

Bullying, Discrimination and Harassment

Purpose

ACTB are committed to ensuring that our practices, systems, policies and procedures support an environment that is free from bullying, discrimination and harassment. This policy informs that all students, staff, and visitors are treated with dignity, kindness, and fairness, by fostering a culture of mutual respect and support.

Scope

This policy applies to:

- All staff, learners, clients and visitors; and
- All aspects of our operations.

Responsibilities

RTO Manager

- Ensures compliance with legislation, regulations and Standards for RTOs.
- Oversees the implementation of corrective actions.

All Staff

- Monitors the environment to ensure it is free of offensive materials. Collaborates with each other to promote a
- harassment-free workplace.
- Supports individuals experiencing bullying or harassment and maintain an inclusive, supportive environment.
- Respects individual differences and encourage others to maintain an inclusive environment.

Trainers & Assessors

- Ensures all training and assessment resources and environments encourage inclusivity and are free from discriminatory content or behaviours.
- Actively monitors student behaviour and engage with them to identify and address concerns.

Students/Learners

- Treat others with dignity and respect, refraining from bullying, discrimination, or harassment.
- Report any incidents experienced or witnessed through the reporting channels in this policy.
- Cooperate with investigations and respect confidentiality.

Definitions

- The Australian Human Rights Commission defines bullying as any verbal, physical, social or psychological abuse by an employer (or manager), another person or group of people. That includes behaviour that intimidates, offends, degrades or humiliates someone. Whilst it can happen to anyone, ACTB are committed to do our best to stem out any bullying behaviours within our community. It is important to note that some types of bullying are criminal offences and suspected criminal behaviour will be reported to the local police authorities immediately.

Bullying can include:

- o Repeated hurtful remarks or attacks; making fun of one's work.
 - o Making fun of something someone has done or their personality.
 - o Sexual harassment, particularly unwelcome touching and sexually explicit comments.
 - o Excluding behaviours such as stopping one from working with others or from taking part in activities.
 - o Playing mind games.
 - o Ganging up on someone.
 - o Intimidation.
 - o Deliberately holding back information so that one cannot get their work done properly.
 - o Pushing, shoving, tripping, and grabbing.
 - o Attacking or threatening with knives or any type of weapon.
 - o Initiation or hazing where one is made to do humiliating or inappropriate things in order to be accepted as part of a team.
- **Discrimination** happens when a person, or a group of people, is treated less favourably than another person or group because of their background or because of their:
 - o Race, colour, nationality or ethnicity;
 - o Gender orientation, sexual preference, pregnancy or marital status;
 - o Age;
 - o Disability; or
 - o Some other characteristic such as one's political affiliations or religion.
 - **Harassment** can be against the law when a person is treated less favourably on the basis of certain personal characteristics, such as race, sex, pregnancy, age, disability, sexual orientation, gender identity or intersex status. It does not need to be a chain of continuous and related incidents; one-off incidents can also constitute as harassment. Examples of harassment include joking about a racial group in an insulting manner, sending sexually suggestive messages to a colleague or student, displaying racially offensive material making derogatory comments about someone's race, and asking intrusive questions about someone's personal life, including their sex life.
 - **"Victimisation:** Treating a person unfairly or subjecting them to detriment because they have made, supported, or been involved in a complaint."
 - **"Reasonable management action (not bullying):** Reasonable directions, performance feedback, or workload allocation carried out fairly and reasonably do not constitute bullying."

- **“Cyberbullying:** Bullying or harassment that occurs online or through digital platforms, including email, messaging apps, and social media.”

General Principles

We are committed to

- Providing and investing in a safe, inclusive and secure environment through training, awareness campaigns and implementing practices, policies and procedures that are effective to achieve our aim.
- Promoting appropriate standards of conduct at all times to place our learner's wellbeing at the core.
- Building an environment which is safe from any form of discrimination and harassments, where our students, staff and visits are treated with kindness, respect and fairness.
- Treating all reports of bullying, discrimination and/or harassment in a sensitive and just manner.
- Ensuring every person has the right to make a report about bullying, discrimination and/or harassment experienced or witnessed, with no prejudice or repercussions, including providing the reporter as well as any other person(s) involved with protection from any victimisation or reprisal and will treat any and all information shared by the complainant with the strictest of confidentiality.
- Handling all incidents of bullying, discrimination and/or harassment identified by applying the principles of natural justice and will result in actions which reflects the seriousness of the individual circumstances;
- Reporting criminal or unlawful behaviour(s) to the police immediately which can further result in immediate dismissal of one's employment or enrolment with us.
- Taking appropriate actions such as counselling, re-training, apology, conciliation, re-assigning of duties, transfer of class, suspension of employment or enrolment, warning, dismissal of employment or termination of enrolments at the outcome of the investigation of a bullying, discrimination and/or harassment report.

Lines of Assistance

The following agencies can provide assistance to ACTB in the management of bullying, discrimination and harassment, and in maintaining an inclusive and supportive environment:

Australian Human Rights Commission (AHRC)

General line: 1300 369 711

Complaints line: 1300 656 419

Website: www.humanrights.gov.au

Queensland Human Rights Commission (QHRC)

General line: 1300 130 670

Website: www.qhrc.qld.gov.au

- **Compliance**

This policy aligns with:

- **Standards for RTOs 2025:**
 - o **Standard 2.6** – The wellbeing needs of the VET student cohort are identified and strategies put in place to support these needs.
 - o **Standard 4.2** – Roles and responsibilities are clearly defined and understood.

- o **Standard 4.3** – Risks to VET students, staff and the RTO are identified and managed.

- o **Standard 4.4** – The RTO undertakes systematic monitoring and evaluation to support the delivery of quality services and continuous improvement.
- Australian Human Rights Commission Act 1986
- Work Health and Safety Act 2011
- “This policy also aligns with the Sex Discrimination Act 1984, Racial Discrimination Act 1975, Disability Discrimination Act 1992, Age Discrimination Act 2004, and the Anti-Discrimination Act 1991 (Qld).”

“ACTB may be vicariously liable for unlawful discrimination or harassment by staff or students unless it has taken all reasonable steps to prevent it. Compliance with this policy is therefore a shared responsibility.” Failure to comply with this policy can have serious consequences, including but not limited to:

- **For the RTO** – breaches of legislation or regulatory requirements may result in financial penalties, loss of registration, reputation damage, or regulatory enforcement actions.
- **For Staff Members** – staff found to have knowingly or negligently failed to comply with this policy and any associated legislative or regulatory requirements may face disciplinary actions, up to and including termination of employment.
- **For Learners and Clients** – non-compliance could lead to disruptions in training and assessment services, warnings, suspension or the cancellation of enrolment with us.
- **For Visitors** – revocation of access or termination of contracts.

Continuous Improvement

- Feedback from staff, learners, clients and industry stakeholders will be used to inform improvements to compliance processes and the effectiveness of our operations.
- An internal audit is to be conducted at least once per year to assess our compliance with this policy and the relevant legislative and regulatory requirements. The audit schedule is outlined in our Continuous Improvement Schedule and areas for improvements are documented in our Continuous Improvement Register.
- Internal audit review questions for self-assurance purposes should include:
 - o What strategies do you have in place for preventing abuse, harassment or violence, and for dealing with such issues should they arise amongst your student cohort?
 - o Is the language of the policy clear, inclusive and consistent with current legislative definitions and best practices?
 - o Does the RTO actively promote respectful behaviour and cultural safety through its learning environment and communication channels?
 - o Are all reports of bullying, discrimination and harassment handled in a fair, timely and impartial manner?
 - o Are the measures in place to prevent victimisation or retaliation following a report sufficient?
 - o Are there any trends or commonalities in any reports of bullying, discrimination and harassment? If yes, what are they and how can they be addressed and how can we improve to reduce and eliminate any re-occurring incidents?

Related Documents

- Continuous Improvement Register
- Continuous Improvement Schedule
- Student Handbook