

ANTI-BULLYING AND HARASSMENT POLICY

Approving Authority	Governing Board
Purpose	To provide a fair and supportive environment free from all forms of bullying and harassment, that promotes personal respect and respect for others, as well as providing physical and emotional safety for all.
Responsible Officer	President and CEO
Next Scheduled Review	September 2026
Document Location	http://www.ozford.edu.au/higher-education/policies-and-procedures/
Associated Documents	<ul style="list-style-type: none"> Anti-Bullying and Harassment Procedure Anti-Discrimination Policy and Procedure Diversity and Equity Policy and Procedure Human Resources Policy and Procedures (Manual) Privacy Policy and Procedure Sexual Assault And Sexual Harassment Policy and Procedure Student Code of Conduct Policy and Procedure Staff Code of Conduct Policy and Procedure Social Media (Students) Policy and Procedures Social Media (Staff) Policy and Procedure Student Grievances and Appeals Policy and Procedure Student Support and Services Policy and Procedure Student Safety and Wellbeing Framework

1. PRINCIPLES

This policy aims to ensure that Ozford Institute of Higher Education (the “Institute”) complies with *the Higher Education Standards Framework (Threshold Standards) 2021* (HES Framework) which requires the Institute to promote and foster safety in all Institute environments. Legally, the Institute has a positive duty to eliminate discrimination, sexual harassment, and victimisation as far as possible. This means that, instead of simply reacting to complaints of discrimination or sexual harassment, the Institute is proactive about discrimination and take steps to prevent it from occurring.

Everyone has a right not to be bullied or harassed.

The Institute believes that all staff and students should be able to work and study in an environment free from discrimination, victimisation, sexual harassment, vilification, and the seeking of unnecessary information on which discrimination might be based. The Institute considers such behaviours unacceptable, and they will not be tolerated.

The Institute expects all staff members or students who experience bullying or harassment to report it.

It is important to note that it is irrelevant whether or not the inappropriate behaviour was intended. It is the person subjected to the behaviour who determines whether the behaviour is welcome or unwelcome.

The Institute recognises that comments and behaviour that do not offend one person may offend another. The Institute accepts that individuals may react differently and expects this right to be generally accepted. The Institute will refer serious matters of harassment and/or bullying to relevant authorities.

Inappropriate personal behaviour can lead to breaches of the organisation's duty of care provisions under Occupational Health and Safety Legislation, e.g., persistent bullying.

This policy and related procedures will ensure that the Institute has:

- Appropriate training and information resources provided to students and staff in preventing, reporting, and responding to bullying and harassment.
- An effective approach in response to misconduct incidents as they occur;
- Appropriate support and counselling services available to those affected;
- Appropriate disclosure and reporting of any bullying and harassment incidents.

2. SCOPE

This policy applies to all Institute staff, voluntary position holders, students, volunteers, visitors and members of advisory and governing bodies, across the Institute, and at all times whilst engaged in Institute business or otherwise representing the Institute. The scope encompasses affiliates, contractors, and consultants, appointed or engaged by the Institute, to perform functions and/or recognised for their contribution to the Institute.

It applies to all Institute-related interactions. It applies while on or off campus, at Institute-related functions (including social functions and celebrations), while on trips and attending conferences.

3. DEFINITIONS

Bullying

Bullying is any repeated behaviour that is unreasonable and inappropriate directed toward a staff member, or a group of staff members, or student that creates a risk to health and safety. Examples of behaviour that could be bullying include, but are not limited to:

- excluding someone from workplace/learning activities;
- giving someone the majority of unpleasant tasks;
- verbal abuse;
- humiliating someone through sarcasm or insults;
- intimidation;
- initiation practices;
- sabotaging someone's work;
- "practical jokes".

Cyber Bullying

Cyberbullying is bullying that's done by means of technology - for example, using the internet or a mobile phone to hurt, harass or embarrass someone.

Harassment

Harassment is a type of discrimination and can take many forms. It may involve inappropriate actions, behaviour, comments or physical contact that is objectionable or cause offence.

Harassment is unwelcome conduct that might reasonably cause a person to be offended, humiliated or intimidated because they have a protected attribute. Harassment can also happen if someone is working in an environment permeated by conduct or activities that make it hostile or intimidating. The behaviour can be overt or subtle, verbal, non-verbal or physical.

Harassment may be seen to have occurred if the behaviour makes the victim feel:

- offended and humiliated;
- intimidated or frightened; or
- uncomfortable at work.

For the definition of sexual harassment please refer to the ***Sexual Assault and Sexual Harassment Policy and Procedure***.

4. POLICY

Prevention, Training and Awareness

- 4.1. The Institute is committed to ensuring all students and staff work and study in a safe environment that is free from bullying and harassment of any type. All students and staff have a right to expect professional standard behaviour from others, and a corresponding responsibility to behave professionally towards others at all times.
- 4.2. The Institute has a **zero tolerance** of bullying and harassment and prohibits all forms of bullying and harassment.
- 4.3. The Institute acknowledges that education and awareness are important aspects of prevention and commits to actively informing and training students and staff in preventing, reporting and responding to bullying and harassment.
- 4.4. The Institute has a ***Student Code of Conduct Policy and Procedure and Staff Code of Conduct Policy and Procedure*** which requires all students and staff act in a manner that promotes a safe, positive, productive and harmonious learning environment, act ethically and responsibly, and be accountable for their actions and decisions.
- 4.5. All at the Institute have a responsibility to contribute to teaching and learning environments that are free from bullying (including cyber bullying) and harassment, and that encourages staff and students to develop attitudes and skills to ensure that everyone is equally valued, and all are treated with respect.

- 4.6. Managers have a particular obligation to model appropriate behaviour; promote this policy; treat all complaints seriously and attend to them promptly; monitor all Institute environments and seek expert help for complex or serious matters. Managers must ensure:
- professional standards of behaviour apply at all times;
 - staff/students who wish to make enquiries or complaints are supported and assisted in a professional and fully informed manner;
 - all complaints are treated impartially, confidentially, seriously and sympathetically;
 - all parties are protected and given fair treatment throughout the process;
 - appropriate action is taken whenever bullying or harassment has been substantiated;
 - disciplinary action is taken when there is found to be misconduct.
- 4.7. All staff have the responsibility to comply with this policy; report incidents to their Managers and not to tolerate bullying or harassing behaviour.
- 4.8. All students are expected to contribute to the creation of a bullying and harassment free and inclusive learning environment.

Incident Report

- 4.9. The Institute encourages everyone to seek advice and support when they feel they have experienced or witnessed concerning behaviour. The Institute has policies and procedures for the effective resolution of complaints, including how to make a report of concerning behaviour.

Response and Support

- 4.10. When bullying or harassment is reported it will be seen as a serious matter and will be investigated in a timely manner. Allegations will be investigated in accordance with the procedures. Where necessary, a formal investigation will be undertaken, and disciplinary action may result.
- 4.11. The Institute will provide confidential assistance to staff or students in the form of wellbeing support and professional counselling.
- 4.12. If a case is referred to the Victoria Police or the Equal Opportunity Commission (EOC) or to the Australian Human Rights Commission (AHRC), then the Institute will not take any action that will compromise the police investigation or EOC/AHRC complaint resolution process. While accountability for prosecuting criminal acts rests with the local police where the offence occurred, the Institute can take internal action where there is a breach of its rules, by-laws, policies and procedures for activities and circumstances related to the Institute matters.
- 4.13. A failure to comply with the Institute's policies may result in action that includes disciplinary and other action up to and including potential termination of employment for employees or the cessation of engagements for contracted services.

Reporting and Monitoring

- 4.14. The Institute ensures that all incident data is kept confidentially, and incident data is reported to the EMT, Academic and Governing Board every 6 months to monitor the prevalence of misconduct in connection with the Institute.
- 4.15. Confidentiality and information privacy will be upheld, in accordance to the legislative requirements and the Institute *Privacy Policy and Procedure*.
- 4.16. Any suggested improvement required to enhance campus safety will be discussed and implemented as appropriate.

5. QUALITY ASSURANCE

To ensure that this policy is fit for purpose and meets the requirements of the HES Threshold Standards the policy will be:

- 5.1 internally endorsed by the Executive Management Team on development or review, prior to approval by Governing Board, or the Academic Board or other delegated authority;
- 5.2 externally reviewed as part of any independent review of the HES Threshold Standards approved by the Governing Board;
- 5.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier); and
- 5.4 referenced to the applicable HES threshold Standard and/or other legislation/regulation.

6. FEEDBACK

Feedback or comments on this policy is welcomed by the listed responsible officer(s) of the Institute.

7. ACKNOWLEDGEMENT

This policy was developed with reference to the following:

- Australian Human Rights Commission, Information and resources ([Employers \(humanrights.gov.au\)](https://www.humanrights.gov.au))
- Fair Work Commission, Bullying information and Resources ([Issues we help with | Fair Work Commission \(fwc.gov.au\)](https://www.fwc.gov.au))
- Victorian Department of Justice and Community safety, Bullying information ([Bullying - Brodie's Law | Department of Justice and Community Safety Victoria](https://www.vic.gov.au))
- Victorian Equal Opportunity and Human Rights Commission, Information and resources (<https://www.humanrights.vic.gov.au/for-organisations/>)
- Victorian Department of Education, Bully Stoppers resources ([Bully Stoppers | Victorian Government \(www.vic.gov.au\)](https://www.vic.gov.au))

- the Ozford College of Business policy of the same name and purpose.

8. VERSION CONTROL

Version	Date approved	Description	Approved by
1.0	June 2014	Initial issue	GB
2.0	September 2018	Internal Review	GB
3.0	July 2023	Internal Review	GB
3.1	September 2023	Internal review – minor formatting changes and add external referencing	EMT
Related legislation/ regulation/standard	Tertiary Education Quality and Standards Act 2011 Higher Education Standards Framework (Threshold Standards) 2021 Racial Discrimination Act 1975 (Cth) Sex Discrimination Act 1984 (Cth) Disability Discrimination Act 1992 (Cth) Disability Standards for Education 2005 (Cth) Australian Human Rights Commission Act 1986 (Cth) Workplace Gender Equality Act 2012 (Cth) Age Discrimination Act 2004 (Cth) Fair Work Act 2009 (Clth) Victorian Legislation Equal Opportunity Act 2010 Racial and Religious Tolerance Act 2001 (VIC) Spent Convictions Act 2021		

Note.

GB = Governing Board.

EMT = Executive Management Team