



**AUSTRALIS
BUSINESS
SCHOOL**

Bullying, Discrimination and Harassment Prevention and Management Policy and Procedure

Contents

1. PURPOSE	3
2. SCOPE	3
3. DEFINITIONS.....	3
4. POLICY STATEMENT	3
5. BULLYING, DISCRIMINATION AND HARASSMENT PREVENTION STRATEGY	5
5.1. SPEAKING OUT	5
5.2 BULLYING, DISCRIMINATION AND HARASSMENT PREVENTION AND MANAGEMENT	5
5.3 SUPPORT AND ASSISTANCE	7
6. DATA AND RECORDS	7
7. CONFIDENTIALITY AND PRIVACY	8
8. ROLES AND RESPONSIBILITIES	8
9. RELATED DOCUMENTS, EXTERNAL REFERENCES AND VERSION CONTROL	9
9.1. RELATED/REFERENCED DOCUMENTS.....	9
9.2. RELATED LEGISLATION AND EXTERNAL REFERENCES.....	9
9.3. VERSION CONTROL	9
9.4. DOCUMENT REVIEW	10

1. PURPOSE

The Australis Business School (“Australis”) is committed to providing a respectful, safe, and flexible environment free from all forms of harassment, bullying, and discrimination for staff and students. This *Bullying, Discrimination, and Harassment Prevention and Management Policy and Procedure* are a part of that commitment. All Australis staff and students are expected to conduct themselves with respect, decency, and dignity. By successfully putting this philosophy into practise, Australis will be able to recruit and maintain talented staff and quality students, creating a welcoming environment for all.

2. SCOPE

This policy and procedure are applicable to all individuals, including students, staff members, teaching faculty, and contractors, who are involved or appointed by Australis while present on the campus or participating in an off-campus activity related to Australis, which also includes managed digital environments. It is the responsibility of both students and staff to maintain a safe, equitable, and productive environment at Australis. This includes avoiding any practises that may support or condone harassment.

Refer to the *Sexual Assault and Sexual Harassment Prevention and Management Policy and Procedure* for details on the prevention and management of sexual assault and sexual harassment.

3. DEFINITIONS

See the *Australis Glossary of Terms* for definitions.

4. POLICY STATEMENT

Australis provides an environment that promotes equal opportunities for both staff and students in terms of workplace and learning. Throughout the entire employment cycle, including recruitment and selection, work terms and conditions, training and career development opportunities, promotion and transfer, retirement, retrenchment, and termination, employees will be evaluated based on their performance and treated fairly based on their individual merits.

Australis holds the belief that it is imperative for both the staff and students to have access to a work and study environment that is devoid of any form of harassment, victimisation, discrimination, vilification, and the solicitation of irrelevant information that could potentially be used as a basis for discrimination. Australis deems such actions as inappropriate and will not be accepted.

The law prohibits any form of unlawful discrimination or harassment in the workplace, whether it is direct or indirect, based on actual or perceived differences related to:

- age
- sexuality, sexual orientation, gender or gender identity
- mental health
- political view or religious belief
- nationality, race, colour, descent or ancestry, or ethno-religious background
- marital status
- childbirth, pregnancy or breastfeeding
- disability, including a range of conditions, such as physical, psychological, cognitive, intellectual, psychiatric, psychological, or learning disabilities. It is inclusive of any disability that an individual may presently have, have had in the past, or may potentially develop in the future.

Australis is committed to implementing appropriate measures to address incidents of bullying, harassment, discrimination, and sexual misconduct (refer to the Sexual Assault and Sexual Harassment Prevention and Management Policy and Procedure for details on the prevention and management of sexual assault and sexual harassment). This will be achieved through an educative approach that emphasises prevention, with the aim of ensuring that all members of the institution, including staff and students, are aware of their rights and obligations.

Australis:

- establishes standards for appropriate conduct among its staff, contractors, visitor and students
- is committed to promoting a safe and inclusive environment by actively striving to prevent instances of discrimination, bullying, harassment, and misconduct.
- administers admission and enrolment process, evaluating a student's demonstrated capacity to successfully complete their desired course.
- implements appropriate modifications to the curriculum and physical infrastructure to cater to the unique learning needs of individual students.
- demonstrates proficiency in managing conflict that may arise from reported occurrences of bullying, harassment, discrimination, or misconduct.
- offers academic and counselling services to assist students in achieving successful completion of their academic pursuits.

Australis staff and students:

- can anticipate an environment that is conducive to learning and productivity, free from any form of harassment, discrimination, bullying, or misconduct
- must not misinterpret or misuse this policy by making dishonest accusations of bullying, harassment, discrimination or misconduct

- must not promote or engage in discriminatory, bullying or harassing behaviour
- must follow all reasonable instructions to cease any discriminatory, bullying or misconduct or harassment
- are encouraged to report any instances of bullying, harassment, misconduct, or discriminatory behaviour that they may experience or observe. It is ensured that those who report such incidents will not be subjected to victimisation or threats
- can anticipate that their reporting and the ensuing investigation and resolution process will be managed with the highest degree of confidentiality.

5. BULLYING, DISCRIMINATION AND HARASSMENT

PREVENTION STRATEGY

The main elements of Australis's prevention strategy are:

- the provision of information and training to students and staff regarding Australis's *Bullying, Discrimination and Harassment Prevention and Management Policy and Procedure*; and
- implementation of effective procedures for reporting and subsequently addressing incidents of bullying, discrimination, misconduct or harassment.

5.1. Speaking Out

Australis promotes the act of individuals coming forwards and speaking out when they have experienced or observed any form of bullying, discrimination, harassment, or misconduct. An assertive reaction can provide reassurance to victims that they are not facing the issue alone, while also conveying to perpetrators that their conduct is not condoned. Students and staff members who disclose or make a formal complaint will be treated with compassion and empathy by staff members who have appropriate training. These staff members will respond respectfully, are able to provide accurate information and can take appropriate actions.

5.2 BULLYING, DISCRIMINATION AND HARASSMENT PREVENTION AND MANAGEMENT

If a student or staff member believes that they have been harassed and are unable or unwilling to resolve the matter themselves or have the belief that it is unsafe to do so, they can approach their supervisor or manager or the Student Administration and Support Officers in the first instance and then follow Australis's staff/student complaints and appeals process.

Some individuals may prefer to report an incident directly to the police, in which case the individual will receive Australis's full support and assistance, as the police are the appropriate authority to deal with allegations of criminal conduct.

Initiating a conversation with an individual is the initial step towards resolving a problem. The responsible staff for this role may include the Student Administration and Support Officers or a designated manager. It is recommended that staff and students communicate their concerns to the officer or manager, providing a detailed account of the incident and its impact on them. The individual in the position of an officer or manager is authorised to promptly execute measures, such as the elimination of derogatory graffiti or posters. On certain occasions, the officer or manager may present a spectrum of alternatives. An alternative approach could be to prioritise the resolution of the matter without assigning blame. The officer or manager has the option to engage in dialogue with the individual who is the subject of the complaint in order to explore the possibility of a straightforward resolution to the matter.

Certain issues may pose a challenge in terms of resolution, particularly when the accused individual disputes or challenges the accusation, or when the matters at hand are intricate. The individual in the position of an officer or manager has the option to either personally address the complaint or delegate it to designated human resources staff with expertise in the matter. This alternative entails carrying out an enquiry, gathering data, substantiating evidence, and obtaining statements from witnesses, culminating in the formulation of conclusions and suggestions that will be executed by Australis.

Both students and staff members have the right to be accompanied by a support person or persons of their preference while disclosing an incident, lodging a formal complaint, or availing themselves of the services provided by Australis.

Australis will adhere to the *Staff Complaints and Appeals Policy and Procedure* or the *Student Complaints and Appeals Policy and Procedure* upon receipt of a formal complaint. Australis will take into consideration the following factors when deciding on the subsequent actions to be taken:

- the overall welfare, security, and physical and mental health of the wider Australis community
- the results that the student or staff member who filed the formal complaint hoped to achieve
- whether there is a legal duty if a legal obligation to report the incident exists
- principles of procedural fairness for those accused of bullying, discrimination or harassment

Where an individual reports the incident directly to the police, Australis will provide the student with full support and assistance.

Any student or staff member making a formal complaint will be given the opportunity to state how they would like the complaint to be resolved. While Australis will exert every effort in order to accommodate reasonable requests, in some instances it may not be possible to achieve that outcome, in which case it will be explained why that is not possible.

5.3 SUPPORT AND ASSISTANCE

Australis is dedicated to guaranteeing the prompt safety, safeguarding, and welfare of any student or staff member who has encountered an occurrence of bullying, discrimination, or harassment. Information about support and assistance services will be widely disseminated and, upon disclosure, these support and assistance services will be offered promptly and throughout the reporting process.

Support and assistance encompass a range of services, which may include, but are not restricted to, the following:

- emergency health information
- counselling
- security
- help to ensure understanding of all available choices, including notifying law enforcement and submitting an official report to Australis
- details on and guidance on utilising Australis's official reporting and misconduct processes
- for students, information about and support with navigating Australis's deferred examination process should they wish to apply, noting that such applications will be considered confidentially (to protect the student's privacy by limiting the dissemination of information about the request's nature) and irrespective of whether a student makes a formal report
- recommendations for both to internal and external support services
- prompt and consistent communication about the situation and how it will be resolved.

6. DATA AND RECORDS

Information about bullying, discrimination and harassment incidents and formal complaints will be collected and stored confidentially, and will include:

- specific details regarding the incident
- measures taken in response to the disclosure or complaint
- any support or assistance provided
- the duration of the time for referring the individual to support services or to address the disclosure or complaint
- any feedback offered by the complainant or respondent with respect to the process.

Australis will keep records to monitor incidents and patterns of behaviour, in order to monitor the effectiveness of this policy for continuous improvement purposes and to prevent recurrences of bullying, discrimination or harassment.

7. CONFIDENTIALITY AND PRIVACY

In accordance with the Privacy Policy, the privacy and confidentiality of a student or staff member who discloses an incident or lodges a formal complaint will be protected. In certain situations, Australis's capacity to uphold a student's confidentiality and privacy may be restricted. This is especially true when relevant staff require knowledge of the occurrence to guarantee the safety of the student or staff member, as well as the larger community, and to offer the necessary assistance to the individual in question. In addition, for formal complaints the respondent will be provided with sufficient information to respond to any allegation for the purpose of procedural fairness.

Under certain circumstances, Australis may have a legal obligation to notify law enforcement authorities of an occurrence of bullying, discrimination, or harassment. These events shall be explained to the student or staff member during the disclosure.

8. ROLES AND RESPONSIBILITIES

The Chief Executive Officer and the Dean are responsible for ensuring the continued co-operation of all students and staff in promoting and embedding the principles outlined in this policy and procedure into their daily behaviour, decision-making and language. This will ensure all policies, practices and operations are free from bias and consistent with the intent of this policy and procedure.

The CEO and the Dean will also report to the Board of Directors any harassment, bullying or discrimination cases.

All students and staff are responsible for treating fellow community members with respect regardless of background, for engaging with others in a positive, respectful and constructive manner at all times and for reporting any incidents of discrimination, harassment or bullying to Australis.

The Student Administration and Support Officers are the preferred points of contact for disclosing an experience of bullying, discrimination or harassment.

9. Related Documents, External References and Version Control

9.1. Related/Referenced Documents

- Code of Conduct
- Privacy Policy
- Staff Complaints and Appeals Policy and Procedure
- Student Complaints and Appeals Policy and Procedure
- Sexual Assault and Sexual Harassment Prevention and Management Policy and Procedure

9.2. Related Legislation and External References

- Higher Education Standards Framework 2021
- Tertiary Education Quality and Standards Agency (TEQSA) Act 2021

9.3. Version Control

Version	Date	Reviewed/approved by	Key notes/changes
0.1	08/07/22	Board of Directors (BoD)	Approved by the BoD with the additional reference on page 8 to the role and responsibility for maintaining records in confidence to ensure the accountability and responsibilities of Australis roles are clear.
0.2	12/01/23	LTC	Reviewed. Overview section removed and minor updates made to Sections 6 , 7 and 11.
0.3	02/02/22	LTC	Reviewed and improved to reflect the LTC feedback.
0.4	28/02/23	AB	Title changed to <i>Bullying, Discrimination and Harassment Prevention and Management Policy and Procedure</i> . Section 5 heading changed.
0.5	28/04/23	CEO	Editorial improvements incorporated.
0.6	22/03/24	AB and BoD	Updated based on 21/03/24 AB meeting and 22/03/24 BoD meeting. Added reference to the <i>Sexual Assault and Sexual Harassment</i>

			<i>Prevention and Management Policy and Procedure</i>
0.7	05/04/24	AB and BoD	Further input from AB meeting 04/04/24 and BoD meeting 05/04/24 incorporated
0.8	11/04/24	AB and BoD	Reviewed and approved at the AB 11/04/24 meeting Reviewed and approved at the BoD 11/04/24 meeting

9.4. Document Review

To be reviewed at least every five (5) years from the date of final approval.