



# BULLYING AND HARRASSMENT POLICY

## Refer to Student Engagement & Wellbeing Policy

### Overall Aim:

The aim of our Bullying and Harassment policy is to provide a safe and friendly school environment for students and staff and to encourage care, courtesy and respect for others. All persons have a legal right to protection from harassment under the *Commonwealth Sex Discrimination Act* and the *Victorian Equal Opportunity Act*.

### Definition:

#### **What are bullying, cyber bullying and harassment?**

**Bullying** is repeated oppression, physical or psychological, of less powerful person by a more powerful person or group.

Bullying is when someone, or a group of people, upset or create a risk to another person's health and safety - either psychologically or physically - or their property, reputation or social acceptance on more than one occasion. Bullies are people who deliberately set out to intimidate, exclude, threaten and/or hurt others repeatedly. Bullying is a clear form of harassment.

**Cyber-bullying** consists of covert, psychological bullying, conveyed through the electronic mediums such as cell phones, web logs and web sites, online chat rooms, 'MUD' rooms (multi-user domains where individuals take on different characters) and Xangas (on-line personal profiles where some adolescences create lists of people they do not like). It is verbal (over the telephone or mobile phone), or written (flaming, threats, racial, sexual or homophobic harassment) using the various mediums available.

**Harassment** is any verbal, physical or sexual conduct (including gestures) which is uninvited, unwelcome or offensive to a person.

### Rationale:

- Our school is committed to providing a safe and caring environment and culture which enables positive relationships to be formed amongst all students and staff and which encourages self-esteem, cooperation, personal growth and a positive attitude to learning and teaching. A clear policy on bullying (including cyber bulling) and harassment will inform the community that bullying and harassment in any of its forms will not be tolerated.
- Our school will actively promote a positive and welcoming personal environment for all members of the school community. When people are bullied or harassed some effects might be anger, embarrassment, fear and humiliation, loss of self-confidence and reduced function and potential. Bullying and harassment will be addressed, individual differences will be respected and students and staff will be enabled and supported in their pursuit of learning and teaching.

- The school will provide a positive culture where bullying is not accepted, and in so doing, all will have the right of respect from others, the right to learn or to teach, and a right to feel safe and secure in their school environment.

### **Aims:**

- To reinforce within the school community what bullying is, and the fact that it is unacceptable.
- Everyone within the school community to be alert to signs and evidence of bullying and to have a responsibility to report it to staff whether as observer or victim.
- To ensure that all reported incidents of bullying are followed up appropriately and that support is given to both victims and perpetrators.
- To seek parental and peer-group support and co-operation at all times.

### **Implementation:**

- Parents, teachers, students and the community will be aware of the school's position on bullying.
- All new students and staff will be informed of the anti-harassment policy and practices at the commencement of their time at the school.
- All complaints of harassment will be heard in confidence and taken seriously.
- Teachers will be regularly reminded of their duty of care regarding protection of students from all forms of bullying.
- The school will adopt a four-phase approach to bullying.

#### **A. Primary Prevention:**

- Professional development for staff relating to bullying, harassment and proven counter measures.
- Community awareness and input relating to bullying (including cyber-bullying), its characteristics, its effects on victims and the school's programs and response.
- To provide programs that promote resilience, life and social skills, assertiveness, conflict resolution and problem solving.
- Each classroom teacher to clarify with students at the start of each year the school policy on bullying, including cyber-bullying.
- All students to be provided with individual and confidential computer and network log ins and passwords. Processes to be put in place to ensure tracking of student activity on the school's computer equipment and network. Firewalls to be installed to eliminate outside traffic into the school's network and intranet.
- The curriculum to include anti-bullying messages and strategies eg: 'No Blame Approach to Bullying' programs.
- Staff and students to promote the philosophy of 'No Put Downs'.

#### **B. Early Intervention:**

- Promote children and staff reporting bullying incidents involving themselves or others.
- Classroom teachers and principal on a regular basis reminding students and staff to report incidents of bullying.
- Regular monitoring of student traffic on school's computer networks to identify potential problems.
- Parents encouraged to contact school if they become aware of a problem.
- Calming Areas - a designated safe and quiet places for children to access at recess and lunch times.
- Public recognition and reward for positive behaviour and resolution of problems.

- Parents to be contacted.

### **C. Intervention:**

- Once identified each bully, victim and witnesses will be spoken with, and all incidents or allegations of bullying will be fully investigated and documented.
- Students identified by others as bullies will be informed of allegations.
- Parents to be contacted.
- Both bullies and victims will be offered counselling and support.
- Removal of cyber-bullies from access to the school's network and computers for a period of time. Loss of privilege to bring a mobile phone to school for student's who bully via SMS or similar telephone functions.
- If student bullying persists parents will be contacted and consequences implemented consistent with the school's Engagement & Well Being policy.
- If staff bullying persists the principal will commence formal disciplinary action.

### **D. Post Violation:**

- Consequences for students will be individually based and may involve:-
  - exclusion from class.
  - exclusion from yard.
  - school suspension.
  - withdrawal of privileges.
  - ongoing counselling from appropriate agency for both victim and bully.
- Reinforcement of positive behaviours.
- Classroom Meetings.
- Support Structures.
- Ongoing monitoring of identified bullies.
- Rewards for positive behaviour.
- Consequences for staff will be individually based and may involve:-
  - counselling
  - a period of monitoring
  - a formal support group
  - disciplinary actions

### **Links and Appendices:**

Links which are connected with this policy are:

- DEECD's [Effective Schools are Engaging Schools: Student Engagement Policy Guidelines.](#)
- DEECD's [Safe Schools are effective School's](#)
- DEECD's Student Engagement Policy Guidelines
- The schools Internet Use Policy (re cyber bullying)
- DEECD's Respectful Schools

Appendices which are connected with policy are:

Appendix A: Anti-Bullying (including cyber-bullying) and Anti-Harassment Procedures.

Appendix B: Reporting on Incident of Bullying/Harassment

Appendix C: Formal Referral of Student who has bullied/harassed other to Student Welfare Coordinator.

**Evaluation:**

This policy will be reviewed with whole staff, student, parent and community input as part of the school's three-year review cycle.

This policy was last ratified by School Council in....

**May 2014**

## Appendix A

# Anti-Bullying (including cyber-bullying) and Anti-Harassment Procedures.

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### What are Bullying, cyber bullying and Harassment?

#### **Bullying**

##### *Definition of Bullying*

Bullying is when someone, or a group of people, who have more power at the time, deliberately upset or hurt another person, their property, reputation or social acceptance on more than one occasion.

##### *Types of Bullying*

There are three broad categories of bullying:

1. **Direct physical bullying** – e.g. hitting, tripping and pushing or damaging property.
2. **Direct verbal bullying** – e.g. name calling, insults, homophobic or racist remarks, verbal abuse
3. **Indirect verbal bullying** – this form of bullying is harder to recognise and often carried out behind the bullied students back. It is designed to harm someone's reputation and/or cause humiliation. Indirect bully occurs:
  - Lying and spreading rumours
  - Playing nasty jokes to embarrass and humiliate
  - Mimicking
  - Encouraging others to socially exclude someone
  - Damaging someone's social reputation and social acceptance
  - Cyber-bullying, which involves the use of electronic means to humiliate and distress.

#### **What Bullying is not**

Many distressed behaviours are not examples of bullying even though they are unpleasant and often require teacher intervention and management. There are three socially unpleasant situations that are often confused with bullying.

#### **Mutual Conflict**

In mutual conflict situations, there is an argument or disagreement between students but not an imbalance of power. Both parties are upset and usually both want a resolution to the problem. However, unresolved mutual conflict sometimes develops into a bullying situation with one person becoming targeted repeatedly for 'retaliation' in a one-sided way.

Unless the social rejection is directed towards someone specific and involves deliberate and repeated attempts to cause distress, exclude or create dislike by others, it is not bullying.

*Single-episode acts of nastiness or meanness, or random acts of aggression or intimidation*

Single episodes of nastiness or physical aggression are not the same as bullying. If a student is verbally abused or pushed on one occasion they are not being bullied.

Nastiness or physical aggression that is directed towards many different students is not the same as bullying.

### **Cyber-bullying**

Consists of covert, psychological bullying, conveyed through the electronic mediums such as cell phones, web logs and web sites, online chat rooms, 'MUD' rooms (multi-user domains where individuals take on different characters) and Xangas (on-line personal profiles where some adolescences create lists of people they do not like). It is verbal (over the telephone or mobile phone), or written (flaming, threats, racial, sexual or homophobic harassment) using the various mediums available.

### **Harassment**

Is any verbal, physical or sexual conduct (including gestures) which is uninvited, unwelcome or offensive to a person.

### **Why do we have a Policy on these?**

To provide a safe and friendly school environment for students and staff and to encourage care, courtesy and respect for others. All persons have a legal right to protection from harassment under the *Commonwealth Sex Discrimination Act* and the *Victorian Equal Opportunity Act*.

### **What are the effects of Bullying and Harassment?**

- Poor health – anxiety, depression
- Lower self esteem
- Reduced study performance
- Missed classes, social withdrawal
- Reduced career prospects

### **Am I bullying or harassing someone?**

If you are not sure about your behaviour you can:

- Check it out by asking if it is offensive or inappropriate
- Stop it
- Apologise
- Take it seriously if someone says they are feeling uncomfortable
- Talk it over with an advisor or somebody who has an understanding of the issues

### **What are some of the feelings victims of bullying or harassment may experience.**

- *"I will ignore it and it will go away"*  
If anything it will make things worse – you will give the impression that you agree with the situation.
- *"I don't want to cause trouble"*  
Most causes of harassment are sorted out quite simply. By speaking up, action can be taken to address the problem.

- “*Am I to blame?*”  
Victims of harassment or bullying sometimes feel that it is their fault. Victims are made to feel guilty by the offender and often blame themselves. It is your right to have a safe environment free from harassment or bullying.
- ‘Am I imagining things’  
Often our hunches are correct. Rather than put up with nagging doubts, talk to someone about your feelings.

### **What should you do if you see another person being bullied or harassed?**

Tell the person that you witnessed the incident and advise them to report it to an appropriate person. However, if your friend is harassing another person, let them know that their behaviour is unacceptable.

Bystanders who do nothing to stop bullying may be contributing to the problem by providing an audience for the bully.

### **Bullying can involve**

- Grabbing, aggressive staring, hitting, pinching, kicking, pushing and shoving
- Publicly excluding a person from your group
- Knocking a person’s books or belongings out of their hands or off their desks
- Teasing a person because of their looks

### **Cyber-bullying can involve**

- *Flaming* – online fights using electronic messages with angry or vulgar messages
- *Harassment* – repeatedly sending nasty, mean and insulting messages
- *Denigration* – posting or sending gossip or rumours about a person to damage his/her reputation or friendships
- *Outing* – sharing someone’s secrets or embarrassing information or images online
- *Exclusion* – intentionally and cruelly excluding someone from an online group
- *Cyber-stalking* – repeated, intense harassment and denigration that includes threats or creates significant fear.

**Harassment is usually directed at a person because of their gender, race, creed or abilities** – it can be subtle or explicit

Subtle (the most common) they include:

- Offensive staring and leering
- Unwanted comments about physical appearance and sexual preference
- Racist or smutty comments or jokes
- Questions about another’s sexual activity
- Persistent comments about a person’s private life or family
- Physical contact e.g. purposely brushing up against another’s body
- Offensive name calling

Explicit (obvious) they include:

- Grabbing, aggressive hitting, pinching and shoving etc.
- Unwelcome patting, touching, embracing
- Repeated requests for dates, especially after refusal
- Offensive gestures, jokes, comments, letters, phone calls or emails
- Sexually and/or racially provocative remarks
- Displays of sexually graphic material – pornography
- Request for sexual favours
- Extreme forms of sexual harassment will lead to criminal prosecution

### **What do you do if you are being bullied or harassed?**

- Tell the person you don't like what they are doing and you want them to stop
- Discuss the matter with a Coordinator, Student Welfare Coordinator or peer mentor, peer support leader or a teacher that you feel comfortable with
- The school will take your concerns seriously – all complaints will be treated confidentially

### **How will your complaint be dealt with?**

Your concerns will be taken seriously. All complaints will be treated confidentially.

School procedures for responding to a student who bullies or harasses others are set out below.

#### **Level 1**

If bullying or harassment incident is minor or first time occurrence, teachers may elect to use one or more anti-bullying practices:

- Stopping the bullying/re-statement of rules and consequences
- Restorative questioning
- Think time detention
- Private conference
- Shared control discussion

If the student does not take control over his/her behaviour, an Incident Report Form should be completed and submitted to the student welfare coordinator, who keeps all documentation.

#### **Level 2**

If the bullying or harassment continues or in instances of severe bullying or harassing, a referral should be made to the Student Welfare Coordinator. (Copies of all documentation on Welfare Database and in folder)

Here, the Student Welfare Coordinator (or another who has responsibility for student welfare) may:

- Meet with the student to develop a behaviour contract
- Provide discussion/mentoring of different social and emotional learning competencies including structured learning activities
- Conduct a restorative conference separately with the perpetrator and “target”



### **Level 3**

For 'at risk' students (many risk factors, few protective factors) whose bullying or harassing behaviour is severe and for other non-at risk students whose bullying or harassing and other aggressive behaviour is resistant to change, an individual 'strength building' plan should be developed by the student welfare coordinator in consultation with student, parents/carers and teachers. Individual strength-building plans and associated interventions help connect the student to positive people, programs and actions in the community, school and home as well as develop the student's inner social and emotional strengths (skills, values).

### **Level 4**

Students whose severe bullying or harassing behaviour resists school efforts and represents a significant threat to the safety and wellbeing should be referred to outside agencies for evaluation. Student Welfare Coordinators will need to be familiar with those community agencies and organisations that can offer more intensive services to the student and student's family

Note: The school may choose, if bullying or harassment persists or the initial incident is of such magnitude, that parents/carers will be contacted and consequences implemented consist with the school's Student Code of Conduct. Furthermore, the principal may commence formal disciplinary action in line with '**Effective Schools are Engaging Schools – Student Engagement Policy Guidelines**' (DEECD at any stage in the process depending on contextual information relating to the severity of the bullying (including cyber-bullying) and harassment.

## Appendix B

### Reporting on Incident of Bullying / Harassment

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(THIS FORM SHOULD BE USED BY CLASSROOM TEACHERS, STAFF ON YEARD DUTY, MENTORS, SCHOOL ADMINISTRATORS & WELFARE OFFICERS)

Staff member recording incident: \_\_\_\_\_

Date : \_\_/\_\_/\_\_

Name of student(s) who appears to have instigated bullying \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Year/House: \_\_\_\_\_

Name(s) of target(s)

\_\_\_\_\_  
\_\_\_\_\_

Name(s) of witnesses

\_\_\_\_\_  
\_\_\_\_\_

Did you observe the incident?      YES                       NO

If 'NO' who reported the incident to you? \_\_\_\_\_

Brief description of incident (what was allegedly said or done to the student who appears to have been bullied?)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What form (s) of bullying took place?

Verbal       Physical       Indirect       Cyber

Other  \_\_\_\_\_

Was the incident of bullying

Mild

Severe

Describe how you responded (Did you use a school anti-bullying practice?)

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Describe how student responded to your intervention

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**Where / when / time incident took place:**

Location: \_\_\_\_\_

When: before school  recess  lunch  in class  after school

Time: \_\_\_\_:\_\_\_\_ am/pm

Date incident took place: \_\_\_\_/\_\_\_\_/\_\_\_\_

**Additional Comments:**

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## Appendix C

### Formal Referral of Student who has bullied / harassed other to Student Welfare Coordinator

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(This form may be completed by a classroom teacher, year level coordinator, school administrator or Student Welfare/Wellbeing Coordinator)

Staff member recording incident: \_\_\_\_\_

Date: \_\_\_/\_\_\_/\_\_\_      Position: \_\_\_\_\_

Name of student being referred: \_\_\_\_\_

Year/Class: \_\_\_\_\_

History if incident(s) of bullying (date, description)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Have parent/guardians been notified?      YES       NO

If 'NO' why not? \_\_\_\_\_  
\_\_\_\_\_

Have they attended a conference:      YES       NO

If 'NO' why not? \_\_\_\_\_  
\_\_\_\_\_

Are they willing to participate      YES       NO

If 'NO' why not? \_\_\_\_\_  
\_\_\_\_\_

What appears to be the reason for the students bullying behaviour (family, peer, school, personal, other)? \_\_\_\_\_

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What practices have been tried?

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Impact

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What has been the student's attitude towards student(s) who have been targets?(e.g. any concerns or remorse expressed)?

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A brief description of academic performance of student over past year or more.

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Distinguishing 'at risk' factors of student (e.g. limited English: economic disadvantage of family; ADHD)

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## **Appendix D. DEFINITION OF BULLYING BEHAVIOUR- STAFF**

Workplace bullying can be either direct or indirect behaviour which is perceived as undermining an employee's right to dignity and respect at work. It can be manifested through intimidation, threats, victimisation, offensive and/or humiliating behaviour towards another person or group and is defined by the effect of the behaviour, even though there may not be a specific intent to bully.

Bullying may involve more than one person and can occur between colleagues, groups of employees, line manager to employee, or employee to line manager.

Isolated incidents of inappropriate behaviour do not constitute bullying. Single incidents of this nature should not be ignored and should be documented for potential future reference and/or raised with the person concerned or with the line manager/principal.

It is important for employees to differentiate between a legitimate request and bullying. All line managers/principals have a legal right to direct and control how work is done, and to monitor and provide feedback. This feedback needs to be given constructively, free from personal insults or derogatory remarks.

Bullying using online technologies such as emails, text messaging and social networking sites (for example, Facebook and Twitter) is commonly known as cyberbullying. Further information is available in the support material available via the HRMweb.

### **DIRECT BULLYING**

Direct bullying behaviour may include, but is not limited to:

- abusive, insulting or offensive language in the context of face-to-face, telephone calls, texts, emails, or social networking sites;
- behaviour or language perceived as frightening, intimidating, humiliating or degrading;
- spreading malicious rumours;
- inappropriate comments about a person's appearance, lifestyle or their family;
- teasing or making others the brunt of practical jokes;
- interfering or tampering with a person's personal effects or work equipment;
- harmful or offensive initiation practices;
- undue pressure to produce work or meet impossible deadlines;
- isolation of workers from others; and
- physical assaults or threats.

### **INDIRECT BULLYING**

- Indirect bullying is less obvious and more difficult to identify. It is repeated behaviour intended to cause humiliation, undermine or disempower an individual. Examples include:
- deliberately excluding, ignoring or isolating a person;
- unreasonably overloading a person with work;
- setting tasks beyond a person's skill level;
- applying restrictive work rules without justification;
- denying access to information, consultation or resources;
- over-monitoring an employee with malicious intent;
- denying opportunities for meaningful work;
- invasion of personal space; and
- unfair treatment in relation to accessing entitlements such as leave or training.

References: Safe Schools are Effective Schools - <http://www.education.vic.gov.au/healthwellbeing/safety/bullying/default.htm>  
[www.bullyingnoway.com.au](http://www.bullyingnoway.com.au)

## **RESPONSIBILITIES OF PRINCIPALS**

Line managers/principals must:

- \_demonstrate professional and ethical behaviour;
- \_inform employees of relevant legislation, policies and support services related to workplace bullying in an induction process and as required during their employment;
- \_take steps to prevent bullying in the workplace;
- \_monitor the workplace for unreasonable and inappropriate conduct that may constitute bullying and address any occurrences;
- \_address unreasonable or inappropriate conduct of visitors (including parents/guardians, contractors and community members);
- \_manage workplace bullying by addressing complaints/grievances in accordance with the Grievance Framework; and
  - \_report incidences of workplace bullying that may constitute misconduct to the Standards and Integrity Directorate (SID).

## **RESPONSIBILITIES OF EMPLOYEES**

Employees must:

- \_not place the safety and health of others at risk by engaging in bullying as outlined in section 20 of the Occupational Safety and Health Act 1984;
- \_adhere to expected standards of professional and ethical behavior.
- \_report incidences of workplace bullying, where personal resolution is not possible, to their principal (or superordinate, if the line manager/principal is the subject of the complaint); and
- \_cooperate with complaint/grievance resolution processes and abide by any grievance resolution agreements or directives.

## **CONFIDENTIALITY**

Line managers/principals and employees must maintain confidentiality in relation to bullying complaints/grievances, with information kept in trust and divulged only to those with a need to know, with due regard to the requirements of the Freedom of Information Act 1992.