

HARASSMENT, VICTIMISATION AND BULLYING POLICY

PREAMBLE

Harassment, victimisation and bullying often happen when people use power wrongly. Harassment, victimisation and bullying make the workplace uncomfortable and unpleasant. All students and staff of Australian Pacific College have a right to be free from harassment victimisation and bullying. The College recognises that learning, teaching and administration duties cannot be carried out if any person feels that anyone they have to work with is harassing, victimising or bullying them in any way.

The harassment, victimisation and bullying policy is in place to protect students, prospective students and staff.

DEFINITIONS

Bullying: occurs when: a person or a group of people **repeatedly** behaves unreasonably towards a worker or a group of workers and the behaviour creates **a risk to health and safety**. Bullying **does not include reasonable management action** carried out in a reasonable manner.

Harassment: any type of behaviour that a does not want and does not return and may offend embarrass, or scare them, and is either sexual or targets them because of their race, sex, pregnancy, marital status, carer's responsibilities, transgender, homosexuality, disability or age.

Student: any person undertaking a course of study at Australian Pacific College, English Unlimited or Australian Pacific Travel & Tourism.

Victimisation: under Commonwealth law victimization is any situation where a person is threatened because they are making or proposing to make a complaint under the *Disability Discrimination Act 1992* or the *HREOC Act 1986*.

Worker The definition of a worker for the purposes of the Fair Work Act 2009 is drawn from the Work Health and Safety Act 2011 and can be an employee, a contractor or subcontractor, a person employed by a labour hire company who is working at a particular business or organisation, an outworker, an apprentice or a trainee, a work experience student, a volunteer. *Only people who are considered to be 'workers' may apply for an order to stop workplace bullying.*

POLICY AND PROCEDURES

Managers and Supervisors

All managers and supervisors must do their best to prevent harassment, victimisation or bullying from happening within their area of responsibility. Managers and supervisors should:

- Ensure that all staff understand and have ready access to the Harassment, Victimisation and Bullying Policy and know how to deal with harassment, victimisation or bullying if it happens to them.
- Be good role models and not engage in any behaviour that could be interpreted as harassment, victimisation or bullying.
- Make it clear to those they supervise that harassing, victimising or bullying behaviour will not be tolerated.
- Ensure that the working environment is free of sexist, racist or any other type of stereotyping material, posters, screensavers and so on.
- Wherever possible, make sure that neither the College processes nor the College environment make it easy for harassment, victimisation or bullying to happen.
- Follow up on any behaviour changes that could mean that harassment, victimisation or bullying is occurring or that anyone has a valid grievance.

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- Act immediately if witness to or privy to information about any harassment, victimisation or bullying by following the complaints procedure.

Workers

If you are a worker at APC, you must not:

- Display material that is racist, sexist, sexually explicit, or discriminatory in any form – this means electronically (through computer-based activities or emails) or in videos or lesson plans and so on.
- Use verbal abuse or comments that put down, or stereotype people because of their race, sex, pregnancy, marital status, age disability or sexual preference.
- Initiate physical contact with any student. This includes slapping, pinching, kissing or touching (the top of the head included).

In all matters workers should endeavour to:

- Be a good role model
- Show respect all other people
- Be careful about anything that might be interpreted as sexual or stereotyping people because of the group they happen to belong to.
- Be careful of the words you use, the tone you use, and how you say things.
- Avoid sexual or stereotyping jokes.
- Avoid the use of sexual or stereotyping pictures, cartoons, verse – on paper, walls, boards, faxes or computers.
- Refrain from any type of touching.
- Refrain from standing too close to staff or students.
- Be aware of the paralinguistics of language and how they could be misinterpreted as being threatening, harassing or having sexual connotations.
- Refrain from teaching sexual language or showing films of a sexual nature.

Students

In all matters students should endeavour to:

- Show respect all other people.
- Be careful about anything that might be interpreted as sexual or stereotyping people because of the group they happen to belong to.
- Be careful of the words you use, the tone you use, and how you say things.
- Avoid sexual or stereotyping jokes.
- Avoid the use of sexual or stereotyping pictures, cartoons, verse – on paper, walls, boards, or computers.
- Refrain from any type of touching.
- Refrain from standing too close to staff or students.
- Be aware of how gestures and contact could be misinterpreted as being threatening, harassing or having sexual connotations.
- Refrain from using sexual or threatening language.

STEPS FOR DEALING WITH HARASSMENT, VICTIMISATION OR BULLYING

1. You can tell the person to stop. If you don't feel you can do this, or they don't stop, please use our complaints/grievance procedures so that it can be resolved.
2. Help to prevent harassment, victimisation or bullying by offering to support someone else if you think they are being harassed, victimised or bullied. Suggest they use the College's complaints/grievance procedures to stop the harassment, victimisation or bullying.
3. Do not speak to any person you think is harassing, victimising or bullying another. This could constitute defamation and be spreading rumours. Follow the College's complaints/grievance procedures.

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4. Workers who are being *bullied* at work are to apply to the Fair Work Commission (see Commission's website) for an order to stop the bullying. The Fair Work Commission must start dealing with the matter within 14 days.

If you have a problem and suspect it may be harassment, victimisation or bullying of some type, please contact Reception to arrange an appointment with one of the following staff:

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|----------------------|----------------------------------------------------------|----------------------------|
| <i>Carolyn Long</i> | <i>Director of Administration & Student Services</i> | <i>clong@apc.edu.au</i> |
| <i>Iona Annin</i> | <i>Campus Manager (Melbourne)</i> | <i>iannin@apc.edu.au</i> |
| <i>Ken Lum</i> | <i>Chief Operating Officer</i> | <i>klum@apc.edu.au</i> |
| <i>Sharon Luhr</i> | <i>Principal Academic Director</i> | <i>sluhr@apc.edu.au</i> |
| <i>Youngeun Song</i> | <i>Campus Manager (Brisbane)</i> | <i>youngeun@apc.edu.au</i> |

Further help can be obtained from the following departments:

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| Fair Work Commission | https://www.fwc.gov.au/ |
| NSW Anti-Discrimination Board | http://www.antidiscrimination.justice.nsw.gov.au |
| Anti-Discrimination Commission Queensland | https://www.adcq.qld.gov.au/ |
| Victorian Equal Opportunity and Human Rights Commission | http://www.humanrightscommission.vic.gov.au/ |
| Human Rights Commission | http://www.humanrights.gov.au/ |

Policy review

This policy will be reviewed as part of the College's three year policy review cycle or as required by regulatory changes.

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