



ANTI-BULLYING, HARASSMENT & DISCRIMINATION POLICY

Approved by Management Committee 28 March 2022

Policy Statement

Peregrine is committed to providing a safe environment for students, parents, teachers and visitors.

Peregrine has a legal and moral responsibility to ensure that students, staff, parent/carers and visitors can participate, learn and work in a respectful environment, free from bullying, harassment or discrimination.

Peregrine's Code of Conduct outlines the behaviour and Duty of Care expected towards all members of the school community.

The anti-bullying, harassment and discrimination policy seeks to promote principles of professional, responsible and respectful behaviour to ensure a productive workplace and learning environment.

Aims

The aim of this policy is to:

- provide clear definitions of what is and what is not bullying and harassment
- provide an understanding that harassment on the grounds of sex, race, colour, religious belief and disability is illegal
- reinforce within the school community that bullying, harassment and discriminatory behaviours are unacceptable
- provide advice on the roles and responsibilities of the whole school community, (students, parents/carers, staff) for preventing and responding to such behaviours
- provide clear procedures for everyone to report incidents of bullying to the school
- ensure that all reported incidents of bullying are followed up and that support is given to any person who has been affected by, engaged in or witnessed such behaviours
- seek the support and cooperation of the whole school community in implementing this policy

Definitions

Bullying - including Cyber Bullying is defined as behaviour that is:

- repeated and unreasonable and creates a risk to health and safety
- deliberately hurtful, unwelcome or threatening

Repeated behaviour is the persistent nature of the behaviour and can involve a range of behaviours over time.

Unreasonable behaviour is behaviour that a reasonable person, having considered the circumstances, would see as unreasonable. It includes behaviour that victimises, humiliates, intimidates or threatens someone.

Bullying is not:

- An argument or disagreement
- Social rejection or disliking someone
- Single episodes of nastiness or spite
- Random acts of aggression or intimidation
- Differences of opinion and disagreements

These can be socially unpleasant situations often confused with bullying and often require teacher intervention and management.

Examples of bullying and harassment are:

- *Physical bullying*: hitting, poking, tripping, pushing or damaging someone's belongings, unwanted touching, stealing
- *Verbal bullying*: name calling, insults, put downs, homophobic or racist remarks, verbal abuse, criticism or complaints
- *Social bullying*: lying, spreading rumours, playing nasty jokes, mimicking, deliberately excluding someone
- *Psychological bullying*: intimidation, manipulation, stalking, teasing because of their culture, the way they look, sex, religion or abilities
- *Cyber bullying*: using technology (such as email, blogs, mobile phones, chat rooms, social networking sites etc) to verbally, socially or psychologically withhold information that is vital for effective work performance
- setting unreasonable timelines or constantly changing deadlines

Discrimination is defined as treating, or proposing to treat some-one less favourably because of personal attributes, which include:

- Parental status
- Relationship status
- Religious belief or activity
- Political belief or activity
- Sexuality, gender identity
- Age
- Race, nationality or ethnic origin
- Disability

Harassment is any form of behaviour that is unwelcome, unsolicited, unreciprocated and usually (but not always) repeated. It is behaviour that is likely to offend, humiliate or intimidate.

Harassment can be based on any of the attributes listed under the definition of discrimination.

Sexual harassment means any unsolicited, unwelcome and unreciprocated behaviour, act or conduct of a sexual nature that offends, humiliates or intimidates. It can be a single incident or a persistent pattern and can range from subtle behaviour to explicit demands for sexual activity or criminal assault.

Examples include:

- inappropriate jokes or comments with sexual connotations
- the display of offensive material
- stares, leers or offensive hand or body gestures
- comments and questions about another person's sexual conduct and/or private relationships

- persistent unwelcome invitations
- requests for sexual favours
- offensive written, phone, email or other electronic means of communication
- unnecessary close physical proximity including persistently following a person
- unwelcome physical contact such as brushing against or touching a person
- denigrating comments regarding a person's gender or sexual preference
- intimidation or exclusions related to the sex of the recipients

Responsibilities

Eliminating bullying, harassment and discrimination at school is everyone's responsibility.

The school community has a Work Health & Safety duty to help ensure workplace bullying, harassment or discrimination does not occur.

Responsibilities of the Co-Principals

Strategies to minimise the likelihood of bullying and violence occurring in school:

- Review, develop and implement this policy annually and/or more regularly as required, involving staff, parent/carers and students
- Provide updates to the Management Committee in relation to school bullying data and trends and any anti bullying programs/initiatives in place or being considered
- Ensure ongoing professional development of teachers, induction of students at all year levels and the provision of information to parent/carers
- Encourage all members of the school community to report incidents of bullying
- Ensure that reports of bullying are taken seriously and properly investigated
- Ensure school community access to this policy
- Ensure parents/carers have access to the Peregrine Complaint Process

Responsibilities of Staff

Strategies staff will utilise to develop and maintain positive relationships with students and families:

- Model the school's values and standards of behaviour through their own conduct
- Communicate and interact effectively with students and parents and engage in collaborative problem solving to address behaviours
- Critically reflect on practices and develop the knowledge and skills needed to manage incidents successfully
- Establish, maintain, make explicit and model the school's expectations and values
- Incorporate anti-bullying messages into curriculum delivery
- Participate in relevant professional development related to teaching respectful relationships
- Teach students appropriate grievance procedures, countering harassment strategies, conflict resolution and problem-solving skills
- Teach students how to respond appropriately if they witness bullying, harassment or discrimination and to support students to be effective bystanders

Responsibilities of Students

Strategies students will utilise to support the school in maintaining a safe and supportive environment:

- Follow the school's behaviour expectations
- Respect self and other students, staff and the whole school community
- Be a strong bystander and if possible, provide support by telling the person to stop
- Seek help and communicate with a trusted person if bullied, harassed or discriminated against or if aware that this is happening to someone else
- Act with honesty and integrity

Responsibilities of Parent/carers

Strategies parents/carers will use to support the school in maintaining a safe and supportive environment:

- Be aware of signs of distress in their child and keep the school informed of concerns about behaviour, the child's health issues and other relevant matters
- Communicate in a respectful manner with school staff about issues or concerns and assist their child to discuss the problem with a teacher
- Discourage any planned physical or verbal retaliation if their child is bullied and discuss positive strategies
- Be positive about the child's qualities and encourage their child to be tolerant, caring and compassionate
- Be aware of the school's strategies and the learning programs in relation to this policy

Risk Management, Prevention, Intervention

Peregrine takes a proactive approach in creating a positive work environment where everyone treats each other with respect.

Peregrine has developed strategies to support and maintain a safe environment where bullying, harassment and discrimination are unacceptable and the occurrence of such behaviours are dealt with effectively.

Peregrine will:

- Encourage all members of the school community to report incidents of bullying
- Deal with unreasonable behaviour as soon there is awareness of it
- Clearly define behaviour that constitutes bullying, harassment or discrimination
- Promote a secure and happy school environment through the curriculum
- Investigate all complaints by a student, staff member or parent/carers
- Provide suitable counselling, monitoring and support in response to incidents
- Consult with school community to raise awareness
- Provide opportunity for discussion on relevant matters
- Provide specialist resources to assist staff in responding appropriately
- Develop agreement for use of computers in the classroom to include awareness of the seriousness of cyber bullying

Prevention Strategies include:

- Teaching students the value of respectful relationships
- Ensuring students have choice, voice and relevance in learning programs, including social learning
- Teaching students the social skills that help them manage their feelings
- Talk openly about bullying, harassment and discrimination, including the affect it has on others
- Teaching about diversity
- Developing collaborative learning across the school

Intervention Strategies may include:

- Talking with parents about the situation
- Following through with consequences and counselling for children who have used bullying behaviour
- Counselling students who have been the target
- Teaching children to be responsible for each other and to be an effective bystander
- Staff implement effective strategies for working with bullies and victims
- Ensure children receive clear information about appropriate behaviours

Post Intervention Strategies may include:

- Staff working together to monitor interactions between children who are having difficulty
- Talking with parents about strategies to support their child
- Keeping an eye on problem areas in the yard
- Reviewing and implementing behaviour procedures and plans
- Support from external sources, and/or counselling services
- Providing opportunity for parent/carers, staff or students to follow up with the school

Procedures

Assess the situation to determine if the behaviour you're experiencing or witnessing is bullying, harassment or discrimination.

Reporting & Recording

Reporting is encouraged and will be dealt with using a process that is objective, confidential, fair and transparent. The reporting process is outlined in further detail in the school's Grievance Policy and should be referenced.

Peregrine will:

- *Act promptly* - a responsible person will speak to those involved as soon as possible, gather information and seek resolution to satisfactorily address the issue.
- *Treat all matters seriously* - all reports will be taken seriously and assessed on their merits and facts.
- *Engage an impartial person* - when issues cannot be resolved or the behaviour is considered to be of a serious nature.
- *Ensure procedural fairness* - reports will be provided to the person they are made against, who will be given a chance to explain their version of events. The opportunity to have decisions reviewed will be explained to everyone involved.
- *Be neutral* – and impartial towards everyone involved throughout the process. The person responding to/investigating the report should not have been directly involved and avoid personal or professional bias.
- *Support everyone involved* – informing those involved what support is available (such as counselling) and allow a support person to be present at meetings.
- *Not victimise* - the person making the report or helping to resolve it will not be victimised. Reports made maliciously or in bad faith will result in disciplinary action.
- *Communicate process and outcomes* - tell those involved about the process, what to expect during and at the end, how long it will take, how the process is progressing, any delays and when the process will resume, reasons for actions that have been taken (or not taken), the right of review if they're not satisfied with the outcomes.
- *Keep records* - of the person who made the report, when the report was made, who to, details of the issue, any action taken, details of any conversations, meetings and interviews, any agreed outcomes, any further action required.
- *Maintain confidentiality* - all complaints and reports will be treated in the strictest of confidence. Only those directly involved in the matter or in resolving it will have access to the information, or third parties with the permission of those involved. There will be secure storage for files and documents, discussions will be held in a private location and confidential material for printing, copying, disposing of, presenting, discussing or submitting will be done at appropriate times and locations
- *Maintain transparency* – to promote accountability and allow those involved to be fully informed

The Investigation Process

The investigation process will be conducted in a fair, objective and timely way and will ensure communicating the following to those involved:

- Who will conduct the investigation
- Declaring any conflicts of interest
- Obligations of the investigator for confidentiality
- Their right to seek independent advice and representation
- The expected timeframes of the investigation
- How the issue will be investigated
- Who will receive copies of any statements and/or records of interviews
- Who can be present at interviews and meetings
- What support mechanisms will be in place, including any interim measures to ensure their health and safety during the investigation process

Outcomes

At the end of the investigation, the investigator will submit an objective report to the Co-Principals and/or Management Committee. This report should cover:

- The investigation process used
- All relevant evidence
- *The findings:* If bullying did occur -
 - use the findings and recommendations to make a decision
 - tell those involved of the outcomes
 - implement actions identified ie
 - information session, training
 - monitor those affected
 - review policy and prevention measures
 - address systems of work that may have contributed to the behaviour occurring
 - direct the person to stop the behaviour, gain a commitment from them that the behaviour will not be repeated
 - provide counselling support or further mediation
 - ask for an apology
 - provide a verbal or written warning
 - take disciplinary actions, subject to workplace relations laws
- *The findings:* If bullying has not been substantiated –
 - If the investigation finds bullying has not occurred or cannot be substantiated, appropriate action will be taken to address any workplace issues leading to the report
 - Actions may include, Mediation and/or Counselling

What to do if you're accused of bullying

Being accused of bullying someone can be upsetting and may come as a shock, but it's important to:

- be open to feedback from others and be prepared to change your behaviour
- not dismiss the complaint If someone approaches you about your behaviour
- remain calm and avoid worsening an already difficult situation
- not try to justify your behaviour
- listen carefully to the person's concerns
- apologise for causing offence and discuss how you might work together more effectively
- reflect on the information you've been provided and decide how you will react or modify your behaviour
- talk someone in confidence, such as the Principal or Management Committee member if you don't understand the complaint or if you feel you are being unjustly accused
- be open to an informal discussion between you, the person making the report, and a third party to solve the problem
- stop doing anything that causes offence

If you're found to have continued the behaviour towards someone after their objection was made known to you, the fact that you persisted will make the offence more serious if disciplinary proceedings are required.

Review

Peregrine will regularly review and monitor prevention measures and check that systems are being maintained and are effective. Reviews will occur:

- Every three years in accordance with Peregrine's Policy Review & Development Policy
- when bullying, harassment or discrimination has been substantiated
- when relevant new or further information or research becomes available
- by seeking feedback in team meetings and health and safety committee meetings.

Related Legislation and Resources

- Fair Work Act
- Anti-discrimination Act 1998 – Tasmania
- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984.

https://www.worksafe.tas.gov.au/_data/assets/pdf_file/0008/355724/Bullying_Guide.pdf

Fair Work Commission

WorkSafe Tasmania

Office of the eSafety Commissioner www.esafety.gov.au

Commonwealth Government Child Safe Framework

Related Policy & Procedure

Code of Conduct

Child Protection

Behaviour Support

Work Health & Safety

Duty of Care

Staff Induction