

	Bullying Prevention Policy	
	Version: 2	Approved: CEO
	Date: 12.06.2019	Date: 12.06.2019
	Author: Mallory Gleeson	Next Review: June 2021
Administered: Human Resources	Signed: 	

1. POLICY STATEMENT

Hunter Trade College (the College) rejects all forms of bullying behaviour. The College works to provide a safe, inclusive and respectful environment that promotes positive relationships and wellbeing.

The College's values of respect, integrity, inclusiveness, honesty and teamwork underpin behavioural expectations for everyone working or learning with the College. We expect everyone to remain inclusive and respect each other and not to bully, harass, intimidate or discriminate against anyone at the College.

The College encourages parent and carer involvement to improve student engagement and behaviour. Preventing bullying is a shared responsibility between College staff, volunteers and students, parents and carers.

College staff receive support and professional development to understand and discourage, prevent, identify and respond effectively to bullying behaviour.

Students, parents and carers may report bullying to any staff member at a school. The College will address the reported bullying promptly.

If a student, parent or carer believes a matter is not being dealt with effectively, they can refer the matter to the Chief Executive Officer (or delegate) for resolution.

2. SCOPE

This policy applies:

- to all College employees, students, volunteers (including directors) and contractors.
- to all student, employee, contractor or volunteer bullying behaviour, including online bullying,
- outside of College hours and off College premises, where there is student, employee, contractor or volunteer involvement and a clear and close connection to the College.
- to all functions and places that are work-related, including work placement, work lunches, conferences, Christmas parties, functions and excursions.

3. DEFINITIONS

What is bullying?

Bullying behaviour has three key features:

- It involves an intentional use or misuse of power in a relationship such as academic ability, age, social status, employment status, strength or size.
- It is ongoing and repeated.
- It involves behaviours that can cause physical and/or psychological harm.

Types of bullying:

Physical bullying such as poking, hitting, punching, kicking, spitting, tripping or pushing someone, breaking someone's things, pulling faces or making rude hand signals

Verbal bullying such as name calling, teasing, putting someone down, threatening to cause someone harm, insults, teasing, intimidation, outbursts of anger or aggression, homophobic or racist remarks or verbal abuse.

Social bullying can harm someone's social reputation or cause humiliation, such as:

- lying and spreading rumours
- playing nasty jokes to embarrass and humiliate
- mimicking
- excluding or isolating someone, or encouraging others to do the same
- damaging someone's social reputation or social acceptance

Cyberbullying, which is using technology to hurt someone else by sending hurtful messages, pictures or comments.

What is not bullying?

While fighting between two people is a serious concern involving violence, it is not bullying unless it is recurring and deliberate abuse of power over time.

Teasing, done in mutual fun and jest, where all individuals are involved and feel capable of responding, is not bullying. However constant teasing in a mean, demeaning and hurtful way, is bullying.

It is not bullying for a teacher, manager or supervisor to counsel an employee or student about their performance. Performance counselling is a necessary part of ensuring that everyone meets the College's work and behaviour standards.

Other reasonable management actions such as discipline, work directions and allocation of work to meet business needs are not bullying.

What is harassment?

Harassment is unwelcome verbal and/or physical behaviour that offends, humiliates or intimidates, and it can occur even if the outcome was not intentional. Harassment is generally linked to a form of discrimination. Behaviour which creates a hostile environment for other employees or students can also be unlawful and a form of harassment.

What is sexual harassment

Sexual harassment is unwelcome behaviour of a sexual nature which offends, humiliates or intimidates. Sexual harassment can occur even if the person did not intend to offend, humiliate or intimidate the other person. However, the behaviour will not be sexual harassment if a reasonable person, having regard to all the circumstances, would not have anticipated that the conduct would offend, humiliate or intimidate the other person.

Sexual harassment does not have to be directed at an individual to be unlawful.

Examples of sexual harassment:

- physical contact such as pinching, touching, grabbing, kissing or hugging.
- staring or leering at a person or parts of their body.
- sexual jokes or comments.
- requests for sexual favours.
- persistent requests to go out, even after refusal.
- sexually explicit conversations.
- displays of offensive material such as posters, screen savers, internet material

- accessing or downloading sexually explicit material from the internet.
- suggestive comments about a person's body or appearance.
- sending rude or offensive emails, attachments or text messages.

What is victimisation?

Victimisation involves treating a person unfairly because they have complained, they intend to complain, or they are involved in a complaint of unlawful conduct. Employees, volunteers and students must not retaliate against or treat a person who raises a complaint unfairly.

4. RESPONSIBILITIES

College Board of Directors	<ul style="list-style-type: none"> ○ ensure the College has appropriate systems and resources to support a workplace free from bullying, harassment, discrimination, vilification or victimisation.
All College employees and volunteers	<ul style="list-style-type: none"> ○ support the College in maintaining a safe, inclusive and supportive learning environment ○ model and promote appropriate relationships and behaviours ○ promote a College culture where bullying is not acceptable ○ report bullying to a manager, supervisor or College executive staff member ○ maintain acceptable and responsible use of technology, including interaction via social media ○ escalate matters to the Chief Executive Officer when necessary
CEO	<ul style="list-style-type: none"> ○ maintain a positive College climate which includes respectful relationships ○ identify patterns of bullying behaviour and initiate College response ○ ensure regular risk assessments of the physical environment, (including off-campus and outside school hours related activities), and develop effective risk management plans, including responses to critical incidents ○ manage complaints about bullying.
Students	<ul style="list-style-type: none"> ○ maintain positive behaviour towards others in the College, including outside College hours, off College grounds and at work placement. ○ report bullying behaviours to a teacher or other member of the College staff.
Teaching staff	<ul style="list-style-type: none"> ○ teach students to identify, report and respond to bullying at College and online

5. PROCEDURES

The primary aim of the College's response to bullying behaviour is to restore a positive learning or work environment for all students and staff.

A second aim of the College's response is to avoid escalating the issues or causing more harm.

5.1. What to do if you experience bullying:

a. Take action

If you feel comfortable, speak with the person whose behaviour is causing you concern. Identify the behaviour, explain that the behaviour is unwelcome and offensive and ask that the behaviour stop. The person may not be aware that their behaviour is unwelcome or offending you. Note that this step is optional.

b. Report the behaviour

If you do not feel comfortable acting to stop the behaviour or you speak with the person, and the behaviour continues, report the behaviour to your Teacher, Manager or the Human Resources/Work Health and Safety Officer. These team members can also provide you with guidance and support.

The College will deal with a bullying complaint by following these procedures or the Complaints Policy. You may choose to make an informal or formal complaint.

5.2. Guidelines for staff responding to student reports of bullying, including online bullying:

When a student reports bullying (including online bullying):

Arrange for the Assistant Principal or CEO (or their delegate) to manage the situation. The Assistant Principal or CEO will follow these steps:

- a. Listen carefully and calmly, and document what the student tells you.
- b. Clarify if there are immediate safety risks and let the student know how you will address these.
- c. Collect additional information.
- d. Discuss a plan of action with the students.
- e. Inform the student what you intend to do.
- f. Provide suggestions on what to do if the bullying occurs again.
- g. Set a date for follow up review/s.
- h. Record the incident/student contact in SchoolPro.
- i. Notify appropriate College staff.
- j. Contact the parent/carer informing them of the incident and your course of action.
- k. Follow up with students over the next several weeks and months.

When a parent/carer reports student bullying:

Similar steps apply if a parent/carer contacts the College to report bullying. Ensure printed information (particularly the relevant policy) is available at any meetings with parent.

The steps to follow are:

- a. Listen carefully and document the account, acknowledging parent/carer concerns. If appropriate invite the parent/carer to make an appointment with you and any relevant teaching or support staff.
- b. During phone calls or at a meeting, provide a calming, supportive response and appreciate that some parents may express anger and distress about their young person's experience.
- c. Refer to the College policy to discuss the definition of bullying, expectations of students and staff, responsibilities and implications.
- d. Inform the parent/carer what you intend to do about their concerns.
- e. Let the parent/carer know the name and contact details of the responsible officer for further contact.
- f. Provide suggestions and information about what parents/carers can do to support their young person in the short term.
- g. Set a date for a review and conclude the meeting.
- h. Record the incident/student contact in SchoolPro.
- i. Collect additional information from students and other staff members as appropriate.
- j. Notify appropriate staff members.
- k. After you have developed a full action plan based on the additional information gathered, conduct the follow-up review meeting with the parent/carer, in person or by telephone.
- l. Agree on a contact person for parents/carer while the action plan is implemented.
- m. Follow up with parent/carer and students at a designated time in the following weeks or months.

5.3. Responding to staff reporting a bullying situation involving themselves

Please refer to the College's Complaints Policy.

5.4. The Role of the Fair Work Commission in anti-bullying

The *Fair Work Amendment Act 2013* allows a worker who has been bullied at work to apply to the Fair Work Commission for an order to stop bullying behaviours. Before agreeing to investigate or hear a bullying complaint, the Commission will consider what policies are in place at the workplace and if the workplace has undertaken any review or investigation. The Commission may make orders to resolve complaints of bullying. Orders put in place by the Commission are binding on the employer and employees.

5.5. Confidentiality

The College will endeavour to maintain the confidentiality of all parties. It may be necessary to speak with others to determine what happened, to afford fairness to those against whom the complaint has been made and to resolve the complaint. If it appears that unlawful conduct has potentially occurred, the College will take appropriate action.

All persons involved in the complaint must also maintain confidentiality, including the person who complains. Spreading rumours or gossip may expose volunteers, employees and students to disciplinary action. Persons involved may discuss the complaint with a designated support person or representative. However, the support person or representative must also maintain confidentiality.

5.6. Possible Outcomes

The outcome will depend on the nature of the complaint and the procedure followed to address the complaint. Where an investigation results in a finding that a person has engaged in unlawful conduct or breach of this Policy, the College may discipline that person. The type and severity of disciplinary action will depend on the nature of the complaint and other relevant factors.

In serious cases disciplinary action may include:

- terminating employment.
- terminating or not renewing contracts or services of contractors or volunteers.
- suspending or expelling a student.

5.7. Methods to restore relationships

Select the method that is most appropriate for the person experiencing bullying and the situation to repair relationships after bullying incidents.

These methods focus on repairing harm and restoring relationships and can happen alongside broader proactive steps and strategies designed to prevent bullying from happening again.

Methods may include:

- taking a disciplinary approach with the perpetrator/s, such as behaviour monitoring, improvement plans or formal warnings.
- helping the person who is the target of bullying to deal more effectively with the person or persons who seek to bully them.
- mediation, where parties are willing to participate.
- support group method, where parties meet, the perpetrator reflects upon the harm, experiences remorse and acts restoratively towards the person or persons offended.
- method of shared concern, a non-punitive multi-stage strategy used with groups of people who are suspected of bullying someone. It facilitates the emergence of a solution to a bully/target problem using a series of interviews and discussions with the parties involved.

Persons suspected of bullying others participate in an interview individually. The staff member shares a concern for the bullied person and invites each of them to say what they will do to help. When helpful actions have taken place, the parties meet as a group with the staff member, plan what they propose to do next, and subsequently meet with the person they have bullied to resolve the problem.

The College may use other methods to resolve a complaint, depending on the circumstances, such as:

- training to assist in addressing the problems underpinning the complaint.
- updating a policy or implementing a new policy.
- requiring an apology or an undertaking that certain behaviour stop.
- changing work/class arrangements.

If a person makes an unfounded or vexatious complaint (that is, making up a complaint to get someone else in trouble, making a complaint in retaliation or making a complaint where there is no foundation for the complaint), the person may face disciplinary action.

5.8. Appealing a decision

Please refer to the Complaints Policy for appeal and review guidelines.

6. STRATEGIES TO PROMOTE A POSITIVE COLLEGE CULTURE

- Toolbox Talks will address student bullying and behaviour expectations.
- The College Learning and Development Plan will encompass professional learning for ways to encourage and teach positive social and emotional wellbeing and discourage, prevent, identify, and respond effectively to student bullying behaviour.
- Students will learn about anti-discrimination and workplace bullying through work readiness and VET programs.
- Induction programs for new and casual staff will include the College's approaches to prevent and respond to bullying.
- Information to help promote a positive culture and what action to take over bullying concerns will be available to parents and carers through newsletters and on our College website.
- Employees, students and families will have access to support services to help persons affected by bullying behaviours.

7. REVIEW

The CEO will review the Bullying Prevention Policy every two years, considering:

- student connectedness and satisfaction with the College;
- student, parent/carers and employee perceptions of safety and wellbeing (e.g. frequency of bullying and harassment incidents) and the effectiveness of the College's responses; and
- changes to legislation and regulation.

8. REFERENCE DOCUMENTS & CONTEXT

Complaints Policy

Diversity and Inclusion Policy

Disputes Procedure (See Hunter Trade College Enterprise Agreement, Clause 21)

Anti-Discrimination Board of NSW at <http://www.antidiscrimination.justice.nsw.gov.au>

Fair Work Commission website at <https://www.fwc.gov.au/disputes-at-work/anti-bullying>

Bullying: No Way at <https://bullyingnoway.gov.au>

9. DOCUMENT HISTORY

Version	Date	Authorised Officer	Amendment Details
1.0	01.10.2006	T. O'Brien	First issue
1.1	14.04.2012	Carol Swanson	Include Anti-discrimination, Harassment & Bullying. Change Approval from Board to CEO. Detail how a complaint is managed. Add Report Form Add Flow Chart detailing how issues are dealt with.
1.2	30.06.2014	Carol Swanson	Periodic Review. Added External Bodies to Section 7 References. Amended definition of bullying to align with Fair Work Act. Added section regarding Fair Work Commission and

Version	Date	Authorised Officer	Amendment Details
			complaints of bullying. Aligned process for dealing with complaints to the Complaints Policy and Procedure. Removed Bullying/Harassment Report Form.
2.0	01.04.2019	Mallory Gleeson	Comprehensive review. Split Discrimination and EEO out into new Diversity and Inclusion Policy. Included strategies for bullying prevention, methods to restore relationships, review guidelines.