



THORNIE
Christian College

Sexual Harassment Policy

Sexual Harassment Policy to be reviewed every 3 years (Mar 2014)

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Introduction

Thornlie Christian 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 school requires that staff, students and other members of the community treat each other with respect and love. This Policy outlines the College's position on the issue of Sexual Harassment and related matters.

Rationale

Staff are expected to display Christian love and appropriate professional behaviour in their dealings with each other and the students in their care. A sexually permissive lifestyle or actions of a sexual nature that are not in accord with Biblical standards that do not involve sexual harassment may, nevertheless, be deemed unprofessional conduct or conduct that is not in accord with the Biblical principles on which the school is based.

Such actions include:

- a. extra-marital sexual activity;
- b. adultery;
- c. homosexual activities;
- d. possession or distribution of pornographic or sexually explicit materials; and/or
- e. coarse or sexually oriented language

Practice

Wrongful discrimination and sexual harassment is unacceptable to the school and will not be tolerated under any circumstances. All members of the school community and the staff and senior students in particular are required to support and honour this commitment.

The sexual harassment of staff and students is unlawful under the Federal Sex Discrimination Act 1984, which prohibits:

- a. the sexual harassment of a student by a staff member;
- b. the sexual harassment of an adult student (ie a student who is aged 16 years or older) by another adult student; and
- c. the sexual harassment of staff or applicants for staff positions by other staff members or adult students.

While religious schools are exempt from most of the provisions of the Federal Sex Discrimination Act 1984, they are covered by the sexual harassment provisions of this Act in relation to both employment and education. As a Christian school, this school will uphold the highest standards of Christian behaviour and would not wish to discriminate unjustly or unfairly against any member of the school community or to permit any form of harassment to occur.

Appropriate action, including dismissal or expulsion, will be taken in any proven instances of harassment or unfair discrimination.

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Definition of Sexual Harassment

Sexual harassment has nothing to do with mutual attraction or consenting friendships. However, a friendship of a romantic or sexual nature between a staff member and a student is not acceptable professional behaviour for a staff member of this school.

Sexual harassment is any unwelcome conduct of a sexual nature including comments, attention or contact by which a reasonable person would have anticipated that the person harassed would be offended, humiliated or intimidated. Sexual harassment can be verbal, physical, written or visual. Examples of sexual harassment may include:

- the distribution or display of offensive pictures or written material;
- repeated unwelcome requests for social outings or dates;
- offensive comments about a persons physical appearance dress or private life;
- jokes, intrusive questioning, messages or telephone calls of a sexual nature;
- direct propositioning, or subtle pressure for sexual favours;
- leering or unnecessary familiarity;
- unwelcome physical contact such as patting, pinching or touching; or
- sexual assault.

Determining Boundaries for Unwelcome Behaviour

It is clear that it will sometimes be difficult to determine what behaviour goes beyond the boundaries of what is welcome. Among Christians giving a hug is not normally considered sexual harassment. The following guidelines should assist:

- If you are asked to desist from a particular action, it is a prima facie evidence that it is unwelcome.
- Avoid any jokes or teasing with sexual connotations.
- Consider the behaviour from the point of view of the person receiving it (innocent intention is no defence to sexual harassment).
- Always attempt to build up other people and do what is helpful to them not to yourself.
- Be very careful that any demonstration of affection is appropriate and err on the side of restraint; if a person shows embarrassment or any concern do not repeat the action.

Victimisation

In relation to sexual harassment it is against the law to victimise a person who:

- a. has made a complaint or intends to make a complaint;
- b. acts as a witness or intends to act as a witness; or
- c. intends to support a victim.

A person is victimised if threatened, harassed, harmed or subjected to any form of detriment.

The Responsibility of Staff

All staff members have a duty to ensure that any sexual harassment brought to their attention or witnessed by them is dealt with as promptly as possible according to the procedures set out below and is referred, where necessary, to the appropriate authority.

It is the legal responsibility of the school and all its employees to take all reasonable steps to prevent sexual harassment and victimisation by enforcing this policy and by active education of students and fellow staff members.

Procedures if a Person is Sexually Harassed

Staff members or students who believe they are being or have been sexually harassed should make it known that the comments, actions, attention, behaviour or contact is unwelcome and offensive.

If the person believes that the sexual harassment is continuing, or that he or she is being victimized, or if the staff member or student is unable or unwilling to handle the matter personally, he or she should contact an adviser for information, advice or to make a formal complaint. Advisers for this school include:

- a. Principal
- b. Deputy or Assistant Principals
- c. School Chaplain

Investigation of complaints will be conducted in a prompt and fair manner and as confidentially as possible. The only staff members and students who will be made aware of the complaint will be those people whose involvement is necessary to resolve the problem.

No student or staff member will be disadvantaged as a result of making a complaint unless it be proven that the complaint was mischievous.