



Harassment Policy (Student Against Student)

What is Harassment?

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

CBC St Kilda Policy

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, mediation 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;
- 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 College 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 counsellor;
- the student's Program Leader; 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 and CBC St Kilda.