

VCAL Bullying, Harassment and Cyber Bullying Policy

Djerriwarrh Community & Education Services (Djerriwarrh) is committed to ensuring that the learning environment at Djerriwarrh is free from bullying and that adequate measures are in place to both prevent bullying and harassment including cyber bullying from occurring and to effectively manage any complaints of bullying and harassment including cyber bullying.

Djerriwarrh will:

- Create and promote a healthy and safe environment which is free from bullying and harassment including cyber bullying where all employees, students, stakeholders and volunteers are treated with dignity, courtesy and respect;
- Provide an effective procedure for complaints based on the principles of natural justice; and,
- Promote appropriate and high standards of conduct at all times.

This policy covers overt and covert forms of bullying and harassment including physical, visual, verbal harassment and cyber bullying

This policy does not apply to reasonable management actions taken in performance management of a staff member or other disciplinary actions that need to be taken in accordance with Djerriwarrh policies and procedures.

Bullying in any form is unlawful and will not be tolerated at Djerriwarrh Community & Education Services.

What is bullying?

Bullying is inappropriate behaviour that is repeated, systematic and directed towards a person or group of people that a reasonable person, having regard to the circumstances would expect to victimise, humiliate, undermine or threaten and that which creates a risk to health and safety. It may be overt or covert, verbal, physical or visual or some form of negative interaction between one or more persons against another or others. Bullying may harm, intimidate, threaten, victimise, undermine, offend, degrade or humiliate another person.

Cyber bullying is direct or indirect bullying behaviour using communication technologies such as computers and mobile phones. This bullying is a form of harassment, even when it does not take place at Djerriwarrh Community & Education Services site and may be subject to this policy and associated procedure if determined by the CEO.

Overt or covert bullying

Overt bullying may include:

- Abusive behaviour towards another employee, student, stakeholder or volunteer such as threatening gestures or actual violence;
- Aggressive, abusive or offensive language, including threats or shouting;
- Demeaning remarks; or,
- Constant unreasonable and unconstructive criticism.

Covert bullying may include:

- Deliberate exclusion, isolation or alienation of the employee, student, stakeholder or volunteer from normal work/class interaction, such as intentionally excluding the employee, student, stakeholder or volunteer from meetings/class activities;
- Placing unreasonably high work demands on one employee, student, stakeholder or volunteer but not on others;
- Allocation of demeaning jobs or meaningless tasks only;
- Unreasonably ignoring the employee, student, stakeholder or volunteer;
- Undermining another employee, student, stakeholder or volunteer, including encouraging others to "gang up" on the employee, student, stakeholder or volunteer;
- Deliberately withholding information that a person needs to exercise her or his role or entitlements within the organisation; or,
- Repeated refusal of requests for leave or training without adequate explanation and suggestion of alternatives.

Cyber bullying is the bullying or harassment that is carried out using digital technologies, which can include, but are not limited to:

- Internet;
- Email;
- social networking websites;
- blogs;
- chat rooms;
- instant messaging;
- discussion groups; and
- text messaging.

These digital technologies can be used to bully or harass in ways that include, but are not limited to:

- name calling;
- jokes or innuendo that is used with the intention of humiliating an individual;
- inappropriate emails or comments;
- offensive, threatening or inappropriate phone calls or text messages;
- spreading rumours or lying;
- placing embarrassing photos of others on the internet;
- creating fake profiles;
- stealing passwords;
- stalking;
- encouraging others to socially exclude another person; and
- damaging someone's personal or professional reputation and social acceptance

Verbal Harassment

Verbal harassment is foul or obscene language, derogatory racial comments, demeaning ethnic jokes or slurs, requests for sexual favours, unwanted sexual comments, implied or expressed promises of reward for complying with, or threats of reprisal for not complying with, a sexually oriented request, offensive or suggestive comments about a person's physical appearance, offensive or threatening questioning, unwanted comments that may offend a person, obscene or threatening phone calls

Physical Harassment

Physical harassment is practical jokes, punching, shoving and aggressive behaviours. Acts of sexual harassment include unwanted physical contact, unnecessary touching or physical interference with work/studies, sexual assault, attempted or actual physical assault.

Visual Harassment

Visual harassment is obscene gestures, demeaning posters, cartoons, graffiti or drawings, which are shown to an individual or group or displayed, in plain view, threatening letters or indecent exposure. Where there is a sexual orientation, this will constitute sexual harassment.

Responsibilities

Any employee, student, stakeholder or volunteer who believes they have been a victim of bullying and harassment including cyber bullying should inform the offending person that they are behaving in a manner that is against Djerriwarrh Community & Education Services policy and is unacceptable. This includes any behavior that makes a person feel threatened, scared, offended or uncomfortable.

Any employee, student, stakeholder or volunteer who experience bullying and harassment including cyber bullying can seek to resolve the situation formally or informally and should be reported to the CEO/VCAL Manager so that remedial action can be taken as soon as possible.

Possible consequences for breaching this policy at the discretion of principal class may include, but are not limited to:

- a written warning;
- counselling referral;
- dismissal;
- exit from a program at Djerriwarrh; or,
- legal proceedings.

Associated Policies	PO 002 Equal Employment Opportunity PO 008 Participant Complaints and Appeals Policy PO 046 Workplace Anti Bullying Policy PO 072 VCAL Student Wellbeing and Duty of Care Policy PO 080 Critical Incident Policy PO 083 Child Safety Code of Conduct Policy PO 094 VCAL Student Code of Conduct Policy
Associated Procedures	PR 008a Participant Complaints Procedure PR046a Workplace Anti Bullying Procedure PR 080a Critical Incident Procedure PR 094a VCAL Student Behaviour Management Procedure PR 095a VCAL Bullying, Harassment and Cyber Bullying
Other associated documents Internal	DO 158 VCAL Student /Parent Handbook FO 370 VCAL Student Code of Conduct FO 369 VCAL Student Reflection Sheet FO 368 VCAL Student Daily Report FO 384 VCAL User Acceptable User Agreement
Relevant Legislation	<p>Relevant Legislation</p> <p>Commonwealth</p> <p><i>Age Discrimination Act 2004</i></p> <p><i>Disability Discrimination Act 1992</i></p> <p><i>Privacy Act 1988</i></p> <p><i>The Sex Discrimination Act 1984</i></p> <p><i>Work Health and Safety Act 2011</i></p> <p>Victoria</p> <p><i>Charter of Human Rights and Responsibilities Act 2006</i></p> <p><i>Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015</i></p> <p><i>Child Wellbeing and Safety Act 2005</i></p> <p><i>Child Wellbeing and Safety Regulations 2017</i></p> <p><i>Children, Youth and Families Act 2005</i></p> <p><i>Education and Training Reform Act 2006</i></p> <p><i>Education and Training Reform Regulations 2017</i></p> <p><i>Equal Opportunity Act 2010</i></p> <p><i>Privacy and Data Protection Act 2014</i></p> <p><i>Working with Children Act 2005</i></p> <p><i>Working with Children Regulations 2006</i></p>
Other associated documents External	Guidelines for Non-School Senior Secondary Education Providers: Minimum Standards for Registration to Provide an Accredited Senior Secondary Course Victorian Equal Opportunity and Human Rights Commission (VCAA) Victorian Curriculum and Assessment Authority – Curriculum and associated documents