# SEXUAL HARRASSMENT (STUDENT)

| POLICY DETAIL | |
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| Revision # | 2 |
| Effective Date | February 2025 |
| Review Date | January 2028 |

## CONTEXT

Sexual Harassment of any person in Catholic schools is contrary to the Gospels and the vision for Catholic schools, South Australia. Harassment of persons in any form is not tolerated and is subject to the following guidelines. In addition, Sexual Harassment is unlawful under the South Australian Equal Opportunity Act, 1984.

## PHILOSOPHY

Section 87(11) of the South Australian Equal Opportunity Act says that a person subjects another to sexual harassment if they do any of the following things in such a manner or in such circumstances that the other person feels offended, humiliated or intimidated:

- They subject the other person to an unsolicited and intentional act of physical intimacy
- They demand or request (directly or by implication) sexual favours from the other person
- On more than one occasion, they make a remark pertaining to the other person, being a remark that has sexual connotations and it is reasonable in all the circumstances that the other person should feel offended, humiliated or intimidated by that conduct.

Sexual Harassment may include:

- Persistent and unwelcome invitations for sexual favours or for social outings
- Smutty jokes, innuendo and suggestive comments
- Displays of sexually graphic material
- Leering and ogling
- Suggestive comments about a person's private life or sexual preference
- Belittling comments based on sex role stereotyping.

Sexual Harassment is not:

- Making genuine compliments
- Behaving with common courtesy
- Expressing friendship.

Sexual Harassment may involve:

- Students
- Staff and students
- People in a work experience setting
- Other adults.

The Equal Opportunity Act prohibits sexual harassment in schools. This includes:

- Staff harassing other staff members, students and parents
- Students harassing staff or other students. Sexual harassment of students by other students aged 16 years and over is unlawful under the Sex Discrimination Act, 1984. In accord with the overall intent of these Guidelines, sexual harassment of students by other students under the age of 16 is also prohibited.

## PROCEDURE

If you are being harassed, there are ways to approach the problem

- Tell the harasser that you object to the behaviour and do not want it repeated
- Discuss the situation with your Year Level Leader and tell her/him that you want the behaviour to stop and to obtain confidential advice on how to handle the situation. In most circumstances, it will be preferable to work restoratively with all relevant parties to resolve the issue, including both the perpetrator and the victim of the sexual harassment. The Year Level Leader will also provide ongoing support regarding the situation and may involve others such as the College Counsellors, Director of Middle or Senior School, Assistant Principal – Student Wellbeing, Deputy Principal or the Principal
- If the matter has not been resolved with the College's assistance and the harasser is aged 16 or over, you can contact the Equal Opportunity Commission to lodge a complaint on 82071977 or www.eoc.sa.gov.au.

In dealing with complaints or enquiries about sexual harassment:

- No action will be taken without the consent and knowledge of the person lodging the complaint
- A just and appropriate resolution will be sought to any complaint
- Confidentiality must be maintained throughout the process of investigation and resolution and thereafter
- The need for reconciliation and to return the College environment and relationships to accord with the Vision Statement as soon as possible shall be the guiding principles
- A person lodging a complaint shall not be victimised or prejudiced in any way.

| Policy Approvals | Signature | Dated |
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| Approved by Principal | | / / |
| Ratified by College Board | | / / |