



MARIST CATHOLIC SCHOOL

PROCEDURE: Harassment

Marist Catholic School is committed as part of its special Catholic character to providing a safe and respectful workplace which upholds the dignity of all employees. Harassment, workplace bullying and unlawful discrimination in the workplace are illegal and contrary to the Employment Relations Act 2000 and the Human Rights Act 1993. They are contradictory to the special Catholic character of the school.

General Guidelines

1. Harassment and workplace bullying are unwanted and unwarranted behaviours, which a person finds offensive, intimidating or humiliating and are repeated or significant enough as a single incident to have detrimental effect upon a person's dignity, safety and wellbeing. They can take place in the workplace, during workplace activities or during work related social situations.
2. Any harassment or bullying, by a staff member, student, parent, contractor or member of the public, in the course of one's employment, should be lodged either formally or informally with the appropriate staff member.
3. The workplace will protect any person who makes a valid complaint from being victimised or disadvantaged in any way. All complaints will be treated confidentially and seriously. Likewise, the workplace will support the alleged harasser, who is entitled to an investigation process that is fair and confidential.
4. In the event that a complaint is upheld against any member of the staff, this will be treated as serious misconduct, and may result in dismissal.
5. In the event that a false complaint is found to have occurred, this too will be treated as serious misconduct, and may result in dismissal.
6. All staff have a responsibility to promote a workplace environment free of harassment, bullying and discrimination.

Dealing with harassment from a student or work colleague

If someone harasses you or treats you unfairly, the following options are ways of dealing with this. We encourage you to take any of these options.

- Take notes about the behaviour, including date, time, witnesses and what specifically happened
- Go to the person directly, naming the behaviours that are concerning you and asking for them to stop. (Sometimes a person may not be fully aware that their behaviour is offensive to others.)
- Take a support person if you wish, so that the conversation is witnessed. You also may wish to put it in writing.
- Be firmly assertive rather than aggressive or abusive yourself. For example: "I have noticed that you [name the behaviour they use] and I want you to stop it. I would prefer you to [name the behaviour you want instead]." If necessary you may want to add: "If this continues, I will make a complaint."
- Seek support from the Principal
- If unresolved then discuss with the board chairperson

Dealing with harassment from a parent, contractor and/or member of the public

- Take notes about the behaviour, including date, time, witnesses and what specifically happened
- Seek support from the principal

- If unresolved then discuss with the board chairperson

Sexual harassment

Marist Catholic School adheres to the following definition of sexual harassment:

Sexual harassment is defined as any verbal or physical act of a sexual nature which is unsolicited, unwelcome and offensive, or might reasonably be perceived by the complainant as being unwelcome and offensive, detrimental and/or persistent.

The behaviour includes unwelcome and deliberately physical conduct/contact; verbal comments or abuse; requests for contact or activities of a sexual nature, either overt or subtle, which may be accompanied by threats; the open display of sexist material.

1. Sexual harassment can occur between children, between adults and children and between adults.
2. Marist Catholic School encourages the prevention of sexual harassment through promoting non-sexist curriculum and role models, and the attitudes and values taught through the Religious Education programme.
3. The board makes available detailed written procedural information for the guidance of members of the school community. (See Concerns and Complaints Policy).
4. All complaints of sexual harassment are treated sympathetically and seriously and investigated quickly, privately and fairly. The process for children is outlined in the Preventing and Reporting Child Abuse procedure.
5. Instances of sexual harassment are dealt with at three levels.

SELF HELP

If an act of sexual harassment occurs, the complainant immediately makes it clear to the offending person that their behaviour is unacceptable and offensive. This may be done face to face or in the presence of a third party chosen by the complainant.

INFORMAL INTERVENTION

If self help is not appropriate, or the behaviour persists, the complainant should approach the principal in the first instance, or where this is not appropriate, a member of the EEO Support Group, or a contact person of their choice. The contact must:

- let the harasser(s) know about, and give explanation for any allegations
- involve all parties in a decision on a working solution
- check independently with all parties that they feel comfortable with the solution
- monitor progress to ensure the solution is working to everyone's satisfaction.

FORMAL COMPLAINT

If self help and informal intervention have not worked, or if the allegation is, in the complainant's view, sufficiently serious to warrant formal disciplinary action, the complainant submits a written, detailed complaint through one of the following avenues:

- the principal and/or board of trustees
- personal grievance through an industrial advocate of the NZEI or other appropriate union staff liaison officer, counsellor or field officer.
- Human Rights Commission through the appropriate union staff liaison officer, counsellor or field officer