



Bacchus Marsh
Grammar

School Board Policy

Student Duty of Care

GOV-030 Student Bullying and Harassment Policy

(source: Complispace)

Approved by the School Board 27 October 2021





Student Bullying and Harassment Policy

1	Rationale	2
2	What is Harassment	2
2.2	Bullying	2
2.3	Sexual Harassment.....	3
2.4	Discrimination	3
2.5	Disability Discrimination	4
2.6	Libel.....	4
3	Legal Implications of Harassment	4
4	Prevention of Harassment	4
5	Grievance and Action Procedure	4
5.2	In the first instance	4
5.3	If the harassment continues	5
5.4	If the Complaint is not yet resolved.....	5
5.5	If the harassment continues	5
5.6	If the issue is not resolved	5
6	Other Forms of Harassment and Bullying	6
6.1	Teacher/Student	6
6.2	Student/Teacher	6
6.3	Teacher/Teacher.....	6
7	Disciplinary Action	6
8	Recommendations to Parents/Guardians	6
9	Related Policies	6
10	Authorisation	7
11	History	7

1 Rationale

- 1.1.1 All members of the school community have the right to work in a safe and caring environment. At Bacchus Marsh Grammar (the School), we are committed to providing such an environment. We encourage every person in the school community to feel respected and valued, and strive to ensure that all members are treated with fairness, integrity and equality. **Bullying and Harassment is unacceptable and will not be tolerated under any circumstances.**
- 1.1.2 The School will employ a range of strategies to work with students who are either the perpetrators or subject of bullying and harassment. Ultimately the School reserves the right to cancel the enrolment of any student for repeated acts of bullying and harassment or serious acts of bullying and harassment in accordance with the Student Discipline Policy. In selecting appropriate consequences for inappropriate behaviours under this policy the School will take into consideration the age of the student and the broader context in which the issue has occurred.
- 1.1.3 When a person is harassed, they may experience anger, embarrassment, fear, loss of self-confidence and humiliation. Every person has the right to attend the School feeling secure and comfortable. Equally as children and young adults, the School accepts that learning how to behave appropriately is part of the educative process and that at times students will make inappropriate decisions from which they need to learn.
- 1.1.4 This policy concentrates on student to student bullying and harassment, however, the School clearly accepts that other forms of bullying and harassment may exist within the School environment. Two of these (Teacher/Student, Student/Teacher) are covered briefly in this policy.
- 1.1.5 A separate Equal Opportunity Policy exists for Employees of the School and the School Community Code of Conduct deals with broad issues within the school community. This document may however, provide further guidance regarding the School's approach to matters of bullying and harassment.

2 What is Harassment

- 2.1.1 Under discrimination law, it is unlawful to treat a person less favourably on the basis of particular protected attributes such as a person's sex, race, disability or age. Treating a person less favourably can include harassing or bullying a person. The law also has specific provisions relating to sexual harassment, racial hatred and disability harassment (Human Rights Commission)

Below are some listed common forms of harassment, and some examples of each.

2.2 Bullying

- 2.2.1 Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening.
- 2.2.2 Bullying can happen in person or online, via various digital platforms and devices and it can be obvious (overt) or hidden (covert). Bullying behaviour is repeated, or has the potential to be repeated, over time (for example, through sharing of digital records).
- 2.2.3 Bullying in any form or for any reason can have immediate, medium and long-term effects on those involved, including by-standers. Single incidents and conflict or fights between equals, whether in person or online, are not defined as bullying.
- 2.2.4 Bullying can take a number of forms:
- It can be physical, verbal, a gesture, exclusion, or using technology (i.e. cyber bullying);
 - It can be an abuse of power;
 - It can be planned and organised or it may be unintentional;
 - Individuals or groups may be involved.
- 2.2.5 Some examples of bullying include but are not limited to:
- Any form of physical violence such as hitting, pushing or spitting on others;
 - Interfering with another's property by stealing, hiding, damaging or destroying it;

- Using offensive names, teasing or spreading rumours about others or their families;
- Using put-downs, belittling other's abilities and achievements;
- Writing offensive notes or graffiti about others;
- Making degrading comments about another's culture, sexuality, religion or social background;
- Hurtfully excluding others from a group;
- Ridiculing another's appearance;
- Forcing others to act against their will;
- Extortion – demanding food, money or school-work;
- Spreading offensive notes or messages about people by any means including electronic forms such as emails, MSN, mobile phone or social media;
- Nuisance phone calls, SMS messages or direct messages via social media.

2.2.6 Some examples of a negative situation which, whilst potentially distressing for students, are NOT bullying:

- Mutual conflict situations which arise where there is a disagreement between students but not an imbalance of power
- One-off acts (of aggression or meanness) including single incidents of loss of temper, shouting or swearing do not normally constitute bullying.

2.2.7 The School makes clear that any issue or allegation that involves potentially criminal activity will be reported to the Police. In such circumstances the school will actively assist the Police in any investigation.

2.3 Sexual Harassment

2.3.1 Sexual harassment may be broadly defined as verbal or physical behaviour of a sexual nature that is unwelcome or considered to be offensive. It includes comments, gestures or actions that embarrass the person (male or female) they are directed to. Sexual harassment includes:

- Unwanted touching, brushing up against another or any other form of unwanted physical contact;
- Calling another rude names or making offensive comments;
- Commenting on the size or shape of another's body;
- Sending obscene letters or making obscene phone calls;
- Leering, peering or using sexually oriented jokes;
- Questions or comments about another's sexual preference;
- Displays of sexually graphic material;
- Inappropriate use of photographic equipment including use of camera phones;
- Repeated requests to go out with someone, especially after prior refusal;
- Request for sexual favours;
- Indecent exposure;
- Sexual assault;
- Attempted or actual rape.

2.3.2 The School makes clear that any issue or allegation that involves potentially criminal activity will be reported to the Police. In such circumstances the school will actively assist the Police in any investigation.

2.4 Discrimination

2.4.1 Discrimination includes disadvantaging or harassing another, based on their race, appearance, ancestry, place of origin, colour, ethnic origin, citizenship, religion, gender, sexual orientation, age or disability.

2.4.2 The School expects students to respect diversity in other students, staff and all members of the School community.

2.4.3 Please refer to the Student Code of Conduct and Student Discipline Policy for further information.



2.5 Disability Discrimination

2.5.1 Please refer to the School's Disability Discrimination Policy for further information.

2.6 Libel

2.6.1 Libel is generally defined as spreading rumours about another person or their family. Such behaviour will not be tolerated and will be handled in accordance with the Student Discipline Policy.

3 Legal Implications of Harassment

3.1.1 Law prohibits most forms of harassment with special emphasis given to acts of violence, sexual harassment and racial discrimination.

3.1.2 Victims or witnesses of harassment are entitled to approach authorities such as the Police or the Equal Opportunities Board to have the issue resolved.

3.1.3 The School has a legal responsibility to report to Police certain alleged behaviours. It will strictly adhere to that responsibility.

4 Prevention of Harassment

4.1.1 As a school community we accept that we all have the responsibility to speak up, even though this may be difficult at times.

4.1.2 This requires staff to:

4.1.2.1 Be role models in word and action and treat all members of the school community with respect at all times.

4.1.2.2 Be observant of signs of distress or suspected incidents of harassment.

4.1.2.3 Take steps to help victims and remove sources of distress as quickly as possible.

4.1.2.4 Report and document suspected incidents to the appropriate staff member according to the prescribed procedure.

4.1.2.5 Refuse to be involved in any bullying situation. If a staff member is present when bullying occurs:

- a. If appropriate, take some form of preventative action or intervention;
- b. Report the incident or suspected incident.

5 Grievance and Action Procedure

5.1.1 Any difficulty in defining what constitutes bullying and harassment should not prevent staff, students or parents/guardians from reporting behaviour, which causes them distress.

5.1.2 The School will respect the particular sensitivity of complaints and their consequences as well as the need for confidentiality.

5.1.3 All members of staff will act within their obligations of Duty of Care. If you feel that you are being subjected to bullying or harassment in any form, do not feel that it is your fault or that you have to tolerate it.

5.1.4 In the event of a serious incident the Principal, or their delegate, may at their discretion, apply any of the sanctions listed in the School's Student Discipline Policy which is available on the School's website. Equally the Principal or their delegate may seek to employ remedies in relation to the matter which are appropriate to the nature of the incident and the age of the perpetrator.

5.2 In the first instance

5.2.1 Tell the offender calmly and politely to stop.

5.2.2 Discuss the difficulty with a friend, trusted adult and/or the student's Tutor Group Teacher or other teacher.

5.3 If the harassment continues

- 5.3.1 Inform a member of staff, who will support you to complete a harassment incident report. In cases involving group bullying and name calling, the teacher will arrange for the appropriate Year Level Coordinator to help the students repair the relationship. However, if goodwill is not shown, the School will take direct action in relation to the harassment in accordance with its Student Discipline Policy.
- 5.3.2 In other cases, the teacher will arrange for the appropriate Year Level Coordinator to inform the person concerned that their actions are wrong, and discuss with them the likely consequences should the offending behaviour continue.
- 5.3.3 Any action taken will be clearly documented.
- 5.3.4 The student who has been bullied or harassed will be asked to record any future episodes noting down relevant and specific details, including who, what, where and when the instances of bullying occur.
- 5.3.5 The appropriate Assistant Principal/Deputy Principal/Senior Deputy Principal will be informed of the circumstances and outcomes of any matter dealt with in this way. Parents/guardians will be appropriately informed.

5.4 If the Complaint is not yet resolved

- 5.4.1 The Year Level Coordinator will explain to the subject of the bullying and harassment their options and rights and the issue will be referred to a Deputy Principal/Senior Deputy Principal. The Deputy Principal/Senior Deputy Principal will interview the offender, and the alleged subject of the bullying and harassment and determine appropriate consequences. Parents/ guardians will be appropriately informed.
- 5.4.2 Parents/guardians need to be aware that this is their child's recollection of events and until further investigation is completed should not necessarily be interpreted as factual information.
- 5.4.3 The Deputy Principal/Senior Deputy Principal in consultation with the Principal may request the involvement of the School Student Wellbeing Team or external assistance as appropriate to the nature of the issue.

5.5 If the harassment continues

- 5.5.1 If it is established that repeated, explicit or potentially criminal harassment has occurred, then the following procedures will be implemented:
 - 5.5.1.1 The perpetrator may be suspended and may be expected to complete a prepared unit of work on harassment. The Principal or their delegate will decide the number of days of suspension;
 - 5.5.1.2 The perpetrator and their parents/ guardians will be requested to meet with the Principal or their delegate, and/or Year Level Coordinator to determine further action and consequences of the inappropriate behaviour;
 - 5.5.1.3 In the case of potentially criminal harassment or bullying, the Police will be informed immediately and the student's enrolment may be terminated.

5.6 If the issue is not resolved

- 5.6.1 The Principal may elect to remove a student from the School or issue a final warning to that effect.
- 5.6.2 If it is found that any student has deliberately or falsely accused another person of harassment, then the accusing student will be dealt with in the same manner as an offending student.
- 5.6.3 All serious incidents will be directed to the Principal or their delegate, bypassing the above procedure, and dealt with as deemed appropriate.

6 Other Forms of Harassment and Bullying

6.1 Teacher/Student

6.1.1 Any student who feels they are a victim of bullying and/or harassment, by a teacher should report the incident to any staff member with whom they feel comfortable. It is mandatory that the staff member reports the matter to the Principal or Deputy Principal/Senior Deputy Principal immediately.

6.2 Student/Teacher

6.2.1 Any staff member who feels that they have been a victim of harassment by a student or students should report the incident to a Deputy Principal/Senior Deputy Principal or Year Level Coordinator. The matter will be dealt with according to this harassment policy, and procedures and appropriate action will be taken.

6.3 Teacher/Teacher

6.3.1 Any staff members who feel they have been a victim of bullying and/or harassment should inform one of the following: The Principal or a Deputy Principal/Senior Deputy Principal. Appropriate action will be taken in consultation with the Principal.

Note: For any incidents outlined in this section, further reference should also be made to the School's Equal Opportunity Policy.

7 Disciplinary Action

7.1.1 The School will deal very severely with those who retaliate against someone for reporting incidents of harassment, this will include suspension or termination of the student's enrolment.

7.1.2 Any students failing to take heed of processes put in place to remove bullying or harassment or limit the escalation of an issue will be regarded as having breached the intent of this policy and subject to appropriate disciplinary action under the School's Student Discipline Policy.

8 Recommendations to Parents/Guardians

8.1.1 The School recommends that parents/guardians:

- 8.1.1.1 Remain calm and assist their child in understanding the situation and the need for a process to occur in relation to resolving the issue.
- 8.1.1.2 Watch for signs of distress in their child, for example, unwillingness to attend school, a pattern of headaches or stomach aches, missing equipment, requests for extra money, damaged clothing or bruising.
- 8.1.1.3 Advise your child to tell a staff member about the incident, or inform the School if harassment is suspected.
- 8.1.1.4 Be willing to attend interviews at the School if your child is involved in any bullying incident.
- 8.1.1.5 Be willing to inform the School of any cases of suspected bullying even when your own child is not directly affected.

8.1.2 When staff, students and parents/guardians work together, we create an environment where all students and staff can feel secure, confident and safe.

9 Related Policies

- Assault (Student Against Student) Policy
- Bullying Prevention and Intervention Policy
- Child Safe Policy
- Cyber Safety Policy
- Equal Opportunity Policy
- Student Code of Conduct
- Student Discipline Policy

10 Authorisation

School Board No.	GOV-030	
School Board Name	Student Bullying and Harassment Policy	
Approval Authority	Chair of the School board	
Approval Signature	Cathy Jeffkins Chair of the School Board Bacchus Marsh Grammar	
Administrator	Company Secretary	Greg Gough
Approval Date	27 October 2021	
Date of Next Review	27 October 2022	To be reviewed annually

11 History

Date	Amendment
22 October 2019	1. Reviewed and new format
28 October 2020	2. Reviewed
27 October 2021	3. Reviewed and updated harassment and bullying definitions