Dunmore Lang College
Sexual Harassment Policy
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Dunmore Lang College Sexual Harassment Policy

Policy Title: SEXUAL HARASSMENT POLICY
Approved by: Dr. Alasdair Murrie-West, Principal, Dunmore Lang College
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1.0 Purpose

Sexual harassment is an unacceptable behaviour that results in distress and is damaging to the College environment. Sexual harassment erodes the rights of the individual, weakens morale and detrimentally interferes with the effectiveness of the work and learning environment. Dunmore Lang College does not tolerate harassment of any form.

2.0 Overview

Dunmore Lang College is committed to providing an environment free from all forms of discrimination and harassment/bullying. Members of the Dunmore Lang College community and all visitors are also bound by Macquarie University Policy Guidelines, State and Federal Laws.

3.0 Definition

Sexual harassment includes any unwelcome behaviour of a sexual nature that could be reasonably expected to make someone feel offended, humiliated or intimidated.

This may include (but is not restricted to):

- an unwelcome sexual advance
- a request for sexual favours
- unwelcome comments about someone’s sex life or physical appearance
- leering and ogling
- sexually offensive comments, stories or jokes
- displaying sexually offensive photos, pinups or calendars, reading matter or objects
- sexual propositions or continued requests for dates
- physical contact such as touching or fondling, or unnecessary brushing up against someone
- indecent assault or rape (these are criminal offences).

Sexual harassment does not refer to behaviour that is mutually acceptable to the parties involved. Friendships (whether sexual or otherwise) are a private concern.

Sexual harassment may occur between one student and another, between students and staff members, or between staff, students, clients, contractors, guests or visitors. It may occur wherever individuals are interacting with others in the context of their position in the College, including events, activities, work off-site and social functions.

In establishing appropriate standards of behaviour the College recognises:

- social and/or cultural backgrounds may mean that people identify the same conduct differently
- sexual harassment can arise where different values and beliefs are not recognised and respected
- men and women may be sexually harassed by a person or persons of the same or opposite gender
appropriate behaviour is behaviour which respects the rights and sensitivities of all people in the College environment

4.0 Scope

The Dunmore Lang College community, includes:

- students;
- staff (including full time, part time and casual);
- sub-contractors working on the Dunmore Lang College site;
- visitors to the College and
- conference guests.

5.0 Policy

Dunmore Lang College:

- is committed to ensuring students, staff and visitors are able to live, study and work in an environment that is free from discrimination and harassment/bullying;
- will not tolerate discrimination and/or harassment/bullying on the basis of a person’s:
  - age;
  - sex;
  - transgender status or sexuality;
  - race, colour, nationality, descent and ethnic, ethno-religious or national origin;
  - disability or presumed disability;
  - religious or political belief or activity;
  - pregnancy or potential pregnancy;
  - marital or domestic status;
  - responsibilities as a carer;
  - pregnancy or potential pregnancy;
- will not condone the victimisation of a person for making a complaint of discrimination and/or harassment/bullying;
- will implement awareness-raising and communication strategies to ensure that the all members of the community are aware of their rights and responsibilities in relation to the prevention of discrimination and harassment/bullying;
- will deal promptly and effectively with all complaints of discrimination and/or harassment/bullying from staff, students and visitors.
- will ensure there are trained staff/student mentors available to assist with advice & facilitating external assistance.
- will ensure the names & contact details of staff/student mentors are displayed throughout the College.
6.0 Breaches

Dunmore Lang College may commence disciplinary procedures if members of or visitors to the community to whom this policy applies breach this policy (and/or any of its related procedures).

Disciplinary procedures, depending on the severity of the breach, may include the following:
- counselling;
- suspension;
- exclusion.

A. External complaint
A student or staff member who has been harassed may choose to take their complaint to the Australian Human Rights Commission or the NSW Anti-Discrimination Board.

Contact for the Australian Human Rights Commission is 1300 656 419 and for the NSW Anti-Discrimination Board 1800 670 812.

B. Internal complaint
A student or paid staff member who believes they have been harassed (the complainant) should:
- if comfortable to do so, inform the alleged harasser the behaviour is offensive, unwelcome, against the College’s policy and should stop
- make a note of the date, time and location of the incident/s
- if not comfortable to confront the alleged harasser or if unwelcome behaviour continues, report to the nominated College Harassment Contact
- if this is inappropriate, speak to another senior member of the College, such as the Principal, the Dean or another member of staff or a Resident Adviser.

The College harassment contact will follow the procedures set out below. At any time the complainant has the right to discontinue this process.

C. Complaints Process
When a complaint is received, the College Harassment Contact will:
- obtain and record a full, step-by-step account of the incident/s
- ensure the College’s process for handling the complaint is understood
- ascertain the complainant’s preferred outcome, e.g. an apology, the behaviour to cease, a change in working arrangements
- agree on the next step: informal resolution or formal investigation
- keep a confidential record of all details of this discussion and subsequent steps in the process.
D. Informal resolution
Where a complainant has chosen informal resolution, the College Harassment Contact will inform a senior member of the College staff who will:

- inform the alleged harasser of the complaint and provide an opportunity to respond
- ensure both parties understand their rights and responsibilities under the College’s policy
- if possible, mediate an outcome that is satisfactory for the complainant
- ensure that confidentiality is maintained
- follow up to ensure the behaviour does not re-occur.

E. Formal investigation
If a formal investigation is requested by the complainant, or if an informal resolution fails, the College Harassment Contact will escalate the matter to a senior member of the College or to a member of the Board or a qualified external mediator

That person will:

- afford natural justice to all involved
- interview all directly concerned, separately
- interview witnesses, separately
- keep records of the interviews and investigation
- ensure confidentiality and minimise disclosure
- make a determination as to whether there is sufficient evidence that a reasonable person could conclude, on the balance of probabilities (i.e. it’s more likely than not), that an incident/incidents of sexual harassment as defined by the legislation has occurred
- in such a case, determine appropriate action, which may include a change of duties for the harasser, change to working arrangements or, where the incidents were frequent and/or severe, dismissal (if a staff member) or exclude (if a student or resident)
- where it cannot be determined by the required test, that an incident/incidents of sexual harassment as defined by the legislation has occurred, may still take action to ensure the proper functioning of the workplace; but these actions should not prejudice any party. They will also continue to closely monitor the situation and provide retraining where required
- check to ensure the action meets the needs of the complainant and the College.

Complaints against the Principal
If a complaint is made against the Principal, the procedures in this document will apply, except that the matter will be referred for determination to the Chairman of the Board of Directors and any power to be exercised by the Principal will instead be exercised by the Chairman.
Outcomes as they affect the complainant will be discussed with the complainant to ensure that needs are met, where appropriate.

7.0 College Harassment Contacts

STAFF:

Dr. Alasdair Murrie-West, Principal
Liza Allen, Dean of Students
Joanne Dunwell, Business Manager

STUDENTS:

Appointed each year after completing training. Names are advertised on College noticeboards and Resident Adviser doors.

Key resource

What Do I Do If I Am Feeling Sexually Harassed?

WHAT CAN I DO?

Do NOTHING

Speak to the PERPETRATOR

……but if it continues

Seek LEGAL ADVICE
- Police
- Anti-Discrimination Commission

Talk to COLLEGE HARASSMENT CONTACTS
- Listens
- Confidential
- Provides information
- Referral
- Treats it seriously
- May refer it to the Principal or Dean

Talk to the PRINCIPAL or DEAN
- May take disciplinary action
- Monitors ongoing behaviour
- Supports and advises
- Prevents/watches for reprisals
- Is informed of referrals to External Councilor

Discuss with CAMPUS WELLBEING
- Counsels
- Conciliates
- Agrees on Resolution