social teaching and is intrinsic to our education ministry. Consequently, the principle that each person is made in the image and likeness of God is central to the mission of our school. Our Lady of Sion College welcomes, respects and celebrates the richness born of diversity—and our Mission Statement calls the community to have a hunger for achieving what is right.

The Our Lady of Sion Sexual Harassment policy sets out the legal responsibilities and obligations of all staff, volunteers, visitors and contractors in relation to sexual harassment under the Sex Discrimination Act 1984 (Cth) and the Equal Opportunity Act 2010 (Vic)

What is Sexual Harassment?

Sexual harassment is unwelcome conduct of a sexual nature towards another person which could reasonably be expected to make that other person feel offended, humiliated or intimidated. A single incident is enough to be considered sexual harassment — it does not have to be repeated behaviour. If a person does not object to inappropriate behaviour at the time; it should not be assumed that they are giving their consent. Consent exists where clear and unambiguous consent has been freely given and continues to be given.

Sexual harassment may take a variety of forms including but not limited to:

- comments about a person’s sexual identity, sex life or physical appearance
- comments of a sexual nature
- leering and staring
- unwanted touching such as brushing up against a person, fondling or hugging
- ‘flashing’
- sexual gestures or imitating a sexual act
- sexual propositions or repeated unwanted requests for dates and private one on one time either within the College or out of work hours
- making promises or threats in return for sexual favours
- sexual jokes
- offensive telephone calls, text messages or communications on social media platforms
- displays of offensive photographs, reading matter or objects
- sending jokes or graphics of a sexual nature by email, internet or mobile phone
- unwelcome questioning about a person’s private life
- offensive screen savers
- unwanted requests for any sexual activity
- stalking, sexual assault, indecent assault or rape (which are also criminal offences)



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In establishing appropriate standards of behaviour, staff must note the following:

- Any person may be sexually harassed
- Appropriate behaviour is behaviour that respects the rights and sensitivities of all people
- Sexual harassment is about how the behaviour impacts the individual not how the behaviour is intended

Principles

- Sexual harassment is an unacceptable form of behaviour
- All people have the right to a safe working environment that supports diversity and inclusive work practices, and is free from sexual harassment
- All people have the right to be treated with respect and dignity,
- Attitudes and behaviours which are humiliating, intimidating and are of a sexual nature must be addressed
- All complaints of harassment or bullying will be regarded as serious and will be treated sensitively

Implementation

- The College will appoint at least two Complaints Officers (one male and one female) for staff
- Formal training will be mandated for the Complaints Officers and professional learning will be provided to all staff
- Complaints involving students in sexual harassment allegations or incidences will be referred to the College Child Safety team who will decide the most appropriate course of action, including but not limited to the enactment of the College Child Safety and Wellbeing Policy if deemed necessary.
- Any member of the College community who considers that they have been sexually harassed may lodge a formal complaint as per the Our Lady of Sion College Grievance Resolution Policy which includes the following:
 1. Speaking or writing to the alleged offender to request that the harassment stop; or
 2. Contacting a Complaints Officer for support and advice; or
 3. Contacting the Principal or a member of the Leadership Team.
- The Complaints Officer will take appropriate action as described in the procedures outlined in the Staff Handbook
- The complainant maintains the right to determine the initial avenue for advice and complaint
- Staff who witness or are aware of sexual harassment incidents are expected to support the colleague who is being subjected to sexual harassment, challenge the behaviour, and contact the Principal or member of the Leadership Team. Disclosures will be treated confidentially to protect privacy as far as the law permits
- All parties to a complaint will have the opportunity to put their cases separately in a sensitive and confidential manner
- Where a complaint of sexual harassment is found to be substantiated, the consequences for the person against whom the complaint is made will depend on the particular circumstances. The consequences may include an apology, counselling, undertaking training, or disciplinary action which may include termination of employment.



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Criminal Offences

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.

Staff who believe they have been the victim of a criminal offence are encouraged to report the incident to Victoria Police as soon as possible, as well as report the matter to the Principal.

External Action

If a complainant is not satisfied with the outcome of an internal process or chooses not to use the internal process, they may take the complaint to the Victorian Equal Opportunity and Human Rights Commission or the Australian Human Rights Commission.

Related policies:

- Our Lady of Sion Grievance Resolution policy
- Our Lady of Sion College Occupational Health & Safety policy
- Our Lady of Sion College Communications policy
- Our Lady of Sion College Social Media (Staff) policy
- Our Lady of Sion College Electronic Communication policy
- Our Lady of Sion College Staff Anti-bullying policy
- Whistleblower Policy
- Child Safety and Wellbeing Policy

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