



Harassment, Bullying (including cyber bullying) and Victimisation Policy

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Introduction:

The values held by Foundation Learning Centre Inc. (FLC) clearly indicate that every person has the right to be treated with respect and dignity.

Foundation Learning Centre is committed to providing a working and learning environment that is free of harassment, bullying and victimisation.

This policy applies to all members, staff, volunteers and students of Foundation Learning Centre. Any incident of harassment/bullying will be regarded as extremely serious and can be grounds for disciplinary action including dismissal or expulsion.

Purpose:

This policy has been developed with the objective of preventing harassment, bullying (including cyber bullying) and victimisation at Foundation Learning Centre. It:

- defines unacceptable behaviour.
- states the responsibilities of Management, employees and volunteers in relation to harassment, bullying and victimisation.

Types of Harassment:

Harassment is difficult to define in terms of what is acceptable or unacceptable behaviour. The legally defining features are that harassment/bullying is any uninvited or unwelcome behaviour or conduct of a verbal, physical, social or psychological nature that any reasonable person would interpret as offensive, humiliating or intimidating to another person even if the offence is not intended.

Harassment/bullying may occur where the harasser has a position of authority (i.e. where an educator, Manager or administrator is able to affect another person's job, career or learning outcome). Harassment/bullying may also occur on a peer to peer relationship (i.e. student to student or employee to employee).

Harassment is used in this policy to mean sexual and racial harassment, bullying, including cyber bullying, and other forms of personal harassment, including disability, age, sexual orientation, religion or some other personal characteristic.

Any form of harassment will not be tolerated within Foundation Learning Centre.

Sexual Harassment:

This involves unwanted sexual attention.

It can be physical, ranging from suggestive looks to indecent assault or rape, or verbal, ranging from suggestive remarks to aggressively foul language or unwanted demands for sex.

Racial Harassment:

This is any hostile or offensive act or expression by a person of one racial or ethnic origin against a person of another, or incitement to commit such an act. Such behaviour includes derogatory name-calling, insults and racist jokes, racist graffiti, verbal abuse and threats, physical acts, and ridicule of an individual for cultural or linguistic differences.

Bullying (including cyber bullying):

Bullying is when someone keeps doing or saying things to gain power over another person. It is persistent, offensive, abusive, intimidating, malicious or insulting behaviour which makes the recipient feel upset, threatened, humiliated or vulnerable and gradually undermines their self-esteem and confidence, causing them to suffer stress.

Each incident may not seem significant when taken in isolation. However, it is important to recognise that there is a cumulative effect and each incident builds on the last.

Cyber bullying is becoming increasingly more common, it is bullying that can occur either online or via a mobile phone or electronic devices and can be silently happening without attention being drawn. This may include electronic mediums such as cell-phones, on-line chat rooms, online social media applications such as Facebook, Instagram and Snapchat.

If the following types of behaviour, where occurring as part of a pattern of behaviour, could be considered bullying:

- sarcasm, teasing, verbal abuse and shouting at people
- calling people names, saying or writing nasty things about people, spreading rumours about people
- picking on people and criticising them in front of others.
- Unfounded criticism of the performance of work tasks.
- excluding, ignoring or isolating people
- punishing people by refusing to delegate responsibilities to them which they are competent to fulfil



- assigning meaningless tasks unrelated to the job
- giving employees impossible assignments
- physically threatening or attacking people
- deliberately changing work rosters to inconvenience particular employees
- deliberately withholding information vital for effective work performance

This list is not exhaustive. Other types of behaviour may also constitute bullying.

Students who are found to be engaging in behaviour which may constitute bullying, cyber bullying, harassment or victimisation will be dealt with according to the FLC Behaviour Management Policy and Procedures.

Victimisation:

Legal Aid Victoria defines victimisation as “...when someone subjects, or threatens to subject, another person to some form of detriment or harm, because they have:

- lodged a complaint of discrimination or sexual harassment
- provided information or documents regarding a complaint of discrimination or sexual harassment
- reasonably asserted their rights, or supported someone else’s rights, under anti-discrimination laws
- made an allegation that a person has acted unlawfully under anti-discrimination laws.”

Victimisation will not be tolerated at Foundation Learning Centre.

Prevention

Foundation Learning Centre makes every effort to prevent bullying through discussion during students’ initial interview with parent or guardian, the ‘no tolerance’ for bullying is discussed at induction and students read and sign a student contract which includes ‘no tolerance’ of bullying. Bullying is covered in course curriculum and through guest speakers and local police presentations.

The ‘no tolerance’ for bullying is embedded in the organisational culture. FLC’s wellbeing staff are well informed and both educators and wellbeing staff promote a bully free classroom, every effort is made to prevent the use of social media during class time and students are advised that cyber bullying or bullying of any kind, will have consequences. FLC are proactive and take any and all claims of bullying seriously and work with all students and families involved to find a resolution.

Responsibilities of Staff:

Staff (including Volunteers and Board members) have a responsibility to:



- inform parent/guardian and student during the pre-training interview of FLC's stance and 'no tolerance' for bullying, cyber bullying, harassment and victimisation and advise this policy can be located on FLC's website
- provide a safe environment enabling staff to do their work and students to undertake their learning free from harassment, bullying or victimisation.
- ensure that their actions do not negatively affect another staff member's career, health or well-being and are consistent with the values of Foundation Learning Centre.
- try to resolve issues of harassment, bullying and victimisation at the local level, directly with the persons involved. If the issue is not resolved in this way, an aggrieved person may approach the Foundation Learning Centre CEO, or lodge a formal complaint in accordance with the Foundation Learning Centre Complaints and Grievances Policy and Procedure.
- inform students of this policy and the actions to be followed if they believe they are being harassed, bullied or victimised.
- take ALL complaints of harassment, bullying and victimisation seriously.
- always treat every complaint of harassment, bullying and victimisation with strict confidence and investigate thoroughly and expeditiously.

Reporting Bullying (including cyberbullying) and or Harassment:

Difficulty in defining what constitutes harassment/bullying should not deter staff, volunteers, or students from reporting behaviour which causes them distress.

Nor should anyone be deterred from making a complaint because of embarrassment or fear of intimidation or publicity.

Foundation Learning Centre will respect the sensitivity of harassment/bullying complaints and their consequences as well as the need for confidentiality.

All staff need to report any cases of bullying or harassment in writing to the Department Head and the Wellbeing Team Leader. Any case that involves students and will be documented in wellbeing case notes and student file. Any case involving staff will be documented in the staffs file by the CEO.

Related Policies/Documents:

- Access, Equity, Integration and Cultural Diversity Policy
- Student Welfare Services Policy
- Student Welfare Services Procedure
- Youth Behaviour Management Policy
- Youth Wellbeing Policy
- Youth Wellbeing Procedure
- Complaints and Grievances Policy
- Complaints and Grievances Procedure
- Duty of Care