# Bullying & Harassment

# Policy & Procedures

# All Saints Parish School is a ‘bully free’ Catholic community.

**Ratified by SAC: 2015**

**Review: 2019**

**Rationale**

A Catholic School is a place where all members have a deep respect for one another. This means that all members of the school community have a right to participate, learn, play and work in an environment free from all forms of bullying and harassment, so that learning, personal growth and positive self-esteem are promoted and where an atmosphere of trust, acceptance and compassion is evident. All Saints Parish School is committed to providing all of its members with a healthy and safe environment free from Bullying and Harassment. Bullying is not an acceptable part of our Catholic culture and will be dealt with by the Leadership Team promptly. Bullying can harm a person’s health and well-being. This policy applies to all members as students, governance, staff, parents, contractors and visitors whilst on any All Saints Parish School site or whilst performing activities at sites within the Portland and wider communities.

**Values**

All Saints Parish School strives to ensure that all students, staff and parents are:

* Valued and treated with respect
* Spiritually aware
* Well balanced and adaptable
* Principled and just

**Policy**

All Saints Parish School will not tolerate bullying under any circumstance and will:

* + Promote appropriate standards of behaviour at all times.
  + Treat complaints of bullying in a sensitive, fair, timely and confidential manner.
  + Implement training and awareness – raising strategies to ensure all students, staff, parents, contractors and visitors know their rights and responsibilities.
  + Provide an effective procedure for complaints of bullying to be addressed.
  + Encourage the reporting of behaviour which breaches the bullying policy.
  + Ensure protection from victimisation or reprisals for persons reporting bullying.

**Definition**

Bullying is repeated verbal, physical, social or psychological aggressive behaviour by a person or group directed towards a less powerful person or group that is intended to cause harm, distress or fear. **Cyberbullying** is bullying using digital technologies including mobile phones, email and social media tools.

**Bullying and Harassment:**

* May be physical (hitting, kicking, pinching), verbal (name-calling, teasing), psychological (stand over tactics, gestures), social (social exclusion, rumours, putdowns) or sexual (physical, verbal or nonverbal sexual conduct)
* May be done directly (eg face to face) or indirectly (eg via mobiles or the internet)
* May be motivated by jealousy, distrust, fear, misunderstanding or lack of knowledge
* Have an element of threat
* Can continue over time
* Will be sustained if no action is taken.

If the following examples were directed towards an individual and occurred as part of a pattern of behaviour, they could be considered to be bullying:

* + Demeaning language or verbal abuse
  + Threats, physical or verbal intimidation
  + Outbursts of anger or aggression
  + Excluding or isolating an individual/s
  + “Ganging up” on an individual/s
  + Psychological harassment or intimidation
  + Giving employees impossible assignments
  + Deliberately changing work rosters to inconvenience particular individuals
  + Deliberately withholding information that is vital for effective work performance
  + Displaying or transmitting sexually offensive messages or materials either by email or hardcopy.

A risk to Health and Safety occurs where there is a risk to the mental or physical health of the employee.

## What is Not Bullying?

There are also some behaviours, which, although they might be unpleasant or distressing, are not bullying:

* **mutual conflict** - which involves a disagreement, but not an imbalance of power. Unresolved mutual conflict can develop into bullying if one of the parties targets the other repeatedly in retaliation.
* **single-episode acts** of nastiness or physical aggression, or aggression directed towards many different people, is not bullying
* **social rejection or dislike** is not bullying unless it involves deliberate and repeated attempts to cause distress, exclude or create dislike by others.

## Types of Bullying Behaviour

There are some specific types of bullying behaviour:

* **verbal or written abuse** - such as targeted name-calling or jokes, or displaying offensive posters
* **violence** - including threats of violence
* **sexual harassment** - unwelcome or unreciprocated conduct of a sexual nature, which could reasonably be expected to cause offence, humiliation or intimidation
* **homophobia**and other hostile behaviour towards students relating to gender and sexuality
* **discrimination including racial discrimination** - treating people differently because of their identity
* **cyberbullying -**eitheronline or via mobile phone.

#### Cyberbullying is invasive

Cyberbullying can be difficult to escape and is incredibly invasive. It is more likely to occur outside of school, including while at home, and can happen at any time.

#### Cyberbullying can involve a large audience

Cyberbullying can involve harmful material being widely and rapidly shared to a large audience, for example, rumours and images can be posted on public forums or sent to many people at once. This material can also continue to be available and harmful long after the cyberbullying has ceased.

#### Cyberbullies have a sense of anonymity

Cyberbullying can provide the bully with a sense of relative anonymity and distance from the target, so there is a lack of immediate feedback or consequences.

**Cyberbullying** includes:

### Pranking - Repeated hang ups, anonymous, mocking or threatening phone calls.

### Image sharing - Forwarding or sharing unflattering or private images without permission.

### Sexually explicit images - People of any age, who forward or share images of a sexual nature of a person under 18 need to be aware that this is a criminal offence (child pornography) that may result in prosecution.

### Text and email - Sending insulting or threatening text messages or emails.

### Personal online information-Publishing online someone's private, personal or embarrassing information without permission, or spreading rumours online.

### Identity theft - Assuming someone’s identity online and negatively representing them in a way that damages their reputation or relationships.

### Hate sites - Creating hate sites or implementing social exclusion campaigns on social networking sites.

**Leadership Team’s Responsibilities**

Members of All Saints Parish School Leadership Team have the primary responsibility for ensuring that bullying of students, staff, parents, contractors and visitors does not occur.

Members of the Leadership Team have a responsibility to:

* + Monitor the school environment to ensure that acceptable standards of conduct are observed at all times
  + Model appropriate behaviour themselves
  + Promote All Saints Parish School bullying policy
  + Treat all complaints seriously and take immediate action to investigate and resolve the matter
  + Refer complaints to another Representative (trained in dealing with bullying), if they do not feel that they are the best person to deal with the matter (for example, if there is a conflict of interest or if the complaint is particularly complex or serious).

**Staff Members & Contractor Responsibilities**

All Staff Members & Contractors have a responsibility to ensure that they do not participate in bullying in the workplace, and to work to eradicate bullying in the workplace.

Staff Members & Contractors have a responsibility to:

* + Comply with the VIT Professional Standards for Teachers.
  + Comply with the All Saints Parish School’s bullying policy.
  + Report any bullying they experience at the first available opportunity, so as to enable the issue to be addressed promptly.
  + Offer support to anyone who is being bullied and advise them where they can obtain help and advice.
  + Fully participate in any investigation into an incident of bullying.
  + Maintain complete confidentiality if they provide information during the investigation of a complaint.
  + Staff Members & Contractors should be aware that spreading gossip or rumours may expose them to a defamation action.

**Student Responsibilities**

All students are expected to:

* Be courteous and well-mannered at all times.
* Show respect for staff, fellow students and all members of the school community.
* Show respect for school property and the school environment.
* Be punctual to classes.
* Behave outside the school in a respectful manner.
* Demonstrate pride in the School and its symbols.
* Wear the school uniform as stipulated and with pride.
* Maintain a clean and neat personal appearance.
* Use technology in an appropriate manner.
* Disseminate required information to parents and guardians responsibly.
* Actively and positively participate in school events.
* Participate actively and positively in learning activities.
* Complete assigned learning tasks to the best of their ability.
* Respect the rights of others to learn.
* Refrain from using abusive or aggressive language.
* Being truthful, fair, caring and considerate through their actions and words.
* Refrain from using or supplying leisure or serious drugs to other students.

**Parent Responsibilities**

It is the parent’s responsibility to:

* Understand all aspects of the School’s policies.
* Understand their role in supporting the ethos of the Catholic School.
* Ensure their child’s attendance on all school days except in the case of illness or prior permission for absences.
* Inform the school if their child is absent between 8.40 & 9.00am.
* Communicate with staff in a polite and timely manner any concerns which affect their child.
* Respectfully communicate concerns directly to the school and not on Social Media (see Social Media Policy).
* Ensure that their student is personally groomed and dressed in the required School uniform.
* Accesses communication channels provided by the school for information.

**Implementation**

Students, staff, parents, contractors may deal with bullying either by resolving the issues themselves, by discussing the problem with the person involved, or by seeking assistance from the Leadership Team.

It is important that victims do not ignore circumstances where they feel they are being bullied, thinking it will go away. Ignoring the behaviour could be wrongly interpreted as approval by the person causing the bullying.

Below is a summary of the steps that can be taken to address individual concerns and who to contact:

* + If you can, try to resolve the problem yourself with the person(s) involved as soon as possible. You may find that they didn’t mean to do what they did.
  + If you can’t resolve it yourself report the issue either verbally or in writing to a teachers of a member of the Leadership Team as soon as possible.
  + If you’re unsure of how to handle the problem yourself, or you just want to talk about the problem with someone and get more information about what you can do, talk to your teacher or a member of the Leadership Team.
  + Members of the Leadership Team & Health & Safety Representative, where elected, may seek external advice and assistance from persons such as independent mediators or investigators.

If you do make a complaint about bullying, you are responsible for ensuring that you:

* + Make the complaint honestly and in good faith
  + Provide all the facts relevant to the complaint
  + Co-operate with the investigation and resolution processes.
  + Comply with the All Saints Parish School’s Grievance policy.

In accordance with amendments made to the Fair Work Act 2009m, Staff Members or other Workers engaged on behalf of the school, who reasonably believe that they are being bullied at work, may apply to the Fair Work Commission (FWC) to have the matter investigated.

To make an application, a worker must lodge a simple form together with the prescribed application fee to the FWC. NOTE# There is no time limitation on when the application can be made although the FWC is required to deal with the application within 14 days.

**What to do if a complaint is made about you?**

If a complaint of bullying has been made about you, you are responsible for ensuring that you:

* Cooperate with the investigation and the resolution processes
* Provide a written or verbal response to the complaint which has been made
* Provide all relevant facts to the person conducting the investigation.

**Complaints that won’t be dealt with:**

All Saints Parish School may not assist in dealing with a complaint of bullying where:

* The complaint has been satisfactorily dealt with or resolved previously (unless another bullying incident has occurred since).
* The complaint is made anonymously without sufficient detail being provided so as to allow investigation or resolution of the matter.
* The complaint is frivolous, vexatious or malicious, for example where false or misleading information is provided, relevant information is withheld, facts are distorted or there is no demonstrated commitment to resolution. (Note: Depending on the circumstances, these types of complaints could lead to disciplinary action including dismissal action being taken against the person making the complaint).
* The complaint does not constitute bullying as defined by the policy.

If any Staff Member or Contractors observes an incident in which another Staff Member or Contractor is being bullied, it is their responsibility to bring it to the attention of the Leadership Team.

**Evaluation**

This policy will be reviewed as part of the 4 year school improvement framework cycle.

# Investigating Bullying & Harassment

All Saints Parish School will respond promptly to any reports of Bullying and Harassment and will work with all parties involved to ensure the matter is appropriately resolved.

Where a serious allegation has been made, an investigation should be the first step taken. Investigations should focus on establishing whether or not a report of bullying is substantiated or that there is not enough information to decide either way.

**Principles of Natural Justice will be followed:**

These principles are designed to protect all parties.

* The person who is alleged to have committed the bullying should be treated as innocent unless the allegations are proved to be true
* Allegations should be investigated promptly
* All allegations need to be put to the person they are made against
* The person the allegations are made against must be given a chance to explain his or her version of events
* If the complaint is upheld, any disciplinary action that is to be taken needs to be commensurate with the seriousness of the matter
* Right of appeal is explained
* Mitigating factors should be taken into account when assessing if disciplinary action is necessary.
* If needed the person who is alleged to have committed the bullying is able to have a support person (Union Rep or Advocate) present at meetings.

**Planning an Investigation:**

The following needs to be considered and communicated to all involved:

* Who will conduct the investigation (establish the independence of the investigator)
* Setting out what might be achieved by undertaking an investigation
* Determine the investigation process
* Communicating potential outcomes (including disciplinary action) of an investigation to those involved.

**Investigation Findings:**

At the conclusion of an investigation, recommendations should be made about the measures that must be undertaken to finalise the matter. In some circumstances, an investigation may find that a report of bullying is not substantiated and no further action can be taken.

Where bullying is substantiated, strategies to assist complaint resolution should be assessed.

Outcomes of investigations should be communicated to relevant parties in a fair and consistent way that avoids bias.

Responding to Bullying & Harassment

All Saints Parish School will respond promptly to any reports of Bullying and Harassment and will work with all parties involved to ensure the matter is appropriately resolved.

The following principles will be applied:

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| **Treat all matters seriously** | * Take all complaints seriously. Assess all reports on their merits and facts. |
| **Act promptly** | * Reports should be dealt with quickly, courteously, fairly and within established timelines. * All relevant parties should be advised of how long it will take to deal with the report and should be kept informed of the progress. * If additional time is required to address the issues, all relevant parties should be kept informed and advised of the additional time required and the reasons for the delay. |
| **Non-victimisation** | * It is important to ensure that anyone who raises an issue of bullying is not victimised for doing so. * The person/s the complaint is made against and any witnesses should also be protected from victimisation. |
| **Support for all parties** | * Once a complaint has been made, the parties involved should be told what support is available (eg worker assistance programs and peer support systems). * The person the allegations have been made against should also be advised of the available support. * Treat all parties involved with sensitivity, respect and courtesy. * All parties involved should be allowed to have a support person present at interviews or meetings (eg Health and Safety Representative, Union Representative or friend). |
| **Neutrality** | * Impartiality towards everyone involved is critical. This includes the way that people are treated in any process. * The person in charge of an investigation or resolution process should never have been directly involved in the incident they are investigating or attempting to address. * They should also avoid any personal or professional bias. |
| **Communication**  **(of process and outcomes)** | * All parties need to be informed of the process, how long it will take and what they can expect to happen during the process. * Provide all parties with clear reasons for any actions that have been taken and in some circumstances not taken. |
| **Confidentiality** | * The process should ensure complainant confidentiality and also ensure confidentiality for other parties involved. * Details of the matter should only be known by those directly concerned. |
| **Documentation** | * Even if the matter is not formally investigated, a record should be made of all meetings and interviews detailing who was present and the agreed outcomes. |