

HARASSMENT POLICY (STUDENT AGAINST STUDENT)

Context

Christian Brothers' College St Kilda (CBC St Kilda) is a Catholic school for girls and boys in the Edmund Rice tradition, established in 1878. CBC St Kilda is committed to providing a caring, supportive and safe environment where every student has a place, a voice and their story is known. As a Catholic school in the Edmund Rice tradition, our Christian values are those expressed in the Touchstones of our governing body, Edmund Rice Education Australia (EREA): Liberating Education, Gospel Spirituality, Inclusive Community, Justice and Solidarity. The charism of Blessed Edmund Rice expressed through these touchstones, underpins our continued commitment to a safe and inclusive environment for all, providing a preferential option to those at the margins, to grow in empathy and to respond in faith and action.

Rationale

CBC St Kilda staff and students have the right to feel safe and deserve to be treated with respect, regardless of age, gender, sexuality, religion, ability, economic situation, ethnicity or cultural background. CBC St Kilda will not tolerate behaviour or participation in behaviour which constitutes harassment, or the engagement in conduct that suggests contempt, ridicule or intolerance.

Principles

Harassment is unwelcome behaviour that intimidates, offends, or humiliates a student because of a particular personal characteristic. Harassment is similar to bullying because someone hurts another person through cruel, offensive and insulting behaviours. Harassment is different from bullying in that it is a form of discrimination and is unlawful where the basis for harassment relates to a personal characteristic which is protected by law, such as:

- sex, gender identity or sexuality and sexual orientation;
- race, religion, ethnic background; and
- disability.

Policy Statement

CBC St Kilda is committed to providing a safe College learning and working environment that is based on mutual respect and is free from harassment. Harassment is not acceptable in any circumstances and will not be tolerated.

The College is responsible for ensuring that students are treated fairly and with respect, and is committed to ensuring that all staff will:

- model appropriate standards of behaviour;
- educate and make students aware of their obligations under this policy and the law;
- intervene quickly and appropriately when inappropriate behaviour is identified;

- act fairly to resolve issues and enforce the College's behavioural standards, making sure
- relevant parties are heard;
- help students resolve complaints informally; and
- ensure students who raise an issue or make a complaint are not victimised.

The College will investigate formal complaints about breaches of this policy and take appropriate prompt remedial action, including counselling, education, medication and disciplinary action up to and including expulsion.

What is Sexual Harassment?

Sexual harassment occurs when a student is subjected to unwelcome and uninvited sexual conduct by another student which could be expected to make a student feel offended, humiliated, or intimidated.

Sexual harassment can also result when a sexually intimidating or offensive environment is created. Sexual harassment can be physical, verbal, written or pictorial, and can range from relatively mild sexual banter to actual physical violence.

It is important to remember that it is the way the victim perceives the behaviour that is important in determining whether or not harassment has taken place, not the intent of a particular individual. Mutual attraction or consenting friendships do not constitute sexual harassment.

Examples of sexual harassment include, but are not limited to:

- unwanted physical contact, touching, brushing against another student, hugging;
- persistent jokes or innuendos of a sexual nature;
- repeated requests to go out;
- offensive gestures;
- persistent or intrusive enquiries into another student's private life, sexuality, or physical appearance;
- sexual propositions;
- sexually offensive phone calls, messages on email, voicemail or in writing;
- taking or sharing offensive photos or displaying offensive screen savers, photos, calendars or objects;
- sexually explicit emails, text messages, or posts on social networking sites;
- stalking; and
- sexual assault.

What is Racial Harassment?

Racial harassment is also found in many forms. Examples include, but are not limited to:

- abusive, threatening or insulting words and behaviour;
- deliberate exclusion from conversations;
- displaying abusive writing and pictures;
- insensitive jokes related to race; and
- pranks.

What is Disability Harassment?

Examples of disability harassment include:

- humiliating comments or insults about a student's disability;
- disparaging remarks to students who have received learning adjustments;
- comments or actions which create a hostile environment for a student with a disability; and
- deliberately excluding a student where the disability is not an issue.

Victimisation

Action will be taken against anyone who victimises a student who makes a complaint of harassment in good faith.

Student Responsibility

All students are required to:

- treat all students, staff and any other person at the College professionally and with respect;
- avoid behaviour that could be interpreted as harassing and act to prevent other students from engaging in harassment, where this is reasonably practicable; and
- where students have witnessed harassment at the College they are encouraged to report this to a staff member.

Harassment Response Procedures

A key part of CBC St Kilda harassment prevention and intervention strategy is to encourage reporting of harassment incidents as well providing assurance to students who experience harassment (and parents/carers) that harassment is not tolerated within the College.

Students who believe that they are being harassed should make it known that the comments, contact or behaviour is unwelcome and offensive.

If the student does not feel comfortable in talking directly to the perpetrators or if they seek advice on how to proceed they should contact any of the following:

- a teacher;
- the College Student Counsellor;
- the student's Program Leader;
- the Director of Students; or
- the Deputy Principal or the Principal

Implementation

This policy is implemented through a combination of:

- staff training;
- effective incident notification procedures; and
- initiation of corrective actions where necessary.

Discipline for Breach of Policy

Depending upon the nature and seriousness of the breach of this policy CBC St Kilda may take disciplinary action, including in the case of serious breaches, suspension or

expulsion. Engaging in unlawful harassment may result in legal action being taken against the perpetrator.

References

- Bullying Prevention and Intervention Policy
- Student Code of Conduct
- Child Safety Code of Conduct
- EREA Code of Conduct

Review

This policy will be reviewed December 2021.