

## PP71 HARASSMENT POLICY

### SCOPE

This policy applies to all staff and students of Southern Cross Education Institute.

### POLICY

This policy ensures that Southern Cross Education Institute maintains a safe and healthy learning and working environment.

### PROCEDURE

As an educational institution and an employer, Southern Cross Education Institute is committed to eliminating harassment including sexual harassment and bullying of any person involved with the institute. Managers have a responsibility to ensure everyone in the workplace is aware that harassment is unacceptable. Managers must also ensure the workplace is free from items or materials that, in the context of general community standards, may be considered offensive by other people.

In a case where a student feels harassed by other students or staff of Southern Cross Education Institute, students should contact the Welfare department, or the management.

If an employee feels they are being harassed by other staff or students, they should immediately approach their manager to discuss the situation.

All harassment complaints will be investigated impartially, seriously, empathetically and in strict confidence, taking into account the privacy of all parties. Where appropriate, disciplinary action will be taken by Southern Cross Education Institute and brought to the attention of the Police.

### DEFINITIONS

**Harassment** is behaviour intended to annoy, disturb, threaten or upset another person. Harassment and bullying may involve similar behaviours as both usually involve a person or group of people who have, or are perceived to have, more power deliberately upsetting someone on more than one occasion. Harassment may also occur because of perceived differences such as culture, ethnicity, gender, sexual orientation or religion.

**Bullying** is when someone, or a group of people, deliberately upset or hurt another person or damage their property, reputation or social acceptance on more than one occasion. There is an imbalance of power in incidents of bullying due to age, size, status or other reasons.

Bullying may occur because of perceived differences such as culture, ethnicity, gender, sexual orientation, ability or disability, religion, body size and physical appearance, age or economic status. Bullying may be motivated by jealousy, distrust, fear, misunderstanding or lack of knowledge. It can continue over time, is often hidden from adults and will probably continue if no action is taken.

**Sexual harassment** is unlawful behaviour under the Commonwealth Sex Discrimination Act 1984 and the Victorian Equal Opportunity Act 1995. It occurs when a person engages in any unwelcome or unreciprocated conduct of a sexual nature (written, physical or verbal), in circumstances which could reasonably be expected to cause offence, humiliation or intimidation.

Sexual harassment is conduct of a sexual nature that is unwelcome. Sexual harassment can be physical, verbal, visual or written. It involves behaviour that could reasonably be expected to make a person feel offended, humiliated or intimidated. Even if the behaviour is not intended by the individual to be sexually harassing, it may still be unlawful.

Sexual harassment may include statements or transmissions by phone, fax, video conference, internet and e-mail, and will vary in the degree and extent to which it causes affront and distress. Both males and females can be subjected to sexual harassment from either persons of the same or opposite gender.

Sexual harassment may include:

- comments about a person's sex life or physical appearance;
- comments of a sexual nature;
- suggestive behaviours such as leering and ogling;

- unnecessary physical intimacy such as brushing up against a person;
- physical contact such as touching or fondling;
- 'flashing' or sexual gestures;
- sexual propositions or repeated unwanted requests for dates;
- making promises or threats in return for sexual favours;
- sexual jokes, offensive telephone calls, displays of offensive photographs, reading matter or objects;
- sending jokes or graphics of a sexual nature by e-mail, internet or fax;
- unwelcome questioning about a person's private life;
- offensive computer screen savers;
- unwanted requests for sex; and
- stalking, indecent assault or rape (which are also criminal offences).

**Review**

This Policy and Procedure will be reviewed annually in line with the SCEI Continuous Improvement Plan