

	Harassment, Bullying and Anti-discrimination Policy
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Fitzroy Learning Network (FLN) regards the dignity and autonomy of all people as a core value of the organisation. Harassment and bullying behaviour is based on the misuse of power in human relationships, and negates the dignity and autonomy of its victims.

FLN regards the health and safety of its staff, volunteers, client and students as a primary responsibility and is fully committed to eliminating, as far as possible, all forms of bullying and harassment in the workplace and in its relationships with its clients through a culture of openness, support and accountability.

This policy outlines the procedure for addressing complaints of harassment or bullying, according to FLN's Grievance Policy. It applies to all conduct in work-related contexts, including conferences, social events and business trips, and includes face-to-face and online harassment and bullying.

Record of policy development		
Version	Date approved	Date for review
V1. 5/10/19		

Responsibilities and delegations	
This policy applies to	Board, staff, volunteers, clients, students and other external parties attending FLN
Specific responsibilities	Board, staff, volunteers, clients, students and other external parties attending FLN maintain an environment that is free of harassment and bullying and report incidents if they occur. Board and CEO respond to reports of harassment and bullying in accordance to the Grievance policy.
Policy approval	Board

Policy context – this policy relates to:	
Standards	AQTF VRQA RTO AMEP

	Skills First
Legislation	Antidiscrimination OHS Privacy and Confidentiality
Contractual obligations	AQTF VRQA RTO AMEP DHHS City of Yarra
Organisation policies	Privacy and Confidentiality OHS Grievance and Complaints
Forms, record keeping, other documents	Grievance and Complaints Register OHS reporting Volunteer agreement Student and staff HR policies and procedures handbook

Definitions

Unreasonable behaviour: is behaviour that is offensive, humiliating, intimidating, degrading or threatening. It includes, but is not limited to:

- verbal abuse
- excluding or isolating employees
- giving a person the majority of an unpleasant or meaningless task
- humiliation through sarcasm, or belittling someone's opinions
- constant criticism or insults
- spreading misinformation or malicious rumours
- deliberately setting work routines or procedures to inconvenience certain employees
- displaying written or pictorial material which may degrade or offend certain employees

Bullying: is repeated, unreasonable behaviour directed towards a person or group of persons. Bullying includes behaviour that could be expected to intimidate, offend, degrade, humiliate, undermine or threaten. Bullying can occur face to face, or using digital communication channels such as online, email, and social media (cyber bullying).

Discrimination: Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic that you have, or someone assumes that you have. These personal characteristics are include age, race, sexuality, disability, physical features and political beliefs.

Harassment: is uninvited, unwelcome behaviour that does not have any legitimate workplace function. Harassment includes any written, physical and verbal conduct that from the perspective of a reasonable person is intimidating, offensive or humiliating against another person. Harassment is any behaviour which is not asked for and not wanted and which occurs

because of, for example, a person's sex, race, religion, age, pregnancy, marital status, disability, transgender (transsexual) status or sexuality.

Harassment can include:

- making fun of someone, imitating someone's accent, spreading rumours, unwelcome practical jokes
- obscene or unsolicited telephone calls, letters, faxes or email messages, including to people outside of the workplace such as intimate partners or ex-partners
- invasion of personal space, unnecessary physical contact
- continually ignoring or dismissing someone's contribution in a meeting/discussion
- pushing, shoving or jostling or assault
- threats, insults, name calling, inappropriate language.

Sex-based harassment: A form of sex discrimination which consists of unwanted sexually-related behaviour which has the effect of offending, humiliating or intimidating another person, It can include:

- sexual or physical contact
- sexual or suggestive remarks or gestures
- staring, leering in a sexual manner
- displaying or circulating sexually suggestive, offensive or degrading/insulting material on walls, computer screen savers, email
- unwanted romantic advances by colleagues using social media
- referring to a transgender person by their previous name or gender
- intrusive questions or statements about a person's private life.

Procedures

All Board, staff, volunteers, clients and students and other external parties attending FLN are to abide by this policy, maintaining professional standards at all times, including during out-of-hours work events and while online. Any staff found to have breached these will be met with swift disciplinary action.

FLN must be able to demonstrate that it has taken all reasonable steps to minimise the risk of discrimination and harassment occurring. Failure to do so may result in being held legally liable for harassment and/or discrimination.

Orientation and training

When commencing at FLN, all staff will be informed of the Harassment, Bullying and Anti-discrimination policy, and the Grievance Policy and procedures. They will be told where they can find the policies on the staff intranet.

All managers will participate in training on how to identify and deal with all forms of harassment and discrimination, including how to deal with complex and sensitive issues.

All staff should participate in training relating to the rights and responsibilities of bystanders who may witness an incident of harassment or bullying.

Complaint process

FLN will support any employee or volunteer who feels they have been bullied, harassed or discriminated against or have witnessed these taking place, to take action by making it clear that such behaviour is unwelcome, offensive and potentially illegal. Throughout this process, complainants will be safeguarded from any potential negative impacts of reporting.

Complaints will be dealt with according to FLN's Grievance Policy.

Remedial Action

Possible courses of action may include, but not be limited to, any combination of the following:

- counselling
- disciplinary action against the perpetrator (e.g. demotion, transfer, suspension, probation or dismissal)
- official warnings that are noted in the perpetrator's personnel file
- disciplinary action if there is strong evidence that the complaint was vexatious or malicious
- formal apologies and an undertaking that the behaviour will cease
- conciliation/mediation conducted by an impartial third party where the parties to the complaint agree to a mutually acceptable resolution
- reimbursing costs associated with the discrimination, bullying or harassment
- re-crediting any leave taken as a result of the discrimination, bullying or harassment

Written documents produced as part of the dispute should be held on a confidential file by the manager for a period of twelve (12) months and destroyed if no further conflicts arise.

If the complainant is not happy with the outcome of the grievance process, or at any time throughout the complaint process, they may seek advice or make a complaint with the Human Rights Commission at <https://www.humanrightscommission.vic.gov.au/>