

Harassment Complaints Procedure

Many harassment complaints can be resolved informally by approaching the person responsible (see [Guidelines for Raising Concerns](#)), 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.

Informal interventions

Informal interventions involve a third party (e.g. principal, board member, senior staff member) to help resolve concerns about inappropriate behaviour. Informal interventions may also be conducted by a facilitator or mediator.

Informal interventions are not complaints. They are a “no-blame” approach focused on stopping behaviours of concern so the parties involved can engage more productively in the future.

Informal interventions may include:

- **Third-party intervention** – The third party listens to the concerned person and then approaches the other person(s) involved. The third party requests behavioural change and clarifies expectations about appropriate behaviour, and then monitors this in the future.
- **Shuttle mediation** – The third party meets with the parties individually and helps them develop a behavioural agreement for the future. Parties are generally only brought together at the end of this process to clarify the agreement and establish closure.
- **Facilitated discussion**
The third party:
 - meets with both parties individually and then brings them together to facilitate a discussion to resolve concerns
 - acts as a referee to allow each person to speak without interruption and to agree on what needs to happen to resolve the matters raised
 - records the commitments or agreements made and monitors this in the future.
- **Direct mediation** – This is normally conducted by the principal and is appropriate when the conflict is more serious or long-standing. Mediation normally results in written agreements that support behavioural change. Agreements are monitored by management in the future.
- **Round-table mediation** – A facilitator organises a meeting with those in conflict. This may include others who are able to help the parties reach an agreement. An agreement is developed that can be monitored in the future.

Formal process

If the harassment is very serious, or continues after an informal intervention, the person being harassed can take the following actions:

- report it to the school management or board of trustees, as a **formal complaint**

- 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.
- 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
- consult a lawyer and consider applying for a restraining order.
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.

Strict confidentiality must be maintained in both informal and formal management of a harassment complaint to avoid victimisation, humiliation, and defamation.