

## **Key to Diagram and Procedures**

### **1. Assessing the level of harassment:**

- **Low level harassment** can include:
  - Giving the evils
  - Minor name calling
  - Use of sexual orientation words to harass (gay etc)
  - “borrowing” equipment without permission
  - Put downs
  - Pushing lightly/play fighting

If this behaviour is repeated, or after warnings, it moves to a higher level and is referred to the Deans. There may be a number of victims or alleged accused involved and in this case it is also advisable to refer the case to a Dean.

- **High level or serious harassment**
  - Harassment that continues or is of concern must be referred to the Dean. This includes sexual harassment, racial harassment, and cyber/text electronic harassment.
  - Harassment in the following categories is referred to a senior manager:
    - Physical violence or threats there of
    - Sexual harassment (abusive)
    - Verbal abuse of a staff member (swearing etc)
    - Serious emotional distress of a victim or accused (student at risk)
    - Where the safety of any student is in doubt

### **2. When a low level complaint is made:**

- Always consult with the victim when the complaint is made confidentially so that they are able to agree that they feel comfortable with the action you plan to take.
- Check details – (see 4) – deans undertake an investigation as appropriate.
- Always ensure you hear both sides of the story.
- Take action – this can often be a simple warning of expectations.
- Teachers should name the behaviour (“that’s a put down and it is not acceptable).
- Deans may offer the choice of an informal or formal process.
- If the behaviour continues, it becomes a higher level complaint and must go to a dean.
- Always ensure follow up. Instruct the victim that they must then let you know if there are any further problems and check with them after a few days. This ensures that “payback” of serious repeated harassment can be identified.
- Encourage the use of a support person/buddy where appropriate.

### **3. When a higher level complaint is made:**

- Apply all advice as listed for low level complaints and;
- Ensure an investigation takes place with formal interviews and all statements collected in writing (see No.4).
- Contact the parents of both parties
- Ensure the safety of all involved

- The process should be educational and the student should be presented with opportunities to achieve behavioural change and to work on their values through any of following:
  - Counselling or referral to programmes or outside agencies
  - Peer support
  - Learning support
  - Family conferencing
  - Restorative justice
  - A written outline of conditions and ways of change supplied
  - Appropriate disciplinary action
- In serious cases a DP may arrange for a stand down or suspension with the Principal (see levels of harassment – No.1).

#### 4. Investigation Process

- Any proposed action should be in accordance with the victim's wishes. However, in a situation where other members of the school community or the victim are likely to be endangered, action to ensure safety must be taken. In these cases the school controls the process.
- When a higher level complaint is made to a dean, counsellor or DP, a full written statement must be taken from or written by the victim. Dates, times, places, names and all appropriate details should be included.
- A dean or DP attached to the "house" of the alleged accused will interview the victim. If the problem is serious or personal, a counsellor may be consulted and may be present at the interview. Deans of any appropriate houses should also be consulted for relevant information about the students involved.
- Incident reports should be collected from any staff involved (forms available on Paknet).
- During the investigation the accused person must be informed that a complaint has been received and must provide their own written statement. At the same time the issue of pay back must be addressed so that the accused knows of the consequences if they take any further harassing action. It is important to be thorough and to ensure that both sides are listened to.
- If the alleged accused disputes the complaint then further investigation should proceed and witnesses should be sought.
- Parents should be notified as soon as possible during the process.
- If the complaint is substantiated and is not in dispute, no further investigation is required and appropriate action can be taken (detentions, parents contacted, family conference, stand down etc).
- If the complaint remains unsubstantiated (the accused continues to deny a complaint made against him/her) it is necessary to offer resolution on a "needs to hear" basis as the complaint could still be valid. In this case the seriousness of the allegations is discussed and an educational discussion and warning can occur. This requires a formal interview and a counsellor should be present. A no "blame approach" can also be used by anyone trained in this technique.
- If the fault is found to be on both sides and there is no obvious resolution, then the initial complaint remains valid and must still be resolved. To ensure justice, the accused may make a complaint to be dealt with separately. To ensure the effectiveness of our safe school policy, all complaints must be honoured and taken seriously.
- Either or both parties may be removed from the situation when emotional or physical safety is an issue (such a decision will be made by a senior manager in consultation with parents and counsellor and any other agencies involved).

- Arrangements can be made for personal support – counselling etc.
- Parents should be contacted.
- Follow up procedure should always ensure that the victim is satisfied with the results and that the alleged harassment has stopped.

## 5. **Informal v Formal Procedure**

- **An informal complaint** can only be used for low level harassment.
  - The victim, after discussion, may decide to deal with the matter him/herself but should be encouraged to report any further problems.
  - A dean or counsellor may arrange a low key process in order to obtain resolution. A thorough investigation is not needed but the matter is addressed with no blame attached. Mediation can be arranged.
  - If resolution is not reached, there is the option then to move to a formal complaints process.
  - The complaint and results should still be recorded on computer files.
  - If several informal yet significant complaints are made involving the same person then a formal process should be used.
- **A formal complaint** this must be undertaken by a dean of DP
  - A written complaint must be made
  - The complaint must be fully investigated
  - A DP should be involved with serious complaints – high level.
  - Support must be provided where needed – interpreters, counsellors etc.
  - Safety must be a priority
  - All details should be kept on computer files.