

	Preston Reservoir Adult Community Education	Approval Date: 8/02/2017
	BULLYING & HARASSMENT POLICY & PROCEDURE	Review Date: 02/2020
		Accountability: EO
Authorised by: Executive Officer		Version Number: 1.1
Responsible Person:	Executive Officer	
Staff Involved:	All Staff.	

Purpose

To provide a healthy and safe environment for all staff, volunteers, students, and stakeholders that is free from bullying and harassment.

It is expected that all staff, volunteers, students, and stakeholders will treat all people with whom they come into contact with respect, courtesy and consideration.

Bullying or harassment of any type through any means is not tolerated by PRACE.

Scope

This Policy applies to all staff, volunteers, students, and stakeholders of PRACE at all times.

This policy covers direct and indirect forms of bullying and harassment including visual, physical, and verbal harassment and cyber bullying.

This policy does not apply to reasonable management actions taken in performance management of a staff member or disciplinary actions taken in accordance with PRACE policies and procedures.

Relevant Legislation / Standards

Commonwealth Legislation

- Fair Work Act 2009
- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Disability Standards for Education 2005
- Equal Opportunity for Women in the Workplace Act 1999
- Human Rights and Equal Opportunity Commission Act 1986
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984

Victorian Legislation

- Equal Opportunity Act 1995
- Health Records Act 2001
- Occupational Health and Safety Act
- Information Privacy Act 2000
- Racial and Religious Tolerance Act 2001
- Charter of Human Rights and Responsibilities Act 2006
- Occupational Health and Safety ACT 2004.
- Incorporated Associations Amendment Act 2012 (Vic)

Standards

The Australian Quality Training Framework (AQTF) - S1.1, S2.1, S2.2, S2.7

and S3.1

Guide for non-school senior secondary education providers: Minimum standards for registration to provide an accredited senior secondary qualification.

Minimum standards and other requirements for school registration.

Definitions

Bullying means any behaviour that is repeated, systematic and directed towards a person or group of people that a reasonable person, having regard to the circumstances, would expect to victimise, humiliate, undermine or threaten and which creates a risk to health and safety

Cyber-bullying is any bullying behaviours using digital technologies that includes (but is not limited to) harassment via a mobile phone/SMS; setting up a defamatory website; comments made on social media; or deliberately excluding someone from social networking spaces.

Direct bullying

Direct bullying includes behaviours defined below under **verbal, physical** and **visual harassment**.

Harassment means the generally repeated treatment of a person(s) that involves inappropriate or unreasonable behaviour and creates a risk to safety and health.

Indirect bullying

Indirect bullying includes the following behaviours:

- deliberately or maliciously overloading a person with work or not providing enough work;
- unreasonably setting timelines that are difficult to achieve or constantly changing deadlines;
- setting tasks that are unreasonably below or beyond a person's skill level;
- deliberately excluding, isolating or marginalising a person from normal work/classroom activities;
- withholding information that is vital for effective work/classroom performance;
- deliberately denying access to information, consultation or resources;
- deliberately changing work arrangements such as rosters and leave to inconvenience a particular staff member; and
- unfair treatment in relation to accessing workplace entitlements such as leave or training.

Physical Harassment Practical jokes, pushing, shoving, aggressive behaviour and the like. Acts of sexual harassment include any unwanted physical contact, unnecessary touching, or physical interference with work or movement, rape, attempted or actual, and physical assault.

PRACE: means the incorporated association (A0032713Z) which includes the Registered Training Organisation (4036) & PRACE College (022110).

Repeated Behaviour refers to the persistent nature of the behaviour and can refer to a range of behaviours over time.

Stakeholders refers to those persons, organisations and groups holding an interest or concern in PRACE.

Unreasonable Behaviour means behaviour that a reasonable person, having regard for the circumstances, would see as victimising, humiliating, undermining or threatening.

Verbal harassment Foul or obscene language, derogatory racial comments, demeaning ethnic jokes or slurs, request for sexual favours, unwanted sexual comments, implied or expressed promises of reward for complying with, or threats of reprisal for not complying with, a sexually-oriented request, offensive or suggestive comments about a person's physical appearance, offensive or threatening questioning, unwanted comments that may offend a person, obscene or threatening phone calls.

Visual Harassment Obscene gestures, demeaning posters, cartoons, graffiti or drawings which are shown to an individual or a group or displayed in plain view, threatening letters, indecent exposure. Where these have a sexual orientation, this will constitute sexual harassment.

General Principles All PRACE staff, volunteers, students, and stakeholders have the right to be treated with fairness, dignity and respect, and have a responsibility to treat others with the same consideration. PRACE does not tolerate or condone any degree of bullying or harassment, direct or indirect, by anyone associated with the organisation.

All PRACE staff, volunteers, students, and stakeholders must refrain from acts of bullying and harassment against other individuals. Such acts are unacceptable behaviour and will be subject to disciplinary action.

Cyber bullying, even where it does not take place at a PRACE work or training site may be subject to this policy and procedure.

It is the responsibility of all staff, and in particular management, to promote bullying and harassment free environments in the workplace.

Students are bound by the student *Code of Conduct* found in the PRACE Student Information Handbook.

Procedure Staff, volunteers, students, and stakeholders who experience bullying or harassing behaviours are encouraged to report it.

Any complaints of bullying and harassment will be taken extremely seriously and thoroughly investigated in accordance with current good practice as laid down in PRACE's Complaints and Appeals Procedure.

Should a person believe that he or she is a victim of bullying or harassment, the employee/student must / is encouraged to take the following steps

- Notify a supervisor / teacher
- If the supervisor/ teacher is the cause of the problem the situation should be discussed with the next higher level of supervision or as outlined in the Complaints and Appeals Procedure.

The person has a choice of either formal or informal action.

Informal action:

In some cases, the problem may be corrected in an informal manner through discussion and a relevant action plan developed and implemented with further checks overtime to ensure the problem is being or has been resolved.

Formal action:

There may be an instance where the person may wish to put the concern in writing.

A full investigation will be carried out, and every effort will be made to resolve the problem to the person's satisfaction as outlined in the Complaints and Appeals Procedure.

Glossary

Not applicable

Related Policies and Procedures

Privacy Policy
OH&S and Risk Policy and Procedure
Complaints, Grievance and Appeals Policy
Complaints and Appeals Procedure
Student Code of Conduct
Student Welfare and Duty of Care Policy
Student Welfare and Duty of Care-VCAL and under 18s Procedure
