



Learning for the future

Ahuwhenua – Manaakitia – Mana Motuhake – Manawanui – Aroha

**Kamo Primary School**

## **NAG 3 - Policy and Procedure Sexual Harassment**

### **Purpose**

Kamo Primary School accepts the following definition for sexual harassment:

“The Human Rights Act 1993 defines sexual harassment as any unwelcome or offensive sexual behaviour that is repeated, or is serious enough to have a harmful effect, or which contains an implied or overt promise of preferential treatment or an implied or overt threat of detrimental treatment” (WorkSafe, 2021).

Sexual harassment can happen at any time and at all levels of a business. Sexual harassment can be spoken or written, visual or physical acts. It can occur in person, through text messaging, or online through email, internet chat rooms or other social media channels (WorkSafe, 2021).

### **Rationale**

Sexual harassment “takes away the employee equal employment opportunities, by creating a working environment in which that employee’s ability to perform is impaired” (Section 15 of the Human Rights Act 1993).

Sexual harassment is not acceptable at Kamo Primary School. The Principal and/or the Board of Trustees must consider complaints of sexual harassment sympathetically and seriously, and ensure the person making the complaint is not subject to victimisation.

### **Policy**

This policy acknowledges the Board of Trustees and Principal’s commitment to dealing with allegations of sexual harassment and recognises the importance for any allegations to be dealt with fairly. If necessary, advice will be sought through appropriate agencies.

All staff members, contractors, volunteers and outside agencies are expected to be familiar with this policy, its associated procedures and protocols and abide by them.

### **Procedures**

- In the event of sexual harassment, the complainant may approach the following people:
  - The Principal or a member of the Board of Trustees.
  - An NZEI staff liaison officer, counsellor or field officer.
- The case should be documented by the complainant. If necessary, they may need to do this with the assistance of the supporting person or persons mentioned above.
- The person alleged to have carried out the harassment should be confronted and informed that the behaviour is unacceptable and must stop. Assurances should be sought that the behaviour will stop, and that an apology will be made (if that is what the complainant would like).
- If it is decided that further action should be taken, the person alleged to have carried out the sexual harassment will be informed and a decision will be made to lay a complaint



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following the procedures outlined in the appropriate Employment Agreement. The complainant will also be informed.

- Kamo Primary School will follow Personal Grievance procedures as per the appropriate Employment Agreement.
- Staff must have support if they are subjected to offensive or unwelcome behaviour of a sexual nature which is of such significance that it detrimentally effects their employment, job performance, or job satisfaction.

Signed: .....  ..... Principal

Signed: .....  ..... BoT Chairperson

**Reviewed:** Term 1, 2021

**Review date:** Term 1, 2024