# Operational Policy: Sexual Harassment (NAG 5)

## Blind & Low Vision Education Network NZ

## Statement of Intent:

Sexual harassment is an illegal form of discrimination. Blind and Low Vision Education Network NZ (BLENNZ) treats sexual harassment seriously and it will not be tolerated. Where appropriate, disciplinary action will be taken against persons who offend.

Staff will conduct themselves in a manner that will reduce the risk of sexual harassment occurring.

## What is Sexual Harassment?

Harassment is a form of discriminatory behaviour which militates against equal employment opportunities, personal dignity and privacy in the workplace. It differs from other forms of anti-social behaviour in that what constitutes unacceptable behaviour depends on time and place, people and circumstance.

Sexual harassment covers a range of verbal and/or physical conduct of a sexual nature which is unasked for and which might reasonably be seen by the complainant as offensive. Behaviour covered by this policy can occur at the BLENNZ Homai Campus, Visual Resource Centres or away from BLENNZ if personnel are working off site. Sexual harassment may involve any member of staff or others associated with BLENNZ.

Sexual harassment can include:

* suggestive jokes, cartoons, posters, pin-ups
* offensive questions, comments, abuse, leering
* unwanted, unnecessary, deliberate physical contact, touching and gestures
* questions and comments about private life
* unwanted telephone calls or emails at home or school
* requests for sexual favours implying promises of favourable treatment or threats of unfavourable treatment that may be reasonably seen as offensive
* being targeted by unwanted electronic images.

It can occur between:

* individuals
* individual and group
* groups

Sexual harassment can be detrimental to work and school performance, learning, job opportunities as well as to self esteem and reputation. All employees must be able to work and be part of an environment that is free from sexual harassment. The victim has the right to define the act or acts as constituting harassment according to their cultural mores. The harasser must not be the one responsible for deciding whether harassment has occurred or not. What is meant is irrelevant to what the victim perceives or feels.

## Policy Requirements:

1. This policy will be discussed annually with all employees at the first staff meeting of each year and recorded in the minutes of the meeting.

2. All concerns or complaints of sexual harassment will be taken seriously and investigated quickly, privately and fairly in line with the BLENNZ Concerns and Complaints policy.

3. A staff member who is experiencing sexual harassment should make it clear immediately to the person responsible that such behaviour is unwelcome or offensive. Where the individual feels unable to confront the harasser, or where the offensive conduct persists, he/she should contact one of the following people who will treat the matter in strict confidence:

* Senior Teacher
* Manager or Co-ordinator
* Senior Manager
* Principal
* BOT Chairperson

4. The person whom the individual chooses will discuss the concern informally and privately and will assist in deciding how to proceed with any further course of action.

5. If the matter cannot be resolved at this level, the person consulted will make a formal complaint to the Principal or Board Chairperson as appropriate.

6. The Principal will attempt to resolve the matter internally. If the concern or complaint cannot be settled in this way, there are a number of avenues for action outside the organisation e.g. investigation by:

* the Human Rights Commission
* a staff member’s union
* the Police
* a lawyer.

7. In the event that the Principal is directly involved in any enquiry, resolution will fall to the Board Chairperson.

## Supporting Documents:

BLENNZ Protective Disclosures Policy

[Government legislation website - Employment Relations Act](http://www.legislation.govt.nz/act/public/2000/0024/latest/DLM58317.html)

[WorkSafe NZ: Bullying in the Workplace - Advice to Workers](https://www.worksafe.govt.nz/topic-and-industry/bullying/bullying-at-work-advice-for-workers/?gclid=EAIaIQobChMIl47awc6s8gIVA7ayCh3exglnEAAYAyAAEgJQNvD_BwE)

Approved: 

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