

## POLICY TITLE: Sexual Harassment

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### Purpose

The purpose of this policy is to state the commitment of Photography Studies College (Melbourne) to an educational and employment environment that is free from sexual harassment, and to outline the methods for resolving complaints of that nature.

This policy should be read in conjunction with the *Access, Equity and Anti-Discrimination Policy*.

### Policy

Photography Studies College (Melbourne) aims to:

1. Create an environment which is free from sexual harassment where all staff, contractors, service providers, customers, visitors and students are treated with dignity, courtesy and respect;
2. Provide an effective procedure for resolving complaints based on the principles of natural justice;
3. Promote appropriate and high standards of conduct at all times.

### What is sexual harassment?

*A person sexually harasses another person if:*

- a. *the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed, or*
- b. *engages in other unwelcome conduct of a sexual nature in relation to the person harassed*

*in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated*

Conduct of a **sexual nature** includes making a statement of a sexual nature to a person, or in the presence of a person, whether the statement is made orally or in writing.

Sexual harassment can take various forms. It can involve behaviour which:

- Is accompanied by a direct or implied threat, benefit or promise; or
- Creates a sexually permeated or hostile working environment; or
- Would also be an offence under the criminal law (for example, physical assault, indecent exposure, sexual assault, stalking or obscene communications)

## What isn't Sexual Harassment?

Sexual harassment is not sexual interaction, flirtation, attraction or friendship that is invited, mutual, consensual and reciprocated.

## Procedure

Complaints of sexual harassment may be submitted in writing to the relevant Manager/Supervisor, or Managing Director. Investigation and resolution of complaints will be addressed in accordance with the Photography Studies College (Melbourne) complaint resolution procedures outlined in the *Access, Equity and Discrimination Policy*.

## Responsibilities

The following responsibilities apply to Photography Studies College (Melbourne) Managers/Supervisors:

Manager/Supervisors are to ensure that staff, contractors and suppliers do not sexually harass:

- Students
- Employees or prospective employees
- Contract workers
- Clients, customers or any other person in the course of providing services or participating in Photography Studies College (Melbourne) activities

Manager/Supervisors are to ensure that teaching and general staff do not engage in any act of victimisation of complainants and must not cause, instruct, induce or permit another person to commit an act of sexual harassment.

It is the responsibility of each staff member, contractor, and student not to engage in any form of sexual harassment. In addition, staff members, contractors, and students must:

- Comply fully with this Policy;
- Respect the confidentiality all parties if they provide information during the investigation of a complaint.
- Cooperate with measures to implement this and related Policies
- Do not sexually harass other staff, students and persons who participate in Photography Studies College (Melbourne) activities
- Not spread gossip, rumours or innuendo. Such behaviour in itself can lead to defamation action and is unfair.

## Manager / Supervisor

Within Photography Studies College (Melbourne), a complaint of sexual harassment may be lodged with the relevant Manager/Supervisor or in the case of students, the

Communications & Student Officer. Where the complaint is against the Manager/Supervisor then the Managing Director will appoint or designate an appropriately qualified person to act as the contact officer.

The responsibility of the Manager/Supervisor is to:

- Assist the complainant to document the claim of alleged sexual harassment;
- Explain what constitutes sexual harassment and answer any questions;
- Provide information on the internal options that are available to deal with sexual harassment complaints;
- Inform the individual of their rights under anti-discrimination law (including the right to take the complaint directly to the federal Human Rights And Equal Opportunity Commission, the National Training Complaints Hotline or Fair Work Australia;
- Discuss possible strategies the individual can use to deal directly with the alleged harasser;
- Provide general information on sexual harassment and Photography Studies College (Melbourne) policy and procedures to any interested staff member.

## **Investigation and Resolution**

See the *Access, Equity and Anti-discrimination Policy* for a description on the procedures to resolve a complaint of sexual harassment.

The outcomes of the investigation and the action taken to resolve the matter must be recorded.

## **Responsibility**

Manager/Supervisor

## **Definitions**

See section entitled “What is sexual harassment” and “What isn’t sexual harassment”

## **Reports to Board**

Yearly reporting on performance indicators, except for instances of litigation, which must be reported to Board immediately. Regular data report on complaints received and action taken to resolve if identified as an area of high risk.

## **Related Documentation**

### **Policies**

Preventing Bullying Policy  
Access Equity and Anti-Discrimination Policy  
Recruitment Policy  
Disability Access Policy

## Procedures Forms & Documents

Nil

### Publishing Details

**Policy number:** HED/VET\_HR006\_v4

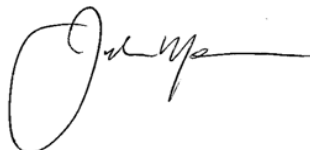
**Status:** Final

**Approved:** 21/12/2017

**Review Date:** June 2019

Julie Moss - Managing Director

**Published:** December 2017

A handwritten signature in black ink, appearing to read 'Julie Moss', is written over the printed name.