



DOMINO SERVITE  
COLLEGE

SEXUAL HARASSMENT

## SEXUAL HARASSMENT

Approved by DSC School Board  
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## **POLICY**

Sexual harassment is prohibited under both federal and state legislation. Sexual harassment will not be tolerated at Domino Servite College and action will be taken against those who breach this policy. Domino Servite College is committed to providing a working and learning environment for its staff and students that is supportive, caring and free from wrongful discrimination and sexual harassment.

The College's Sexual Harassment Policy applies to all students, staff, volunteers and contractors of the College community and requires that each person treats others with respect.

All employees of the College have a duty of care to ensure that any sexual harassment brought to their attention or personally witnessed is addressed as soon as possible. All individuals have responsibility to contribute towards an environment of trust and respect which forms the basis of appropriate professional relationships. The College shall treat any report of sexual harassment seriously and with sensitivity. It should follow up any complaint impartially and promptly.

The policy shall be made available on the College website and communicated to the school community.

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

Sexual harassment is any unwanted, unwelcome or uninvited behaviour of a sexual nature and is also classed as a form of bullying. Sexual harassment is defined by law from the perspective of the recipient, and it occurs if the behaviour makes a person feel offended, humiliated or intimidated and it is reasonable in all the circumstances that the recipient would feel that way. Sexual harassment can be obvious or indirect, verbal or physical, written or visual, repeated or one-off and perpetrated by males or females against people of the same or opposite sex. Forms of sexual harassment may include:

- The distribution or display of offensive pictures, objects or written material
- Repeated unwelcome requests for social outings or dates
- Behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications
- Suggestive comments, sexual jokes, intrusive questioning, messages or telephone calls of a sexual nature
- Accessing sexually explicit internet sites
- Direct requests, or subtle pressure for sexual favours
- Leering or unnecessary familiarity
- Unwelcome physical contact such as patting, pinching or touching
- Language or body gestures that intimidate, cause fear and/or discomfort
- Questions about sexual activity or sexual orientation
- Sexual assault



Other examples of behaviour that may constitute sexual harassment include:

- Lewd suggestions, whistling, foul language and obscene gestures
- Offensive comments about a person's physical appearance, dress, private life or sexual orientation

### **What happens if someone is sexually harassed at the College?**

A person who is sexually harassed should report the behaviour to the Principal.

The College will investigate the matter which may include:

- Asking the person for detailed information about what happened. Appropriate confidentiality will be maintained
- Examining any offensive material which may also be confiscated
- Gathering information from others at the College, such as those who witnessed any part of the incident/s or other relevant parties but involving as few people as possible in the process
- In the case of suspected criminal behaviour, such as an assault, a report will be issued to police and other relevant authorities

### **Consequences**

If it appears that sexual harassment may have occurred, the College will follow advice from appropriate authorities where necessary. The College will make every attempt to resolve the matter, that is, to see that the behaviour is stopped. Actions may include:

- Conducting a meeting with those involved
- Taking disciplinary action against the harasser which may include dismissal, misconduct proceedings or even suspension or expulsion
- Liaising the victim with a contact person to report any further problems
- Referral to and liaison with specialist counselling
- Informing parents and teachers as deemed necessary
- Any other appropriate action to reduce the risk of recurrence



Sometimes inappropriate sexual behaviour of younger children towards staff or another child can elicit a suspicion that the child in question has been sexually abused. If there is a strong enough case to support such suspicions, staff should:

- Make a mandatory notification to the Child Abuse Report Line on 131 478
- Consider the safety of other children and young people with whom the child has contact
- Develop and document a plan of action and communicate with all relevant parties

If, however, the matter has not been resolved with the College's assistance and the harasser is aged 16 or over, the person affected can contact the Equal Opportunity Commission to lodge a complaint.

### **Responsibilities**

The Principal has responsibility to:

- Model appropriate behaviour
- Maintain a work and learning environment free of harassment by monitoring and exercising appropriate standards of conduct
- Promote awareness of the avenues for advice and complaints procedures relating to sexual harassment
- Treat seriously complaints and behaviour which may constitute sexual harassment and taking immediate action
- Treat any cases with appropriate confidentiality
- Where an allegation involves a student, ensure that an appropriate network of support, guidance, counselling and liaison with parent/guardians is established in accordance with duty of care obligations
- Ensure a person is not victimised for making or being involved in a complaint of sexual harassment

Staff and students have responsibility to:

- Model and promote appropriate behaviour
- Maintain a work and learning environment free of sexual harassment
- Have knowledge of college policies relating to sexual harassment
- Comply with college policy
- Respond in a timely manner to incidents of sexual harassment in accordance with the college policy
- Participate in any training provided by the college
- Treat information in relation to sexual harassment with appropriate confidentiality
- Ensure a person is not victimised for making or being involved in a complaint of sexual harassment



The college community has responsibility to:

- Model and promote positive relationships that respect and accept individuals
- Support the college Sexual Harassment Policy through words and action
- Where appropriate, work collaboratively with the college to resolve incidents of sexual harassment when they occur

### **Other Information**

The Equal Opportunity Commission has information about sexual harassment on its website ([www.eoc.sa.gov.au](http://www.eoc.sa.gov.au)) and can be contacted on 8207 1977 or for country callers 1800 188 163.

Relevant legislation and documents include:

- Education and Early Childhood Services (Registration and Standards) Act 2011
- The Sex Discrimination Act 1984 (Commonwealth)
- Equal Opportunity Act (South Australia) 1984