Biblical Basis

Ephesians 5:1-8

Follow God’s example, therefore, as dearly loved children and walk in the way of love, just as Christ loved us and gave himself up for us as a fragrant offering and sacrifice to God. But among you there must not be even a hint of sexual immorality, or of any kind of impurity, or of greed, because these are improper for God’s holy people. Nor should there be obscenity, foolish talk or coarse joking, which are out of place, but rather thanksgiving. For of this you can be sure No immoral, impure or greedy person—such a person is an idolater—has any inheritance in the kingdom of Christ and of God.

Philippians 4:8-9

Finally, brothers and sisters, whatever is true, whatever is noble, whatever is right, whatever is pure, whatever is lovely, whatever is admirable—if anything is excellent or praiseworthy—think about such things. Whatever you have learned or received or heard from me, or seen in me—put it into practice. And the God of peace will be with you.

1 Thessalonians 4:1-8

"As for other matters, brothers and sisters, we instructed you how to live in order to please God, as in fact you are living. Now we ask you and urge you in the Lord Jesus to do this more and more. For you know what instructions we gave you by the authority of the Lord Jesus. It is God’s will that you should be sanctified that you should avoid sexual immorality; that each of you should learn to control your own body in a way that is holy and honorable, not in passionate lust like the pagans, who do not know God; and that in this matter no one should wrong or take advantage of a brother or sister. The Lord will punish all those who commit such sins, as we told you and warned you before. For God did not call us to be impure, but to live a holy life. Therefore, anyone who rejects this instruction does not reject a human being but God, the very God who gives you his Holy Spirit.”

1. **Preamble**

The Bible reveals that man and woman were made to be in open relation with God and each other (Genesis 1 and 2).

Relationships were designed to be distinguished by love, consideration and respect (1 Peter 3:7) Sin has resulted in man and woman falling out of relationship with God, and them taking advantage of each other (Genesis 3) in all types of relationships.
Love in the New Testament sense (usually ‘agape’) is other-person-centred and can be summed up as seeking first the good of the other. (Philippians 2:3-4 Do nothing out of selfish ambition or vain conceit, but in humility consider others better than yourselves. Each of you should look not only to your own interests, but also to the interests of others). As such the Christian in all relationships will be seeking encouragement not harassment and will seek to be highly sensitive to the feelings and reactions of others.

2. **Sexual Harassment Policy Statement**

ICS is committed to providing the whole school community with a working environment free from sexual harassment. Sexual harassment is unacceptable and will not be tolerated under any circumstance. The whole school community is required to honour and support this commitment. This policy is to be read in conjunction with the School's Child Protection Policy.

2.1. **Guidelines**

This Policy in no way detracts from the School’s requirement relating to appropriate professional conduct between staff and students. An action may not constitute sexual harassment but could still be deemed to be unprofessional.

Sexual harassment is unlawful under the Federal Sex Discrimination Act 1984.

The Act explicitly states

1. It is unlawful for a member of the staff of an educational institution to sexually harass
   (a) a person who is a student at the institution; or
   (b) a person who is seeking to become a student at the institution.

2. It is unlawful for a person who is an adult student at an educational institution to sexually harass
   (a) a person who is an adult student at the institution; or
   (b) a member of the staff of the institution.

3. In this section adult student means a student who has attained the age of 16 years.

While religious schools are exempt from most of the employment provisions of the Federal Sex Discrimination Act 1984, they are covered by the sexual harassment provisions of the Act in relation to both employment and education.

Appropriate action will be taken in any instance of harassment which may include the dismissal or expulsion of proven offenders, and notification to the relevant authorities as required by law.
2.2. **Definitions**

**Sexual Harassment**

Anti-discrimination law defines sexual harassment as¹

- unwanted sexual advances,
- unwelcome requests for sexual favours
- unwelcome conduct of a sexual nature
- any behaviour a reasonable person would have expected to be offended, humiliated or intimidated by this behaviour.

Sexual Harassment can be physical, verbal, written or visual.

Sexual harassment has nothing to do with mutual attraction or consenting friendships.

Depending on the circumstances, any of the following could be harassment if it relates to a person’s sex, race, age etc.²

- material that is displayed in the workplace (for example on a noticeboard) circulated on paper, sent by fax or put in someone’s workspace or belongings
- material put on a computer, sent by email, or put on a website, blog or social networking site
- verbal abuse or comments, offensive jokes, offensive gestures
- ignoring, isolating or segregating a person or group (eg: not inviting someone to a work event that everyone else is invited to)
- initiation ceremonies that involve unwelcome behaviour.

**What types of behaviour could be sexual harassment?³**

Depending on the circumstances, any of the following could be sexual harassment

- staring or leering in a sexual manner
- unwelcome wolf whistling
- comments about a person’s physical appearance or sexual characteristics
- sexual or physical contact, such as slapping, kissing, touching, hugging or massaging
- displaying or circulating sexual material, for example on a noticeboard or by email


² Dido

³ Dido
 repeated sexual invitations when the person has refused similar invitations before

 initiation ceremonies involving unwelcome sexually related behaviour

 intrusive questions about sexual activity

 sexual assault (also a crime under the Crimes Act)

Obvious difficulties can arise in determining what behaviour constitutes going beyond the boundaries of what is considered acceptable. Care should be taken so as not to risk being misunderstood and in so doing become the subject of a complaint. (Galatians 6.1 Brothers and sisters, if someone is caught in a sin, you who live by the Spirit should restore that person gently. But watch yourselves, or you also may be tempted.) Any behaviour must always be considered from the perspective of the person receiving it. Innocent intention is not a defence to sexual harassment.

**Victimisation**

It is against the law to victimise a person who;

has made or intends to make a complaint

 acts or intends to act as a witness

 supports or intends to support a victim

A person is victimised if harassed, threatened, harmed or subjected to any form of detrimental treatment. You can lodge a separate complaint of victimisation with the Anti-Discrimination Board if you have been victimised because of a harassment complaint.

2.3 **Procedures**

It is the legal responsibility of the School and all employees to take all reasonable steps to prevent school related sexual harassment and victimisation by enforcing this Policy and through pro-active education. Staff have a duty of care to ensure that any sexual harassment or victimisation brought to their attention or witnessed by them is dealt with in accordance with the procedures as outlined below as soon as possible.

Any member of the school community who believes they are being or have been sexually harassed, or staff members who become aware of a student who is being sexually harassed, should make it known that the comments, attention, contact or behaviour is unwelcome and offensive. All reports of harassment will be immediately considered as to whether they fall within mandatory notification guidelines (per government law).
All cases that fall under the category of mandatory reporting should be referred to the Campus Principal for action in accordance with the School's Child Protection Policy. All mandatory reporting cases shall be reported to the Board Chair immediately and to the Board at the earliest opportunity.

For cases that do not fall under mandatory reporting, the person should handle the matter themselves or, if unable or unwilling to do so, they should contact the Campus Principal, the Deputy Principal, any member of the Executive Team, the School Counsellor or, in cases where any of these are inappropriate or the person believes they cannot discuss the matter directly with these nominated persons, with an independent contact nominated by the School.

Complaints will be investigated promptly and fairly, and in a confidential manner. No member of the school community will be disadvantaged as a result of making a complaint.

The School will take all appropriate actions regarding allegations. If necessary and where appropriate, the relevant authorities will be notified (Police, Equal Opportunity Commission, etc.)

2.4 Implementation

Parents will be made aware of this policy at the beginning of each academic year through the Parent Handbook.

All staff will be made aware of this Policy by having it included in their Policy File. As well, staff will be reminded of the Policy as it applies to them and their students at the beginning of each academic year, and through review at staff development meetings from time to time. The Principal of each campus will be responsible to ensure that this is implemented.

Year 11 and 12 students will be reminded of this policy at the beginning of each academic year.