Le Fevre High School  Policy and Procedures for Countering Bullying and Harassment

Definition of Bullying and Harassment
For the purpose of this document harassment is defined as unwanted and one sided words or actions towards another that demean, annoy, alarm, offend, intimidate, humiliate or abuse. Bullying is a specific form of harassment that is deliberate and repeated, causing distress, affects well-being and reduces the capacity to learn. Both bullying and harassment can be verbal, physical, social or psychological. It can be done in person, by manipulating others to take part, or by electronic means such as e-mail, text-messages, Facebook or chat room.¹

Underlying principles
- An effective learning community does not tolerate any forms of bullying or harassment
- Le Fevre High School is able to enact its core values of respect, care consideration and co-operation in a climate free from bullying and harassment
- Cultural, social, and personal diversity are respected
- All members of the school community are entitled to a safe learning and working environment
- Freedom from bullying and harassment² are essential to the wellbeing of all school community members: staff, students, parents/caregivers and volunteers/visitors³
- Each member of the school community has a responsibility to make a stand against bullying and harassment
- All members of the school community have ‘duty of care’ responsibility to act promptly on allegations or evidence of bullying and/or harassment
- Whole school procedures and practices educate and reinforce positive values and actions, and manage incidents of bullying and harassment and support both the people who have been bullied and the people who are bullying
- The person who bullies also needs to be supported to understand the impact of his/her behaviour on the wellbeing and learning of those who are bullied

¹ "Bullying Solutions" Helen McGrath & Toni Noble. Editors: Pearson, Longman 2006

RACIAL HARASSMENT
Is treatment that unfairly disadvantages people based on negative attitudes and assumption about their (real or assumed) cultural backgrounds and physiological characteristics.

RELIGIOUS HARASSMENT
Is treatment that unfairly disadvantages people based on negative attitudes and assumptions about their (real or assumed) religious backgrounds, beliefs and practices.

SEXUAL HARASSMENT
Is treatment or physical acts which refer to a person’s sexuality or gender in an offensive or degrading manner. Sexual harassment is a form of bullying. It is unwelcome conduct of a sexual nature against another person, where the other person reasonably feels offended, humiliated or intimidated. It can include: sexual remarks; written comments, text messages or emails with sexual content; showing or sending the person pictures of a sexual nature; touching another person inappropriately; and any other conduct of a sexual nature.

VERBAL HARASSMENT
Can overlap with any of the other forms of harassment, but also includes name-calling, offensive language, slander (putting people down behind their backs), offensive notes or graffiti about others.

BULLYING
Is a verbal or physical attack against person/persons. It includes intimidation in all forms, causing physical and/or emotional disturbance that may have short or long term consequences.

CYBER BULLYING
Use of the internet or mobile phone to send spoken, written or visual material that is unwelcome/threatening/demeaning to the recipient.

²Addressing bullying and harassment is a focus area of the Le Fevre High School Site Learning Plan 2011-2013 student and staff well being under relationships for learning.
• Sexual harassment is illegal and unacceptable. Le Fevre High School is committed to an environment free from sexual harassment.
• School courses of study need to be in place to minimize bullying and harassment.
• If it appears that sexual harassment may have occurred, the school will make every reasonable effort to resolve the matter, that is, to see the behaviour is stopped. Please refer to the attached grievance procedure flow chart.
• DECD and therefore Le Fevre High School is committed to providing a workplace for employees and a learning environment for children and students that is safe and free from sexual harassment. Sexual harassment is unacceptable conduct and will not be tolerated. DECD is committed to taking preventative action to ensure that there is no place for sexual harassment in a DECD workplace, work related context or learning environment.
• DECD has a legal obligation to prevent sexual harassment in the workplace and to take steps where necessary to ensure it is stopped. This policy supports DECD taking preventative action against sexual harassment and provides for remedial measures, including counselling or disciplinary action to redress any reported or found incidents of sexual harassment.

Aim

Le Fevre High School will work towards the creation of an environment free of bullying and harassment through:
• Preventative programs and strategies
• Building and maintaining staff, students and community confidence in school management of wellbeing
• Publication of school responses to incidents of bullying and harassment in appropriate venues
• Managing specific bullying incidents by responding to the incidents according to our policy and procedures.

Procedures

Roles and Responsibilities

Roles and responsibilities of Executive team members

Executive team regularly and strategically manages the awareness about school’s expectations through:
• Model courtesy and consideration of others
• Clarifying system responses of bullying and harassment
• Alerting Care Group teachers to their roles as promoters of timely and proactive discussion in Care Group
• Ensuring student diaries and other documents with policy statements are written in up-to-date terms
• Placing information in the staff and student handbooks, newsletters, staff and student bulletins, and highlighting expectations at staff meetings, parent meetings and student assemblies.

Responsibilities of Teachers:

• Model courtesy and consideration of others
• Be aware of the underlying principles of this policy and act to create a supportive teaching and learning environment, free of bullying and harassment
• Be aware of incidents of harassment in their classes and while on duty in the school
• Be aware of the serious nature of sexual harassment and the legal implications for this misconduct by any member of the school community
• Support students in developing confidence in making a stand against bullying and harassment
• Give harassment warnings to the people bullying so that those bullied can see that the school acts to prevent bullying
• Individual teachers are expected to pass on notification of harassment warnings given to the appropriate Year Level Coordinator/AP for record keeping
• Advise YLC, Counsellors, AEW, AET, Special Education teachers, AP of the impact of bullying on their students.

Responsibilities of Students:

• Treat all other people with courtesy
• Be aware of what can be interpreted as harassing or bullying comments and behaviours
• Be aware of the serious nature of sexual harassment and the legal implications for this misconduct by any member of the school community
• Tell a bullying person that he/she doesn’t like the behaviour and to stop. If not confident, ask an adult to act on his/her behalf
• Take appropriate action when they observe others being bullied.

Responsibilities of Parents/Caregivers

• Model courtesy and consideration of others
• Be aware of the range of bullying comments and behaviours
• Speak to children about what constitutes bullying and harassment
• Be aware of the serious nature of sexual harassment and the legal implications for this misconduct by any member of the school community
• Inform the school of any incidents of bullying and harassment
• Support the school in addressing bullying and harassment.
Educating for Rights and Responsibilities

Year 8: In the Year 8 Care Group sessions anti-harassment topics will be delivered.

Year 9: In the Year 9 Care Group sessions anti-harassment topics will be delivered.

Avoid counselling a student to “toughen up” or to “ignore it”

Year 10: Students are led through preparation for Work Experience, in sessions defining workplace harassment and methods to deal with incidents. Year 11 and 12: students are informed/reminded of the legal issues they face if they participate in this behaviour once they are aged 16 years or more. Students have the opportunity to participate in Youth Opportunities which focuses on positive relationship building Programs to assist students managing their behaviour are offered from time to time within the school and with outside agencies, such as SYC.

Year Level leaders and the counsellors provide counselling to both those who bully and those who are bullied with the support of AET’s, AEW’s and Counsellors and local youth workers.

Addressing Grievances

Reporting and initiating action:

Staff and other adults associated with Le Fevre High School who experience incidents of harassment or bullying utilize the school’s published Grievance Procedures to seek resolution.

Students who experience ongoing incidents report to:

- A teacher of choice, who may be a Care Group teacher or subject teacher for action, who may if necessary refer the matter to a counselor or school leader
- A Counselor, the Christian Support worker, the AEW, the AET, the Year Level Coordinator, or an Assistant Principal for investigation and corrective action.

Investigation:

Staff members manage the incident with non-judgmental assertiveness by:

- Providing a confidential place to hear the evidence, as a support to the person who has the complaint
- Ask the student if he/she wants to make a formal complaint of harassment to be recorded by the year level coordinator/AP in the harassment folder
- Collecting and recording documentary evidence from the complainant and pass on to AP to issue 1st formal warning
- Meeting with the alleged bully to gather and record further evidence.

In the specific case of perceived sexual harassment the school will investigate the matter which may include:

- Asking you for detailed information about what happened. We will speak to you in private and you are welcome to have a support person with you
- Examining any offensive material that has been shown, sent or given to you, which may also be confiscated/handed to the police
- Gathering information from others at the school. We may need to speak to anyone else who saw what happened or heard what was said
- In the case of suspected criminal behaviour, such as an assault, a report to the police will be made

Resolution:

If the student does not want to make a formal complaint:

Staff members ascertain the appropriateness of each student’s actions and seek resolution by:

- Explaining unacceptability of bullying behaviours
- Informing the student that the incident is to be reported to the Year Level Coordinator and Year Level AP
- Mediating apologies and resolutions about future behaviour
- Passing written notification to YLM, AP and Counsellors for records.

If, however, the matter relates to sexual harassment and has not been resolved with the school’s assistance and the harasser is aged 16 or over, you can contact the Equal Opportunity Commission to lodge a complaint. See the information following regarding SEXUAL HARASSMENT which provide detailed legal information regarding Sexual harassment.


Sexual harassment is unlawful in all work related and educational contexts. This policy applies to all people in a DECS workplace including DECS employees, (current and prospective) Governing/School Council members and employees, students (current and prospective), volunteers, contractors, and any other workplace participants.

This policy applies in any DECS workplace, and includes places which have a work related context, including conferences, work functions, training programs, school excursions, and in which work related activities occur, irrespective of whether these occur within or outside of normal work hours or the primary place of work.
Sexual harassment is unlawful conduct under the Commonwealth Sex Discrimination Act 1984 and the South Australian Equal Opportunity Act 1984 and similar provisions apply.

Under State law, sexual harassment is addressed in Part 6 – Other unlawful acts. Section 87 (9) provides:

(a) a person sexually harasses another (the person harassed) if—

(i) the person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or

(ii) 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 that the person harassed would be offended, humiliated or intimidated; and

(b) 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; and

(c) a person works with another if both carry out duties or perform functions, in whatever capacity and whether for payment or not, in or in relation to the same business or organisation; and

(d) a person works for an authority if he or she carries out duties or performs functions, in whatever capacity and whether for payment or not, in or in relation to that authority; and

(e) workplace means a place (including a ship, aircraft or vehicle) at which a person works or attends in connection with the person’s work.

Under State and Commonwealth legislation sexual harassment is a civil offence. Some forms of sexual harassment may also be offences under the criminal law (see Part 8 Definitions) and if criminal incidents are suspected they must be reported to the police.

Behaviour of a sexual nature in relation to children or young persons can have mandatory reporting implications. It is incumbent on teachers and other officers involved in the provision of education to students and who owe a duty of care to students, to protect them from risks of injury which are reasonably foreseeable.
LE FEVRE HIGH SCHOOL
ANTI BULLYING-HARASSMENT PROCEDURE FLOWCHART

If you are harassed then....

Ask Person to **STOP**

**Decide if you want to make an official harassment complaint**
*See a Counsellor, Teacher, YLC*

**Interview with person who has bullied by YLC/AP**
Formal warning and the incident recorded in year level book

**Continued Harassment**

**Interview with person who has bullied by YLC/AP**

**External Suspension – up to 2 days**
- Re-entry meeting/student development plan incorporating counselling for perpetrator
- Criminal activity such as assault means you can contact the police if you wish

**Continued Harassment**
Repeat of steps above External suspension up to 5 days Development of contract between students/support from District Student Behaviour Management team if needed

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