



**NEW PLYMOUTH BOYS' HIGH SCHOOL**  
TE KURA TAMATĀNE O NGĀMOTU

Title	<b>SEXUAL HARASSMENT</b>
Reference Number	C302
Section	Staff
Written By	Board Of Trustees Policy Committee
Checked By	Board Of Trustees Policy Committee
Approved By	New Plymouth Boys' High School Board of Trustees
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Associated Policies	N/A
Associated Procedures	N/A

**RATIONALE :**

To provide a safe, supportive and harmonious environment in which staff and students are able to work without being sexually harassed.

**DEFINITION :**

Those working in the public sector area also remain covered by the law on sexual harassment in the Human Rights Act. Section 62 of the Human Rights Act defines two types of Sexual Harassment:

1. Requests for sexual contact or activity with an implied or overt promise to preferential treatment or threat of detrimental treatment if the request is refused
2. Behaviour of a sexual nature that is unwelcome or offensive and which is either repeated or of such a significant nature that it has a detrimental effect on another person

Sexual harassment can involve:



- Personally sexually offensive comments about anything including but not limited to clothing, anatomy, looks
- Sexual jokes
- Repeated comments about a person's alleged sexual activities or private life
- Offensive hand or body gestures
- Physical contact such as patting, pinching, or touching
- Following someone home from work
- Provocative posters with a sexual connotation
- Unwanted texts or telephone calls
- Emails containing sexually offensive material
- Personal gifts
- Sexual assault and rape

#### **PURPOSE :**

1. To define, publish and raise awareness of sexual harassment.
2. To deal sympathetically and correctly with the victim when sexual harassment occurs.
3. To ensure perpetrators of sexual harassment become aware of their behaviour and take steps to correct it.

#### **GUIDELINES :**

1. The School is to appoint a male and female Sexual Harassment Officer who will ensure that the purpose of the policy is achieved and the guidelines are followed by staff and students. The School is to facilitate the necessary training and support for the Sexual Harassment Officer (SHO) as reasonably required.
2. Staff with a complaint of sexual harassment against a student.
  - a. Staff must report any complaint to the SHO
  - b. Staff member must write down the action of sexual harassment which has occurred, including the identity of alleged perpetrator
  - c. The SHO must then submit the written complaint to the Headmaster who (together with the SHO) will ensure an investigation takes place
  - d. The Headmaster will then ensure that appropriate action is taken

If the complaint is proved to occur then action may include (but is not limited to) the following. It is VITAL that the staff member feels his/her complaint has been dealt with in a prompt and professional manner.

- i. Stand down or suspension of the student
  - ii. A restorative meeting between staff member and student
  - iii. A letter of apology written by the student to the staff member
  - iv. Parents/Caregivers of the student perpetrator will be informed of the Incident by phone, email or letter
  - v. Parents/Caregivers of the student perpetrator will be given every opportunity to meet with the Headmaster to discuss the incident of sexual harassment
  - vi. Where it is deemed appropriate by the Headmaster and/or parents, the Guidance Counsellor should be informed
3. Student with a complaint of sexual harassment by a staff member.
- a. Students should report any complaint to the SHO
  - b. Student must write down the details of the complaint including by whom
  - c. The SHO must then submit the written complaint to the Headmaster who (together with the SHO) will ensure an investigation takes place
  - d. Parents/Caregivers will be informed by the Headmaster of their son's complaint and reassured that investigations are taking place according to natural justice
  - e. If a staff member is found to have sexually harassed a student the Headmaster MUST inform the Board of Trustees.
  - f. The Board of Trustees must then take appropriate action against the staff member according to MOE guidelines and at all times taking the principles of natural justice into consideration.
4. Parents with a complaint of sexual harassment on a student's behalf.
- a. If a parent complains on a student's behalf, the complaint MUST be directed to the Headmaster or Deputy Headmaster if the Headmaster is absent.
  - b. The details of the complaint must be submitted in writing (by the parents or the student)
  - c. If a letter containing a complaint of sexual harassment is received by the school it must be referred to the Headmaster.
  - d. Letters of complaint to the Board of Trustees, should, through the Chairperson, be directed to the Headmaster.
  - e. A meeting may have to be held between the parents and the Headmaster (or a member of the Senior Leadership Team) and the SHO. The Headmaster together with the SHO will ensure an investigation is undertaken
  - f. The Headmaster will ensure that appropriate action is taken, according to the principles of natural justice.
5. Staff with a complaint of sexual harassment against another staff member.
- a. Staff must report any complaint to the SHO

- b. Staff must write down the details of the complaint including the identity of the alleged perpetrator
  - c. The SHO must then submit the written complaint to the Headmaster who (together with the SHO) will ensure an investigation takes place
  - d. If a staff member is found to have sexually harassed another staff member the Headmaster MUST inform the Board of Trustees.
  - e. The Board of Trustees must then take appropriate action against the staff member according to MOE guidelines and at all times taking the principals of natural justice into consideration.
6. The following principles shall apply in all proceedings.
- a. Confidentiality must be maintained by all people involved in a complaints mediation or investigation
  - b. No person is to exert pressure on any person making a complaint to withdraw it
  - c. The action of having made a complaint cannot be held against that person in the future
  - d. All complaints of sexual harassment are to be treated seriously and dealt with correctly
  - e. Records from the stage of mediation must be kept, by the Headmaster only, of all discussions interviews etc and must be read and signed by the people involved
  - f. All parts of the process are to be dealt with promptly
7. In service time will be put aside to raise staff awareness of sexual harassment and the health part of Physical Education will include education for students on sexual harassment.
8. The school will offer both victims and perpetrators the opportunity for counselling and education.
9. EAP services are available to all staff