

8.20 Workplace Sexual Harassment Policy

The Currumbin State School P&C is committed to ensuring the working environment is free from sexual harassment where all employees are treated with dignity, courtesy and respect. This includes any work-related activities such as conferences, work functions and/or excursions.



Relevant Laws and other Provisions

The laws and other provisions affecting this policy include:

- *Work Health and Safety Act 2011 and Regulations 2011*
- *Sexual Discrimination Act 1984*
- *Anti-Discrimination Act 1991 (QLD)*
- *Fair Work Act and Regulations 2009*
- *National Quality Standard, Quality Area 4 – Staffing Arrangements; 7.2 Effective leadership builds and promotes a positive organizational culture and professional learning community*
- *Policies: 8.1 – Role and Expectations of Educators, 8.3 – Recruitment and Employment of Educators, 8.6 – Employee Volunteer and Grievance 8.9 – Employee Code of Conduct, 8.10 – Employee Orientation and Induction, 8.19 – Employee Counselling and Disciplinary Procedures, 10.8 – Information Handling (Privacy and Confidentiality)*



Procedures

Definition

'Sexual Harassment' is any unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended.

Sexual harassment in the workplace can take many different forms and may include:

- Staring, leering or unwelcome touching;
- Suggestive comments or jokes;
- Unwanted invitations or requests for sex;
- Intrusive questions about a person's private life or body;
- Insults or taunts based on sex;
- Sexually offensive communications (phone, email, SMS or other social media).

Sexual harassment is not behaviour which is based on mutual attraction, friendship and respect. If the interaction is consensual, welcome and reciprocated it is not sexual harassment.

Sexual harassment doesn't have to be repeated or continuous to be against the law.

Examples of sexual harassment being offences under criminal law include:

- Physical molestation or assault;
- Indecent exposure;

- Stalking;
- Obscene communications (telephone calls, letters, etc.).

The service has a legal responsibility to prevent sexual harassment in the workplace, therefore the Coordinator and other members of management have a particular obligation to:

- Model appropriate behaviour;
- Promote this policy;
- Treat all complaints seriously and attend to them promptly;
- Monitor the work environment; and
- Seek expert help for complex or serious matters.

The service will take disciplinary action against any employee found to have breached this policy, which may include:

- An official warning and note on the employee's file;
- A formal apology;
- Counselling;
- Demotion; or
- Dismissal for serious misconduct.

Complaints of sexual harassment will be dealt with as per the Employee and Volunteer Grievance Policy and will be dealt with as per the Employee Counselling and Disciplinary Procedures Policy.

References

ACSEA. (2006). *employee manual*. brisbane: ASCEA.

DATE DEVELOPED	DATE RATIFIED	DATE REVIEWED	DATE RATIFIED
August 2018	August 2018	23.06.2021	October 2021
		09.04.2024	April 2024