



EED Unit

BULLYING PREVENTION POLICY

Date approved:	5 November 2002	Date Policy will take effect:	5 November 2002	Date of Next Review:	May 2014
Approved by:	Administrative Committee				
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Author:	Lynne Wright Director Employment Equity and Diversity				
Responsible Faculty/ Division & Unit:	Employment Equity and Diversity Unit				
Supporting documents, procedures & forms of this policy:	Grievance Policy Procedures for Investigating Grievances Equal Opportunity and Affirmative Action Policy University Code of Conduct – Staff University of Wollongong (Academic Staff) Enterprise Agreement 2005 University of Wollongong (General Staff) Enterprise Agreement 2005 Student Conduct Rules and Procedures Procedure for Managing Alleged General Misconduct by a Student				
References & Legislation:	Anti-Discrimination Act, 1977 (NSW) Racial Discrimination Act, 1975 (Cth) Sex Discrimination Act, 1984 (Cth) Disability Discrimination Act, 1992 (Cth) Age Discrimination Act, 2004 (Cth) Occupational Health and Safety Act, 2000 (NSW) Occupational Health and Safety Regulation, 2001 (NSW)				
Audience:	Public – accessible to anyone				
Expiry Date of Policy:	Not applicable				



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1 Purpose of Policy

The purpose of this policy is to outline and provide a general guide on:

- a) the strategies the University has in place to prevent bullying;
- b) what does and does not constitute bullying;
- c) the first steps that should be taken should bullying occur; and
- d) roles and responsibilities of University staff and students in respect to bullying.

2 Definitions

Word/Term	Definition (with examples if required)
Bullying	For a definition of what does and does not constitute bullying, refer to section 7 of this policy
Confidential advice	Information given or received in a confidential meeting. This information may not be discussed outside the confines of the conversation without the consent of the provider of the information.
EO Online	EO Online is a self-paced online equal opportunity training program for employees. It covers all aspects of harassment and bullying and provides case studies and real life examples.
RRR Online	Responsibilities Rights and Respect Online (RRR Online) is an interactive online program for students which covers aspects of harassment and bullying and provides strategies for addressing situations described.
Staff	An employee, honorary or visiting appointee, the holder of a University office or a member of a University committee, a contractor or their sub-contractor.
Student	A person registered for a course at the University of Wollongong.

3 Application & Scope

1. This policy applies to all staff and students of all campuses of the University of Wollongong located within Australia and to all staff of the University of Wollongong employed within Australia undertaking activities overseas.
2. Many forms of harassment are unlawful; however, this policy is confined to addressing bullying.
3. Where a full time student is also an employee, or a full time employee is also a student, the alleged offender will be dealt with according to the capacity in which they were acting at the time of the alleged offence.
4. This policy replaces the Anti-Bullying Policy.

4 Policy Statement

1. The University of Wollongong supports the rights of all persons to work or study in an environment that is free from bullying. The University is committed to the application of occupational health and safety, ethical behaviour and social justice.
2. This policy supports the proactive strategies in place to educate staff and students about bullying and harassment and the importance of the respect for diversity in work and study environments.



5 Bullying Prevention Strategies

1. Educating staff and students about bullying and respect for diversity is a key strategy in preventing bullying from occurring.
2. All staff are required to complete [EO Online](#) Module One in the first six months of employment.
3. Completion of [EO Online](#) Module One is a condition of probation for all staff.
4. All supervisors and managers are required to complete [EO Online](#) Module Two.
5. The Director EED and/or the Manager OH&S provide training to raise awareness of bullying and harassment in the university and to provide strategies to prevent this occurring. Programs include:
 - Induction
 - Supervisory
 - Heads and leaders
 - Selection Techniques
 - Probation and promotion
6. [Respect for Diversity](#) is encouraged and promoted through policy and celebration activities.
7. [Responsibilities, Rights and Respect Online](#) (RRR Online) is compulsory for all incoming students from 2012.

6 Legal Obligations

1. The University has legal obligations under the *Occupational Health and Safety Act, 2000*, and *Occupational Health and Safety Regulation, 2001*, and at common law, to provide a safe workplace and to identify hazards, assess risks and eliminate or control risks to the health and safety of employees, students or visitors. Bullying behaviour in the workplace is considered to be an OHS risk which needs to be identified, assessed and controlled as it can adversely affect the health, safety or welfare of employees or visitors (including contractors, members of the community and volunteers). Bullying behaviour may also breach industrial and/or criminal laws, as well as constituting a breach of University policies.
2. Bullying can be a form of unlawful harassment if it is directed at someone because of one of the grounds covered by anti-discrimination legislation, e.g. their sex, race, disability, sexual preference, or if it creates a hostile environment on one of these grounds.
3. All staff and students have a responsibility under the OHS Act and associated University policies and procedures to take reasonable care of themselves and others in their working and learning environment. This includes not putting others at risk of injury by engaging in bullying behaviour.

7 What Does and Does Not Constitute Bullying?

1. Bullying is repeated unreasonable behaviour directed towards others in the work/study environment that creates a risk of physical and/or psychological harm. It may be one-on-one or 'mobbing' by a group; carried out openly, subtly; privately or in front of others.
2. Bullying can take place between:
 - a. staff members, both with and without positions of senior authority;
 - b. a staff member and a student;
 - c. students; or
 - d. a staff member or student and another person on campus.



3. **Bullying does not include:**

- a. situations where colleagues or students point out professional differences or difficulties they have with other members of the campus community, provided that it is done in an appropriate manner;
- b. occasional differences of opinion, conflicts and problems in work/study relationships - these are part of working life and every conflict certainly does not constitute bullying;
 - c. controlled release of study information;
 - d. reasonable staff performance management or disciplinary action; or
 - e. a situation where a supervisor or academic (within the performance of student related duties), institutes proceedings for unsatisfactory performance, misconduct, dismissal or to deal with complaints about a person from others within the framework of University policies and procedures.

4. **Bullying may include, but is not limited to:**

- a. yelling, screaming, abusive or offensive language, insults, inappropriate comments about a person's appearance, personal life or lifestyle, defamation of individuals or their family or associates;
 - b. behaviour or language that intends to, or has the impact of frightening, intimidating, humiliating, belittling or degrading another person;
 - c. deliberately marginalising a person eg. persistently excluding and ignoring colleagues
 - d. unconstructive criticism or spreading rumours about others;
 - e. impeding a person's capacity to fulfil their duties or study commitments;
 - f. excluding individuals from normal work/study interaction without justification;
 - g. unrealistic demands within the framework of existing work unit standards, which includes normal work and study peaks and troughs;
 - h. threatening a staff member's job security;
 - i. deliberately withholding work/study related information or resources, or supplying incorrect information to an individual;
 - j. teasing or regularly being made the brunt of pranks/practical jokes, particularly after an objection has been made known;
 - k. displaying written or pictorial material which degrades or offends an individual;
 - l. deliberately harmful and punitive "administrative sanctions" e.g. deliberate delay in processing/marking an individual's work, applications for training, leave or payment of wages;
 - m. creating unexplained job changes, setting meaningless tasks or tasks well beyond a persons' normal range of duties;
 - n. sending abusive or offensive e-mails or text messages; or
 - o. using digital and online social networks to make inappropriate comments which humiliate, slander, intimidate or degrade a person.
5. **Mobbing** is a particular form of bullying carried out by a group rather than by an individual and includes the bullying or social isolation of a person through collective accusations, humiliation, general harassment or emotional abuse.

8 Responding to Bullying

1. Bullying may still occur despite the prevention strategies implemented by the University.
2. Where possible, a person who believes they are being bullied should speak to the person exhibiting the bullying behaviour, describing to them the behaviour to which they object, and requesting that this behaviour stop.



3. Staff or students who believe they have been bullied or who have been accused of bullying should reflect on the situation and seek guidance on the next steps to take. Confidential advice to assist with addressing the matter may be sourced from:
 - a. Director EED;
 - b. Manager OH&S;
 - c. HR Advisors;
 - d. University Grievance Advisors;
 - e. Staff or Union Representatives;
 - f. University Counsellors
 - g. Heads of Residence Halls
 - h. Student Advocacy Officer;
 - i. Student Support Advisers; or
 - j. Dean of Students.
4. If the person being bullied is not comfortable speaking to the person exhibiting the bullying behaviour, or the request(s) to stop is ineffective, they should report the matter to their supervisor or subject coordinator to help resolve the matter. If the bullying behaviour concerns that person, then the matter needs to be reported to the next most senior person.
5. The person who receives the report of alleged bullying behaviour will investigate the matter in accordance with the [Grievance Policy](#) and [Procedures for Investigating Grievances](#).
6. Following a formal investigation, if a case of bullying is upheld, further action against staff or students who have engaged in bullying behaviour may be managed under the staff misconduct arrangements, policies and procedures or under the Student Conduct Rules.

9 Roles & Responsibilities

1. Deans, Directors, Heads of Schools and Managers of Units are required to:
 - a. implement this policy in their work area to enable a workplace and study environment that is free of bullying and harassment;
 - b. ensure that any incident of bullying that is observed or reported is dealt with promptly;
 - c. provide leadership in preventing bullying and demonstrating an intolerance for bullying; and
 - d. role model appropriate, respectful professional behaviour.
2. All staff and students are responsible for completing the compulsory education requirements as outlined in section 5.
3. All staff and students are responsible for their own actions and are to refrain from engaging in bullying behaviour and support the prevention of bullying at the University.
4. Staff should be active in promoting [RRR Online](#) to all new students.
5. Roles and responsibilities in relation to investigating reported bullying are outlined in the [Grievance Policy](#) and [Procedures for Investigating Grievances](#).
6. All staff and students have a responsibility to address concerns regarding bullying in a professional manner. Any staff member or student who is found to have made allegations against another person which are not in good faith or which they know to be false may be subject to disciplinary steps, which may include an apology, counselling, exclusion from the University, or in the case of staff, dismissal.

**10 Version Control and Change History**

Version Control	Date Effective	Approved By	Amendment
1	5 November 2002	Administrative Committee	First Version
2	11 September 2009	Deputy Vice-Chancellor (Academic)	Migrated to the UOW Policy Template and updated as per the UOW Policy Refresh.
3	9 March 2010	Vice-Principal (Administration)	Future review date identified in accordance with Standard on UOW Policy
4	17 May 2011	Administrative Committee	Major review in accordance with policy review schedule. Review includes new title and significant amendments to policy content.