



CHIVIRIKANI PRIMARY SCHOOL

490/1 MAHLANGU STREET
KATLEHONG GARDENS
KATLEHONG, GP
1432

P.O. BOX 12557
KATLEHONG
1431

TEL: (011) 307 2349
CELL: (073) 262 8287

E-MAIL: Christopher.Maluleke@gmail.com



SCHOOL POLICY

Sexual Harassment

EFFECTIVE DATE: _____

REVISION HISTORY:

As amended on:

11 October 2016 - Section 8(3) of Act 84 of 1996 (the South African Schools Act)
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11 October 2016 - Act 31 of 2000 (the South African Council for Educators)
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PURPOSE

Eradicating and Preventing Sexual Harassment at the School
Dealing with the Problem and Avoiding Recurrence.

SEXUAL HARASSMENT

- Any unwanted advances, physical or verbal, that make another person feel uncomfortable.
- Should the perpetrator intentionally undress in front of the victim.
- Unwelcome request for sexual favours.
- It can also happen in the form of offensive sexual jokes.
- Suggestive motions or gestures.
- Cell phone messages of a sexual nature.
- Unwelcome inquiries as to the victim's sex life.
- Letters, telephone, cell calls or messages of a sexual nature.
- Any behaviour of a sexual nature that causes a person to feel insulted, humiliated or intimidated.

BEHAVIOUR BECOMES SEXUAL HARASSMENT WHEN:

- the behaviour is offensive and continuous.
- the perpetrator is aware that his behaviour is wrong.
- the receiver has stated distinctly that he or she finds the behaviour disgusting, revolting and repulsive.

MANAGEMENT OF SEXUAL HARASSMENT

- Learners should be advised regularly by means of presentations, speeches and other communication, as to what sexual harassment is and what the consequences can be.
- Staff members should also be better informed by means of staff development and information sessions.
- Assistance can be given by a properly trained person to give support and counselling to victims of sexual harassment aspects of which must be treated in strict confidence.
- The school endeavours to establish only good values and morals in the school through continuous presentations and character building sessions.

EXECUTION OF POLICY

- Learners who are guilty of sexual harassment should be referred to the school's code of conduct for action and steps that should be taken against such a perpetrator.
- The school **cannot** take disciplinary steps against a person who is not an employee of the Department of Education, but the victim can take criminal steps against such a perpetrator.
- A non-employee **can** lay a complaint against the employee of the Department of Education.
- All educators, non-academic staff and learners have the right to lay a claim regarding sexual harassment and appropriate steps should be taken by the school.
- Care should be taken that the aggrieved person is not disadvantaged during any investigation of a sexual harassment case.
- A learner should be suspended and an employee should be discharged from office for serious incidents of sexual harassment or repeated transgressions.
- Action will therefore be taken against educators, non-academic staff members and learners according to the **code of conduct for learners, Section 8(3) of Act 84 of 1996 (the South African Schools Act)**, as amended, and for the educators and non-academic staff members according to the code of conduct and disciplinary **code of Act 31 of 2000 (the South African Council for Educators)**.

CONFIDENTIALITY

- Although difficult to keep sexual harassment cases confidential, every endeavour should be taken to have as few people as possible involved.

The identify of people involved in a sexual harassment case should be protected absolutely

