

HARASSMENT PROCEDURE

Outcome

To provide a comfortable and safe environment where employees and tamariki can work free from offensive behaviours.

The School and the Board will:

- a) Meet the requirements of the Human Rights Act, Employment Relations Act and Health and Safety in Employment Act which deal with harassment issues.
- b) In accordance with our commitment to uphold the principles of Te Tiriti o Waitangi, our harassment procedure ensures a safe, inclusive, and respectful environment for all individuals, recognising the unique cultural values and rights of Māori as tangata whenua.
- c) Describe what constitutes sexual harassment, racial harassment and bullying.
- d) Establish procedures for handling complaints.

Sexual harassment occurs when there is verbal or physical conduct of a sexual nature by a person or group of people toward another and the conduct is unwelcome and offensive or might reasonably be perceived as unwelcome and offensive. Examples of sexual harassment include:

- a) Requests for sexual intercourse, sexual contact or other form of sexual activity that contains an overt or implied promise of preferential treatment, detrimental treatment or threat about the present or future employment status of the employee.
- b) Personally offensive verbal comments.
- c) Sexual jokes.
- d) Comments or teasing about an employee's alleged sexual activities or private life.
- e) Comments regarding an employee's sexual preference.
- f) Persistent, unwelcome social invitations, telephone calls, emails, letters, or other material from co-workers at work or home;
- g) Offensive hand or body gestures;
- h) Inappropriate or unwelcome physical contact such as patting, pinching or touching;
- i) Provocative images such as posters, screensavers etc.

Racial harassment may include expressing hostility against, or bringing into contempt or ridicule, an employee or student on the grounds of race, colour, ethnic or national origin or the attribution of stereotypical or extreme behaviour to a particular racial group.

Bullying occurs where unwelcome and unreasonable behaviour that is intended to and does create a hostile, uncomfortable or offensive work/learning environment for those who are the target of bullying. Bullying behaviour is intended to, and demeans, intimidates, degrades or humiliates people, often in the presence of

others. Examples of bullying behaviour include:

- a) Verbal bullying – including abusive or offensive language, insults, teasing, sarcasm, using aggressive body language, spreading rumours and unwarranted and unjustified criticism and trivializing of achievements;
- b) Manipulating the workplace – by isolating individuals from others in the workplace, over-work or under-work individuals maliciously, or set impossible deadlines or expectations;
- c) Psychological manipulation – this can be an insidious form of bullying whereby individuals can be:
 - Deliberately and unjustly excluded from activities;
 - Subjected to practical jokes;
 - Unreasonably allocated humiliating or degrading tasks;
 - Belittled or disregarded when making suggestions or giving an opinion;
 - Unfairly blamed for mistakes or delays, and
 - Unnecessarily or unfairly disciplined/chastised in front of others.

The School's three principles underlying its policy for dealing with harassment are:

- a) A case of harassment should be dealt with as quickly as possible, and with the least degree of formality as appropriate;
- b) The feelings of the person claiming harassment should be respected; and
- c) All parties should be protected from victimisation and/or unfair accusation. Confidentiality during any investigation process will be maintained.

Procedures

- If an employee or student feels they are being harassed they should attempt to make it clear to the offender either verbally or in writing that such behaviour is offensive and unacceptable. However, if the person being harassed feels unable to confront the offender they should seek contact with an appropriate person for advice and support.
- The school will have in place an appropriate complaints procedure to deal with allegations of harassment.
- Such procedures will have due consideration to any relevant Employment Agreement.
- Where the tumuaki is the alleged offender the matter will be referred directly to the Board.
- A register of student incidents will be kept on the Student Management System to ensure tracking of harassment behaviours and detailed actions undertaken.