



Sexual Harassment and Related Unlawful Conduct Procedures

1. Purpose

The purpose of these procedures is to outline the steps which Melbourne Archdiocese Catholic Schools Ltd (MACS) staff can take to make a report of sexual harassment and related unlawful conduct.

2. Scope

These procedures apply to MACS staff who want to report sexual harassment and related unlawful conduct (**Report**) as outlined in the *Sexual Harassment and Related Unlawful Conduct Policy*. For the purposes of these procedures a Report refers to conduct personally experienced by a MACS staff member or conduct that the MACS staff member has witnessed.

3. Procedures

3.1. Raising a report

MACS strongly encourages staff to speak up and make a Report if they experience or witness sexual harassment, discrimination on the ground of sex, sex-based harassment, conduct that creates a hostile work environment on the grounds of sex or related acts of victimisation.

Where a MACS staff member wants to raise a concern, and is comfortable in doing so, they may raise this directly with the person who is alleged to have harassed, discriminated and/or acted unlawfully (**Respondent**). In doing this, the MACS staff member should address the issue with the Respondent as soon as possible after the relevant behaviour occurred. If the MACS staff member does not wish to speak to the Respondent, another option is to address the issue with the Respondent in writing, rather than face to face, if this is deemed appropriate.

If this does not resolve the problem or if a MACS staff member does not wish to raise a concern directly with the Respondent, they may raise a Report with the appropriate person as follows:

Table 3.1

MACS staff member	Can raise a Report to
School- based staff	• Principal • School-based human resources officer • Member of the Leadership Team
Office-based staff	• Line Manager • People Partner – People Experience Team

Where a MACS staff member does not wish to raise a Report with the appropriate person as outlined in Table 3.1, they can raise a Report through an external organisation, [Your Call](#) via an online form. This form can be accessed by scanning the following QR code:



Reports can be made anonymously if the MACS staff member chooses. MACS will make enquiries based on the information provided to it. If insufficient information is provided, then MACS may not be able to take any action. Reports made through Your Call will be triaged to a nominated member of the MACS Employee Relations Team.

Complaints may also be made to external authorities such as anti-discrimination bodies or WorkSafe, although MACS staff are encouraged to try and resolve concerns or Reports internally, in accordance with these procedures.

3.2. Responding to a report

MACS acknowledges that Reports will differ based on the particular circumstances and therefore need to be considered individually. MACS is committed to taking a trauma-informed and person-centred approach when responding to Reports. This includes ensuring:

- the safety and wellbeing of a person making a Report is prioritised
- all processes are designed to minimise harm,
- reports are handled fairly, impartially and reasonably in accordance with procedural fairness principles,
- all participants in the process have clear information about the process and how procedural fairness will be provided,
- responses are provided in a timely manner, and
- the person who has made the Report and Respondent will be informed of the supports available to them, such as MACS' Employee Assistance Program, as early as possible.

The following steps will generally be taken when a Report is received:

1. Acknowledgement of the Report will be provided to the person making the Report within 48 hours of receipt.
2. Pending further enquiries or investigation into the Report, consideration will be given by the appropriate Manager/Principal (in consultation with the MACS Employee Relations Team or People Experience Team) as to whether any interim measures should be put in place to further support the health and wellbeing of the person making the Report.
3. Where a Report has been received by a MACS school-based staff member, the person who received the Report must notify the MACS Employee Relations Team for support and to meet reporting obligations.
4. Where a Report has been received by a MACS office-based staff member, the MACS People Experience Team must be notified for support and to meet reporting obligations.
5. The person receiving the Report should obtain as much information as possible about the allegation(s), including dates, times, locations and details of any possible witnesses. Details of the allegations must be recorded in writing.
6. Reports will be treated confidentially but MACS reserves the right to speak to people internally and externally to appropriately deal with the Report.
7. Following details of the Report being received, the appropriate course of action will be determined by the appropriate Manager/Principal in consultation with the:
 - MACS Employee Relations Team for school-based Reports or
 - MACS People Experience Team for MACS office-based Reports.
8. Where the Respondent is the person who would ordinarily be responsible for managing a Report, the Report will be managed by an appropriate alternative MACS manager or leader.

3.3. Resolution

In determining the most appropriate course of action, the views of the person making the Report regarding how they would like the matter resolved will be taken into consideration.

In some cases, the person making the Report may not want any action taken and is reporting the behaviour so that MACS is aware that it has occurred. MACS has an obligation to deal with any unlawful or unacceptable behaviour it becomes aware of and in some cases, action may be warranted even where the person making the Report does not want any further action to be taken.

Informal resolution

Informal courses of action may include but are not limited to restorative practices such as mediation and facilitated discussions.

Formal resolution

Formal courses of action may include but are not limited to an internal or external investigation of the allegations (which may include collecting evidence and interviewing witnesses and making findings of fact) or workplace reviews.

Where an investigation is conducted, the person who has made the Report and the Respondent will be provided with procedural fairness, including being provided an opportunity to respond to the allegations. The person who made the Report and the Respondent, where appropriate and subject to other legal obligations, will be informed (verbally or in writing) of the findings of the investigation. Investigation participants will not be provided with the investigation report.

3.4. Outcome of reports

Where allegations of sexual harassment or related unlawful conduct have been substantiated, the outcome and/or consequences for the Respondent will depend on the circumstances and the nature of the conduct. This may include, but is not limited to:

- disciplinary action up to and including termination of employment
- apology
- counselling
- undertaking training

Where disciplinary action is a possible outcome, the relevant provisions of the *Catholic Education Multi Enterprise Agreement 2022* (or as replaced from time to time) will apply where the Respondent is covered by the enterprise agreement.

4. Vexatious claims

The making of frivolous or vexatious claims, which relate to concerns or reports that are knowingly false, misleading, made with malicious intent or without reasonable grounds, may constitute misconduct.

Where a MACS staff member is found to have made a frivolous or vexatious claim, MACS may take appropriate action, including disciplinary measures up to and including termination of employment.

5. Victimisation

It is unlawful to victimise a person because they have made a report about sexual harassment and related unlawful conduct or have witnessed and/or helped someone else to make a Report.

If a MACS staff member believes they have experienced any unfair treatment or detriment as a result of making a report of sexual harassment or helping another person to make a report should immediately contact the MACS Employee Relations Team (if a school-based staff member) or MACS People Experience Team (if an office-based staff member).

6. Support

The following confidential support is available to MACS staff:

- Employee Assistance Program (Access EAP) on 1800 81 87 28.
- MACS Mental Health First Aiders

Please also see the [CEVN MACS Wellbeing Hub](#) for further resources.

7. Definitions

MACS staff or staff member

The term Staff or staff member refers to all people who carry out work in any capacity for MACS or its subsidiaries, and includes MACS Board Directors, board committee members, employees, volunteers, consultants, contractors and School Advisory Council members, as the context requires.

8. Related policies and documents

Related MACS policies and documents

Code of Conduct for MACS Staff
Health, Safety and Wellbeing Policy
Sexual Harassment and Related Unlawful Conduct Policy
Workplace Bullying Prevention Policy

9. Legislation and standards

Sex Discrimination Act 1984 (Cth)
Equal Opportunity Act 2010 (Vic)
Occupational Health and Safety Act 2004 (Vic)
Fair Work Act 2009 (Cth)
Catholic Education Multi Enterprise Agreement 2022: Diocese of Ballarat, Diocese of Sandhurst, Archdiocese of Melbourne and Lavalla Catholic College Traralgon

Policy information table

Responsible Executive	Director, People and Culture
Procedure owner	General Manager, Employee Relations
Approving authority	Director, People and Culture
Approval date	23 September 2025
Review by	September 2027
Publication	Gabriel, CEVN, internal school use

POLICY DATABASE INFORMATION	
Assigned framework	Employment
Related documents	See list of supporting documents and related policies above
Superseded documents	NA
New procedure	New