

Rangiora High School Board of Trustees



Abuse and Harassment Procedural Policy

Rationale

Rangiora High School is committed to promoting a positive supportive environment within which all members of the school community, are treated with dignity and respect, and can participate to their full potential. **All of us have a shared responsibility to support the safety of students, staff and others in the workplace and to promote positive workplace behaviours.**

Definitions

Abuse means the harming (whether physically, emotionally or sexually), ill-treatment, neglect or deprivation of any child or young person.

Bullying is the exercise of power over another person through negative acts or behaviours that undermine them personally and/or professionally usually perpetrated in an ongoing and repeated manner. Bullying can be threatening, insulting, abusive, disparaging or intimidating behaviour which places inappropriate pressure on the recipient or has the effect of isolating or excluding them.

Harassment includes physical, verbal or visual behaviour by a person or group, which is unwelcome, unsolicited or offensive. Harassment can be based on the personal or physical characteristics of a person such as gender, ethnicity, sexual orientation, marital status, religious or ethical beliefs, disability, employment status or affiliation. Harassment is a significant one off incident of, or repeated behaviours, activities, contact or other interactions intended to humiliate, intimidate, bully or pressure an individual or group and that is unwelcome or offensive to that individual or group and has a detrimental effect on them, their employment, job performance or job satisfaction.

Although the terms 'harassment' and 'bullying' are not synonymous, the guidance in this procedural policy relates to both issues and the term 'harassment' will be used from this point onwards to encompass both.

Purposes: **Our commitment is to:**

1. to create a **safe** environment where all members of the school community feel comfortable, listened to, safe and secure. **That is free from harassment and where everyone is treated fairly**
2. **expect Board, leaders and staff to role model appropriate behaviour and enforce this policy**
3. **implement communications, training and awareness creating strategies to ensure that all of us – students, employees, leaders and Board – know our rights and responsibilities**

4. **have zero tolerance for, and prompt appropriate handling of, incidents of harassment**
5. To create a climate of trust within the school where individuals feel comfortable about sharing concerns **and reporting of behaviour that breaches this policy** to an appropriate person.
6. **ensure the well-being of the complainant and the respondent, and be respectful of their legal rights and natural justice**
7. **seek to resolve issues at the lowest appropriate level of intervention**
- ~~8. To provide support and appropriate action should abuse or harassment occur.~~
- ~~9. To fulfill legislative requirements.~~

Where does the policy apply?

The policy covers all harassment behaviours that happen:

- **Between students in school hours on the school grounds; during school events, trips and activities; on social media while at school or on a school events, trips or activities**
- **between work associates, for example, on social media; or any work situations social or professional; during work events such as conferences, training, and work based activities and / or outside the workplace if it is in the context of the employment relationship or affects the workplace.**

Guidelines

1. The care and protection of the student **and staff** must be paramount in all considerations.
2. All employees, volunteers and contractors have a responsibility to ensure that their behaviour is not offensive to others. **Those in leadership roles have a special responsibility to foster a positive, respectful culture in which harassment is less likely to occur.**
3. The school will provide an ongoing **regular** education programme for Board of Trustees members, staff, students, parents and whānau designed to educate as to
 - a. what constitutes abuse and harassment
 - b. The signs and indicators of students at risk of abuse
 - c. Strategies designed to recognise and respond to abuse and harassment including Restorative Practice
4. All staff have a responsibility to report any concern around harassment or abuse.
 - a. Any member of staff (or student) who is concerned about a student's physical/emotional/mental state should report their concerns to the appropriate Dean or Head of House.
 - b. The Deans will bring this information to the attention of the guidance network for immediate action or referral to the weekly guidance meeting.
5. **Sometimes those who are subject to harassment may find it difficult to make a complaint. Rangiora High School provides a range of options to make it easier for people to speak up. If an employee (and others) have concerns about harassment, or have witnessed harassment they can approach any of the following:**

- a. **their manager or another manager**
 - b. **an Employee Assistance Programme (EAP) [Both parties are entitled to EAP support before, during and after a complaint is made]**
 - c. **a trusted person who is willing to support them to raise a concern and/or test their perception of events. This could be a union representative, colleague or friend.**
 - d. **A member of the SLT**
 - e. **The Associate Principal**
 - f. **The Principal**
6. **If a student or staff member discusses a harassment matter with a manager or member of the SLT they may be advised that if the issue is considered sufficiently serious and could affect the wellbeing of the organisation and its students / staff, they may be obligated to progress this as a formal complaint.**
7. The school has in place an appropriate complaints procedure to deal with allegations of harassment where the above strategies fail to cause the offensive behaviour to cease (see Complaints policy).
8. In all cases of serious abuse, the reporting process for suspected or disclosed child abuse should be followed (see Child Protection Policy)
- a. A staff member who suspects abuse must firstly report it to the Head of Guidance or the Deputy Principal with responsibility for Student Engagement.
 - b. In the case of a report from a third party to the school, the first course of action will be that the school will direct the third party to the Ministry for Vulnerable Children, Oranga Tamariki
 - c. Conversations with the student should be limited to ensuring they are safe and determining the nature and priority of the concern. Brief factual notes will be recorded when abuse is disclosed. Factual information relating to the disclosure will be kept for the duration of the student's enrolment at RHS and then destroyed
 - d. Were a student is interviewed regarding an allegation of sexual abuse against a teacher
 - i. They have the right to have a support person with them and
 - ii. An independent Counsellor may be retained by the Board
 The matter must be referred to the Principal immediately
 - e. The Deputy Principal with responsibility for Student Engagement or the Head of Guidance
 - i. has responsibility for coordinating any action taken in relation to a suspected abuse case.
 - ii. will involve the parents/caregivers and outside agencies as appropriate (Ministry for Children, Oranga Tamariki will be responsible for notifying the parents)
 - iii. Will inform the Principal immediately when notifications are made to / have been made to Ministry for Children, Oranga Tamariki or the Police
 - f. Once Ministry for Children, Oranga Tamariki has been notified, the Principal will inform the BOT Chairperson and action the Complaints Procedural Policy procedures dealing with this as a serious complaint.

9. **In any investigation of a complaint of harassment, leaders must enforce the policy. They need to ensure that all parties are supported and informed about what to expect during the process, how long it will take, and what will happen at the end of the process.** The Principal or Chairperson of the BOT will deal with any media enquiries.
10. **Leaders must maintain the confidentiality of the individuals concerned at all times, during and after the completion of the process. Strict confidentiality must be maintained in both informal and formal management of a harassment complaint to avoid victimisation, humiliation, and defamation.**
- 11.

~~12. All information / discussions will be confidential to the staff and student involved.~~

Suggestion

Harassment Complaints Procedure

~~Many harassment complaints can be resolved informally through confronting the person responsible, explaining that their behaviour is offensive and seeking an assurance that it will stop. It may be necessary to approach another staff member for support at this stage.~~

~~If the harassment is very serious, or continues after an initial confrontation about it, the person being harassed can take the following actions:~~

- ~~1. Report it to the school management, as a formal complaint~~
- ~~2. Report it to the police, especially if the harassment involves sexual or physical assault~~

~~Note that it is an offence that can result in a fine of up to \$1000 to insult, abuse, or intimidate a member of the school staff.~~

~~3. Report it to the Human Rights Commission, if the complainant doesn't want to complain to the school management, or is not satisfied with the result of an internal investigation.~~

- ~~4. Consult a lawyer and consider applying for a restraining order.~~

Parent Behaviour

~~12. If a member of staff is suffering harassment from a parent/caregiver, that continues despite attempts to resolve it, the member of staff or the school can serve a trespass order or apply to the District Court for a restraining order. The order prevents the harasser from making contact in any way or continuing the harassment. It can include special conditions. It is a criminal offence to breach a restraining order.~~

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Related Policies

- Child Protection Policy
- Complaints Policy
- Privacy Policy
- Protected Disclosures Policy
- Staff Social Media Policy**

Relevant Documentation and Legislation

- [Current collective employment agreements for principals, teachers and support staff](#)
- Care of Children Act, 2004
- Children, Young Persons and Their Families Act, 1995
- Crimes Act, 1961
- Domestic Violence Act, 1995
- Education Act, 1989
- Employment Relations Act, 2000
- Health and Safety At Work Act 2016
- Human Rights Act 1993
- Privacy Act, 1993
- [Reporting of Suspected or Actual Child Abuse or Neglect](#)
- [Safer Organisations. Safer Children](#)
- State Sector Act 1988
- <http://www.ssc.govt.nz/sexual-harassment-policy-guideline>
- [Vulnerable Children Act 2014 for schools - Ministry of Education](#)
- [Vulnerable Children Act 2014 - NZSTA](#)
- Vulnerable Children Act, 2014

Date of Review	2019
Date of Next Review	2022
Signed by the Board Chair	