

## ***SEXUAL HARRASSMENT***

<b>STANDARD:</b>	<b>1.6</b>
<b>EFFECTIVE DATE:</b>	<b>15/1/2006</b>
<b>REVIEW PERIOD:</b>	<b>ANNUAL</b>
<b>APPROVED BY:</b>	<b>CEO/BOD</b>
<b>RESPONSIBILITY:</b>	<b>ALL STAFF</b>
<b>DISTRIBUTION:</b>	<b>ALL STAFF</b>
<b>VERIFICATION:</b>	

### ***PURPOSE:***

**To ensure that all employees are able to work in an environment free of intimidation and sexual harassment.**

### ***DEFINITION:***

#### **What is Sexual Harassment?**

Sexual harassment is any form of sexual attention that is unwelcome. It may be unwelcome touching or other physical contact, remarks with sexual connotations, smutty jokes, requests for sexual favours, leering or the display of offensive material such as pictures, posters or computer graphics.

Sexual harassment has nothing to do with mutual attractions. Such friendships are a private matter.

Sexual harassment may be a single incident - it depends on the circumstances. Obviously some actions or remarks are so offensive that they constitute sexual harassment in themselves, even if they are not repeated.

Other single incidents, such as an unwanted invitation out or compliment, may not constitute harassment if they are not repeated.

Sexual harassment may cause the loss of trained and talented employees and damage staff morale and productivity.

There is no onus on the person being harassed to say he/she finds the conduct objectionable. Many people find it difficult to speak up. **All employees are responsible for their own behaviour. If you think the behaviour may offend, then do not do it!**

**POLICY:**

- A person must not sexually harass another person.
- **Management considers sexual harassment an unacceptable form of behaviour which will not be tolerated under any circumstances.**
- Disciplinary action will be taken against anyone who sexually harasses a co-worker or resident. Discipline may involve a warning, transfer, counselling, demotion or dismissal, depending on the circumstances.
- Under the **Anti-Discrimination Act** and the Federal **Sex Discrimination Act**, sexual harassment is against the law.
- Management ensures that all employees are treated equitably and are not subject to sexual harassment. We also ensure that people who make complaints, and/or witnesses, are not victimised in any way.
- Any reports of sexual harassment will be treated seriously and investigated promptly, confidentially and impartially.
- A written complaint is not required, although a written complaint does streamline the investigation process.

**What to Do If You Are Sexually Harassed**

There are several options. Choose the course of action with which you feel most comfortable. Do not ignore sexual harassment. Silence may give the impression that it is acceptable.

1. Contact one of the following people at The facility who have been nominated to give advice and/or investigate complaints of sexual harassment:

Name: PHILLIP.M.CARTER.....  
 Position: CEO .....  
 Location: 59 BENTINCK ST BALLINA.....  
 Telephone: 66 20 5800.....

Name: PETER CHITTICK.....  
 Position: DIRECTOR OF CARE SERVICES.....  
 Location: 59 BENTINCK ST BALLINA.....  
 Telephone: 66 20 5800.....

2. Contact one of the following people who have been nominated to give advice and/or investigate complaints of discrimination or sexual harassment.

Name: MARALYNNE NEWMAN .....

Position: QUALITY /EDUCATION COORDINATOR .....

Location: 59 BENTINCK ST BALLINA .....

Telephone: 66 20 5800.....

Name: N/A.....

Position: DEPUTY DIRECTOR OF CARE SERVICES .....

Location: 59 BENTINCK ST BALLINA .....

Telephone: 66 20 5800.....

3. Contact your Union for advice.
4. Make a complaint under anti-discrimination legislation to the New South Wales Anti-Discrimination Commission and Human Rights and Equal Opportunity Commission:

Sydney

Telephone: (02) 9318 5444

**The facility is committed to providing an environment which is safe for all employees. You will not be disadvantaged in your employment conditions or opportunities as a result of lodging a complaint.**

**References:**

1. Anti-discrimination Commission of Queensland
2. I G Bennett & Associates Pty Ltd, Employee Relations & Human Resource Consultants, 07 3229 6030.
3. James Underwood & Associates Pty. Ltd. 1999
4. I G Bennett & Associates Pty Ltd, Employee Relations & Human Resource Consultants, 07 3229 6030.

**St Andrews Ballina Ltd  
DISCRIMINATION / HARASSMENT**

**PRO FORMA**

**CONFIDENTIAL**

You are not required to complete this form in order to file a discrimination or harassment complaint; however, a written complaint does streamline the investigation process.

Once you have completed the form take it to the nominated contact person. The contact person will sit down with you and work through the material you have stated on the form to ensure all of the necessary details are recorded.

The contact person will then interview the person against whom you have made the complaint. A meeting with the contact person, yourself and the person whom you have made the complaint will then be conducted in order to resolve the matter.

5. Name:

6. Name of person complaint is made against: .....

7. Outline of the complaint:

- 1) when did the incident/s occur?
- 2) where did the incident/s occur?
- 3) what occurred?
- 4) How do you feel that you have been discriminated against/sexually harassed/or victimised (threatened, bullied etc.)?

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8. What would you consider to be an appropriate outcome of the investigation?

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9. Any other information you would like to provide?

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Signed

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Date