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Bullying, Harassment and Discrimination Policy and Procedure

1. Purpose

This Policy sets out how Headway Education views and deals with bullying, harassment and discrimination.

2. Scope

This Policy applies to all personnel including staff, students, contractors and visitors of Headway Education.

3. Definitions

- a) **Bullying** means repeated and unreasonable behaviour directed towards a person or a group of people that creates a risk to their health and safety. The act of Bullying causes the recipient/s a sense of intimidation, fear, offence and/or humiliation, irrespective of the intention of the person/people committing the Bullying. Bullying can include a range of behaviours over time. Bullying can be carried out verbally, physically or in writing (for example, via email, internet chat rooms, instant messaging, social media and mobile phone technologies such as text messaging and messaging apps).
- b) **Discrimination** means when a person or group of people are treated differently or unfairly because they belong to a particular group with particular characteristics. In Australia it is unlawful to discriminate on the basis of the following characteristics, but not limited to:
- Age
 - Employment Activity
 - Political belief or activity
 - Pregnancy
 - Gender
 - Social origin
 - Disability
 - Race (including colour, nationality, ethnicity and ethnic origin)
 - Physical features
 - Religious belief or activity
- c) **Harassment** means unwelcomed, unsolicited or unreciprocated behaviour which makes a person feel sexualised, intimidated, offended, or belittled. Harassment is a form of unlawful discrimination. Harassment based on sex, race, or disability is also unlawful under Commonwealth laws and harassment such as physical assault can be a criminal offence.

4. Policy

All personnel including staff, students, contractors and visitors of Headway Education have a right to an environment free from Bullying, Harassment or Discrimination while engaging in their work and/or academic endeavours.

Headway Education does not accept any form of Bullying, Harassment or Discrimination. Any allegations of Bullying, Harassment or Discrimination will be investigated and the appropriate action will be taken.

a) Bullying

The examples listed below represents what bullying looks like, but is not limited to;

- Intimidation;
- Threats or threatening remarks or gestures;
- Verbal abuse, including yelling, screaming or offensive language;
- Excluding or isolating people from workplace or other activities;
- Constant unreasonable and unconstructive criticism;
- Placing unreasonably high work or academic demands on one person but not others;
- Undermining responsibility;
- Withholding information essential to do a task properly;
- Spreading malicious rumours;
- Cyber bullying;
- Physical violence or abuse;

b) Harassment

The examples listed below represents what harassment looks like but is not limited to.

- Uninvited and unreciprocated physical contact;
- Persistent following (stalking);
- Persistent verbal abuse or threats;
- Persistently disrupting someone's work, work space, equipment or interfering with their personal property;
- Jokes, derogatory or dismissive comments;
- Gestures that are insulting or belittling;
- Circulating, displaying written or pictorial material that is offensive or belittling;
- Sexual jokes, offensive telephone calls and email messages, displays of obscene or pornographic photographs, pictures, posters, screen savers and internet sites, reading matter or objects;
- Suggestive looks implying a sexual interest;
- Sexual propositions or persistent requests for dates;
- Making promises or threats in return for sexual favours;
- Unwelcome or improper remarks or insinuations about a person's sex life or private life;
- Suggestive comments about a person's appearance or body;
- Requests for sex;
- Sexually explicit conversation, insults, taunting or comments.

c) Discrimination

The examples listed below represents what discrimination looks like but is not limited to.

- Treating someone differently because of their sexual orientation;
- Giving a student a higher mark because their parents are influential political figures;
- Not promoting a staff member because they may be pregnant;
- Stereotyping, belittling or treating someone differently because of their ethnic background;
- Making fun of someone due to a physical attribute or disability;
- Giving a larger workload to someone because they are single.

5. Procedure

Reporting, Investigations and Outcomes

All reported allegations of Bullying, Harassment or Discrimination will be investigated in accordance with the Bullying, Harassment and Discrimination Policy.

Headway Education will treat all reported allegations of Bullying, Harassment or Discrimination seriously and impartially. The consequence of breaching this Policy will depend on the seriousness of the case. Outcomes may include, but are not restricted to the following:

- Requiring an apology to the affected person or persons;
- Providing mediation between the parties, if both parties agree to mediation process and to the mediator;
- Providing targeted training regarding prevention of unacceptable behaviours;
- Offering support to the person making the complaint;
- Offering support to the person against whom the complaint is made;
- Disciplinary action, up to and including dismissal or expulsion of the person found in breach of this Policy; and
- Disciplinary action, up to and including dismissal or expulsion of the person making a complaint of a Breach of this Policy if, after investigation, the complaint is found to have been malicious or vexatious.
- Disciplinary action may be taken against anyone who retaliates against a person who has made a complaint.

6. Support and Training

All students during orientation will be informed of this policy including the contact point(s) to report any breach of the policy.

All staff during their induction will be informed of this policy including the contact point(s) to report any breach of the policy.

All staff are required to inform the CEO of any breach of the policy and if the report is about the CEO, staff must inform the Compliance Manager.

In the event of an emergency, all students and staff should call Police on 000.

7. Complaints and Appeals

Breach of the policy must be reported in writing or by any other means as agreed between the complainant and Headway Education. Headway Education will assess the complaint in accordance with the applicable policies and procedures.

Where an individual is not satisfied with the decision made by Headway Education in relation to bullying, harassment and discrimination complaint, they have the right to appeal the decision in accordance with the relevant *Staff Complaints and Appeals Policy and Procedure* and *Student Complaints and Appeals Policy and Procedure*.

For more information about how your complaints and appeals are handled, please refer to the relevant *Staff Complaints and Appeals Policy and Procedure* and *Student Complaints and Appeals Policy and Procedure*.

8. Review

This policy and procedure will be reviewed once every two years or earlier, if required.