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ANTI-SEXUAL HARASSMENT POLICY

# PURPOSE OF THIS POLICY

The purpose of this policy is to protect students persons associated with Balance Foundation Ltd. and its subsidiaries from sexual harassment.

# SCOPE

This Policy applies to all persons, including martial arts students, symposium participants, parents, instructors, volunteers, or visitors to an event or activity of the organization, or who is in any way connected and engaged with the Balance Foundation Ltd., or its subsidiaries, Balance Martial Arts and Balance Taekwondo.

# RESPONSIBILITY

Instructor reporting to the Board of Directors

# LEGISLATION AND REFERENCES

[Anti-Discrimination Act 1991 (Qld)](https://www.legislation.qld.gov.au/LEGISLTN/CURRENT/A/AntiDiscrimA91.pdf) [Sex Discrimination Act 1984 (Cth)](http://www.comlaw.gov.au/Series/C2004A02868)

# POLICY STATEMENT

All persons associated with Balance Foundation Ltd. and its subsidiaries have the right to participate in an environment free from sexual harassment. The organisation will provide a fair and safe environment where all people have equal opportunities.

The Balance Foundation Ltd. is committed to taking action to protect all associated persons from sexual harassment and to responding appropriately should such behaviour occur. Any instances of sexual harassment should be reported under the organisation’s *Complaints Handling Policy*.

In particular, and in accordance with the legislation, it is our policy that:

* An instructor or Director must not sexually harass anyone including another instructor or Director, a student (existing or potential) or a student at another school.
* An adult student[1](#_bookmark0) must not sexually harass another student or instructor or Director or a student or employee at another school.

# DEFINITIONS

Sexual harassment is any unwelcome and uninvited comment, attention, contact or behaviour of a sexual nature, that an individual or witness finds humiliating, offensive or intimidating. It can be verbal, physical, written or visual.

Sexual harassment has nothing to do with mutual attraction or consenting friendships. A person sexually harasses another person if:

* + - 1. the person makes an unwelcome sexual advance, or an unwelcome request for

sexual favours, to the person harassed; or

* + - 1. engages in other unwelcome conduct of a sexual nature in relation to the person harassed;
      2. in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

Sexual harassment can take various forms and may be obvious or indirect, physical or verbal.

## Examples of Sexual Harassment may include:

* the distribution or display of offensive pictures or written material, including by electronic distribution
* repeated unwelcome requests for social outings or dates
* offensive comments about a person's physical appearance, dress or private life

1 An adult student means a student who has attained the age of 16 years.

* jokes, intrusive questioning, messages or telephone calls of a sexual nature
* direct propositioning or subtle pressure for sexual favours
* leering, patting, pinching, touching or unnecessary familiarity
* indecent exposure, sexual assault or rape
* spreading rumours about someone's sex life

Some forms of sexual harassment, such as assault, physical molestation, stalking, sexual assault and indecent exposure, are also criminal offences and should be reported to the police.

## Sexual Harassment may occur:

* between students
* between instructors and students - from an instructor to a student or from a student to an instructor.
* between instructors
* from a visitor/contractor or to a visitor/contractor of the organisation.

Anyone may be sexually harassed, but it happens more to girls than boys.

## Sexual Harassment can cause:

* poor study performance
* performance results that do not reflect ability or effort
* absenteeism due to stress
* loss of self-confidence or self-esteem

## How Do I know If My Behaviour Is Causing Offence?

Sexual harassment is often unintended. If you are not sure about your behaviour, you can:

* carefully watch the effect of your actions and words on other people and consider whether they are really appreciating your behaviour or just pretending to because they are embarrassed.
* check your behaviour and language by asking if it is offensive or inappropriate.
* stop behaving in that way.
* apologise, if you are in doubt.
* always treat other people as equals instead of as possible objects of sexual attention.
* discuss your behaviour with someone who has an understanding of the issues.

## Victimisation

A person is victimised if threatened, harassed, harmed or subjected to any form of detriment. In relation to sexual harassment it is against the law to victimise a person who:

* has made a complaint
* intends to make a complaint
* acts as a witness
* intends to act as a witness
* supports a victim
* intends to support a victim

# RESPONSIBILITIES

## Balance Foundation Ltd. Responsibilities

The Balance Foundation Ltd. acknowledges its responsibility to provide an environment free from sexual harassment and will undertake the following steps to prevent and appropriately respond to any instances of sexual harassment:

* Develop and implement a sexual harassment policy to assist in preventing any instances of sexual harassment.
* Educate and train instructors to assist in preventing any instances of sexual harassment and to appropriately respond to any instances of sexual harassment.
* Establish appropriate grievance and complaints procedures via its *Complaints Handling Policy and Procedures* to appropriately respond to any instances of sexual harassment.
* Remove any discriminatory or offensive materials, rules and practices to assist in preventing any instances of sexual harassment.
* Encourage instructors and students to contribute to a healthy culture to assist in preventing any instances of sexual harassment.

## Student and Instructor Responsibilities

All students and instructors have a responsibility not to engage in sexual harassment against any person. **All instructors and senior martial arts students have a duty to ensure that any sexual harassment brought to their attention or personally witnessed, is addressed as soon as possible.**

## What Can You Do If You Are Being Sexually Harassed?

If you believe that you are being sexually harassed, you can:

* tell the person who is harassing you that you don't like it and that you want it to stop.
* talk it over with your friends or your parents.
* talk it over with an adult you feel comfortable with or one of the people named below.

Employees or students who believe that they are sexually harassed should make it known that the comments, attention, contact or behaviour is unwelcome and offensive. If the sexual harassment continues, or if you are unable or unwilling to handle the matter you should contact any of the following:

|  |
| --- |
| Andrew Hooley |
| Karina Britton |
| Christine Postlewaight |
| Craig Postlewaight |
| Harry Roberts |
| Matthew Suter |
| Nan Bahr |
| Rita Suter |

You may also call Kids Help Line 1800 55 1800 to seek professional support and assistance.

# IMPLEMENTATION

The organisation takes reasonable steps to prevent sexual harassment including the establishment of this policy and its regular promotion via professional development days and at scheduled training. Students are regularly reminded to speak to an instructor or senior adult student if they feel sexually harassed or unsafe in any way.

# COMPLIANCE AND MONITORING

The organisation utilises the *Complaints Handling Policy & Procedure* to address sexual harassment complaints and keep appropriate records. Complaints will be monitored by the Board of Directors Team. The College will report any criminal offences to the police.