

St John's Primary School

Promulgated: 1997

Reviewed: 2013

To Be Reviewed: 2018

Harassment, Discrimination and Bullying Policy



*St John's Primary School, as part of the Catholic faith community,
strives to provide a caring, compassionate and supportive environment,
where each person is valued and encouraged
to develop to his/her full potential.*



HARASSMENT, DISCRIMINATION AND BULLYING POLICY

RATIONALE

St John's School has a responsibility to provide an educational environment that promotes the dignity and respect of the person and therefore aims to eliminate bullying and harassment in all forms. Each member of the school community deserves the respect and consideration of all other members. Each student has a right to feel safe at school.

GOALS

To develop in the school community:

- Positive relationships among students
- Knowledge of appropriate behaviours towards others
- Sensitivity to the feelings of others
- Skills in relating to and communicating with others
- Confidence to report incidences of bullying to staff
- Confidence that all reported incidences of bullying will be acted upon, and appropriate consequences and support mechanisms applied where possible
- Knowledge of the consequences of bullying
- Strategies that children can use to deal with and avoid bullying situations

DEFINITIONS

Harassment

Harassment is unwelcome and unwanted conduct that discriminates against, humiliates, offends or intimidates another person, including bullying, belittling, threatening, victimising and abusive behaviour, and which is based on any of the discrimination factors including gender, race, disability and age.

1. *Sexual harassment* is any unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome, sexually-orientated behaviours. A person is taken to have sexually harassed another if they have made an unwelcome request for sexual favours or have engaged in other unwelcome conduct of a sexual nature; and

- the object of the advance has been disadvantaged in some manner regarding his/her employment or work; or
- the object of the advance believes that rejection or refusal of the advance/proposal/request/suggestion would disadvantage him/her in any way in connection with his/her employment or work

Sexual harassment can take many different forms and includes physical contact, verbal comments, jokes, propositions, the display of offensive material or other behaviour which creates a sexually hostile working environment. If the interaction is based on mutual attraction and is consensual, welcomed and reciprocated, it cannot be construed as sexual harassment.

2. *Racial harassment* is any threat, abuse, insult, taunt or other offensive behaviour directed at a person's race or characteristic that relates generally to their race, such as nationality, ethnic background, colour, language proficiency (or lack thereof) or physical feature(s). As is the case for sexual harassment, racial harassment applies to people who believe they have been disadvantaged in some way because they have made it clear that they objected to such behaviour or who reasonably held a belief that they might have been disadvantaged if they pursued this course of action.

3. *Disability harassment* is defined as discrimination or harassment against a person on the basis of one or more of the following characteristics:

- total or partial loss of the person's bodily or mental function
- total or partial loss of part of the body
- the presence in the body of organisms causing disease or illness
- the presence in the body of organisms capable of causing disease or illness
- the malfunction, malformation or disfigurement of a part of the person's body a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction
- a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgement or that results in disturbed behaviour and includes a disability that:
 - a) presently exists
 - b) previously existed but no longer exists
 - c) may exist in the future
 - d) is imputed to exist

All other forms of unwanted and unwelcome behaviour on grounds covered by anti-discrimination legislation are dealt with as unlawful discrimination.

Discrimination

Unlawful discrimination means treating one person less favourably than another, in the same or similar circumstances, on any of the grounds detailed in the *Equal Opportunity Act 1984 (WA)*. These include:

- disability
- race
- sex/gender
- pregnancy
- marital status
- political conviction
- impairment
- family responsibility or status
- age
- religion
- gender reassignment

Discrimination may be direct or indirect as follows:

- Direct discrimination occurs when a person receives less favourable treatment by comparison to another person in the same or similar circumstances as themselves on any of the grounds covered by anti-discrimination legislation. This includes discrimination that applies because of a characteristic that applies, or is assumed to apply, to the group to which that person belongs.
- Indirect discrimination occurs when any rule, policy or practice is implemented that is not reasonable in the circumstances and which may, in effect, have a negative impact on a particular person or group of people.

Catholic schools are exempt from the discrimination provisions in the context of the employment of a staff member as detailed under the *Equal Opportunity Act 1984* where such

discrimination occurs in good faith to avoid injury to the religious susceptibilities of adherents of that religion.

Victimisation

Victimisation, which is unlawful under State legislation, is defined as any unfavourable treatment or threat of unfavourable treatment of a person because they have made, intend to make or have been involved in levelling a complaint of harassment or discrimination against a colleague.

Bullying

St John's Primary School defines **bullying** as persistent teasing, name calling, physical contact, non-verbal harassment, exclusion or other intimidatory behaviour that distresses an individual and creates within that individual, the expectation of further harassment.

Characteristics of Bullying

Imbalance of power, either real or 'imagined'. Victims perceive the bully as invincible and they see themselves as helpless even though, in actual fact, they may not be. Bullying is an attitude rather than an act. Therefore, concentrating on the action without modifying the attitude may not eliminate future acts. Teachers and parents need to keep in mind that often, bullying is not readily observable.

Workplace Bullying

Due to the effect on the safety and health of employees and others at the workplace, bullying is unlawful under the *Occupational Safety and Health Act 1984* and where bullying involves assault or threat of assault, it may be referred to the police for investigation and resolution. Bullying is generally defined as the tormenting of others via verbal, electronic, physical or more subtle methods of coercion such as manipulation. It may include one or more behaviours over time and involve one or more recipients.

Workplace bullying is repeated unreasonable or inappropriate behaviour directed towards a worker, or group of workers, that creates a risk to health and safety. Workplace bullying also involves misuse of power, be it actual or perceived, and may include subtle or obvious behaviours.

There are two main types of workplace bullying:

- Overt bullying may include, but is not limited to:
 - the use of abusive, insulting or offensive language
 - behaviour or language that frightens, humiliates, belittles or degrades, including criticism, that is delivered via yells and screams
 - derogatory comments about a person's appearance, lifestyle or their family
 - teasing or repeatedly making a person the brunt of pranks or practical jokes
 - deliberate attempts to isolate a worker(s) from others
 - spreading destructive gossip and rumours about a person(s)
 - physical assault or threats

- b) Covert bullying may include, but is not limited to:
 - setting unreasonable timelines for task completion or constantly changing deadlines
 - constantly setting tasks that are below or beyond a person's skill level
 - ignoring or isolating a person
 - deliberately denying access to information, consultation or resources required for task completion

Behaviours Associated with Bullying

These include:

- *Verbal*
 - Humiliating put-downs which include name calling, criticisms, intimidatory threats to the victim
 - False accusations about others' behaviour
- *Physical*, eg. hitting, kicking, punching, poking or any *unwelcomed* physical contact.
- *Social*, eg. rumours, ignoring, ostracising (not including others), etc. Abusive emailing or texting and other social media also fits in this category.
- *Psychological*, eg. threatening by staring, stalking, taking personal possessions, notes, laughing at, or giving 'knowing' looks.
- Cyber- SMS, emails, chat rooms, Facebook, You-Tube, defamatory websites

Attitude and Bullying

Bullying is an attitude rather than an act. Therefore, concentrating on the ACTION without modifying the attitude may not eliminate future acts. Teachers and parents need to keep in mind that often, bullying is not readily observable.

Support Strategies

Taking a **Pro Active approach** to Bullying will involve a range of strategies and procedures. This may incorporate:

- Annual school visit by education counsellor to speak with gender specific age groups from Years 3-6 on what bullying is and how to respond appropriately
- Performances from dramatic arts groups with clearly articulated messages on what bullying is and what being a good friend is.
- Students and teachers devising class Y Charts on what bullying 'looks like, sounds like and feels like'
- Parent Talks organised for the community regarding resiliency in childhood and what bullying is.
- Teachers to plan for inclusion of what bullying consists of with students each term and share the process with principal at formal term meeting.
- Inclusion of fortnightly Social Skills for students introduced at Monday Prayer Assembly which support such aspects as: "how to be a good friend", "what to do in response to bullying behaviours"

In addition to our Religious Education Program and awareness strategies normally incorporated in the day-to-day classroom routine, the school may also utilise the following programs/resources to help students interact positively and develop positive self-esteem:

- **Highway Heroes**
- **You Can Do It and Bounce Back** programmes. Information to be available as a resource for teachers. These programs assist resiliency of students.
- **Teaching Resources** such as: "The Hidden Hurt", "Sticks and Stones" and "But Names Can Hurt Forever" video programs, "What If" (middle-upper) and "You Can Stop Bullying" (Yr K to Yr 4)
- Other commercial programs that may be of benefit to the students
- **Collaborative Learning Strategies**. Developing social skills and providing practise in positive feedback to others.
- **Buddy system** – This involves students from Year 5 being involved in partnering up with students in Pre-Primary during one recess period each week.
- **Staff Professional Development** in bullying programs where appropriate.

PRINCIPLES

St John's School has a legal and ethical responsibility to put in place procedures and processes that aim to create workplaces free from harassment.

Harassment is unlawful under Federal and State legislative provisions, not only during school hours or in the school grounds, but in any work-related context including conferences, work functions, school camps or field trips.

An employer may be held vicariously liable for conduct that constitutes harassment unless they can show that they have taken all reasonable steps to prevent inappropriate behaviour occurring and managed incidents promptly.

A school may be held vicariously liable for the conduct of:

- an individual staff member
- a group of staff members
- a student or group of students over the age of 16 (only relates to sexual harassment as per the *Australian Government Sex Discrimination Act 1984*)
- a student or group of students (only relates to workplace bullying or violence as per the *Occupational, Safety and Health Act 1984*)
- a visitor or group of visitors

The principal shall act in a timely manner upon being made aware of any instance of harassment.

Harassment constitutes misconduct which may result in disciplinary measures being initiated, including termination of employment.

The principles of natural justice shall be applied in all investigations of complaints of harassment. Therefore, all investigations shall be conducted in a fair, unbiased and transparent manner and all parties shall be kept fully informed of the progress of the investigation.

A concern or complaint that is determined to have been levelled with the intention of upsetting, annoying, undermining, slandering or to achieve retribution against others may be deemed malicious or vexatious and appropriate action taken.

Those in a supervisory/leadership role in the workplace have a legal right and responsibility to monitor workflow and to manage workplace behaviour and performance.

All staff have a responsibility to ensure that they do not promote or engage in behaviour that could constitute harassment and are encouraged to seek advice and report any incidents of such behaviour so that a process of resolution can be initiated.

All those involved in a situation of harassment share a responsibility to attempt to resolve issues in a non-adversarial manner.

Confidentiality is vital at all times when dealing with complaints of harassment.

PROCEDURES

St John's Harassment Officer – Gregory Goldie (2017)

development needs shall be considered by the employer for the officer(s) to carry out the duties of this role. The Contact Officer's training shall be updated on a regular basis, at least each four years. The identity of the Contact Officer(s) shall be notified to staff through the school's normal communication channels on at least an annual basis as well as being included in the school's policy.

Where a formal complaint of harassment is made against the principal, the Contact Officer shall refer the matter directly to the Executive Director of Catholic Education or the Congregational Leader/Governing Authority. The Executive Director of Catholic Education or the Congregational Leader/Governing Authority shall appoint an Investigating Officer to deal with the matter. If the Executive Director of Catholic Education receives a complaint against a principal of an order-accountable school then the Executive Director shall refer the matter to the Congregational Leader or Governing Authority.

Note: If the complaint is made to the principal then the principal shall refer the matter back to the Contact Officer.

Advice in relation to the handling of complaints can be sought from the Employment and Community Relations Team of the Catholic Education Office at any stage.

Should a formal complaint be made, the principal or delegate shall contact the Employment and Community Relations Team.

The procedures contained within the CECWA Harassment, Unlawful Discrimination, Victimisation and Bullying Procedures Manual shall be followed for complaints.

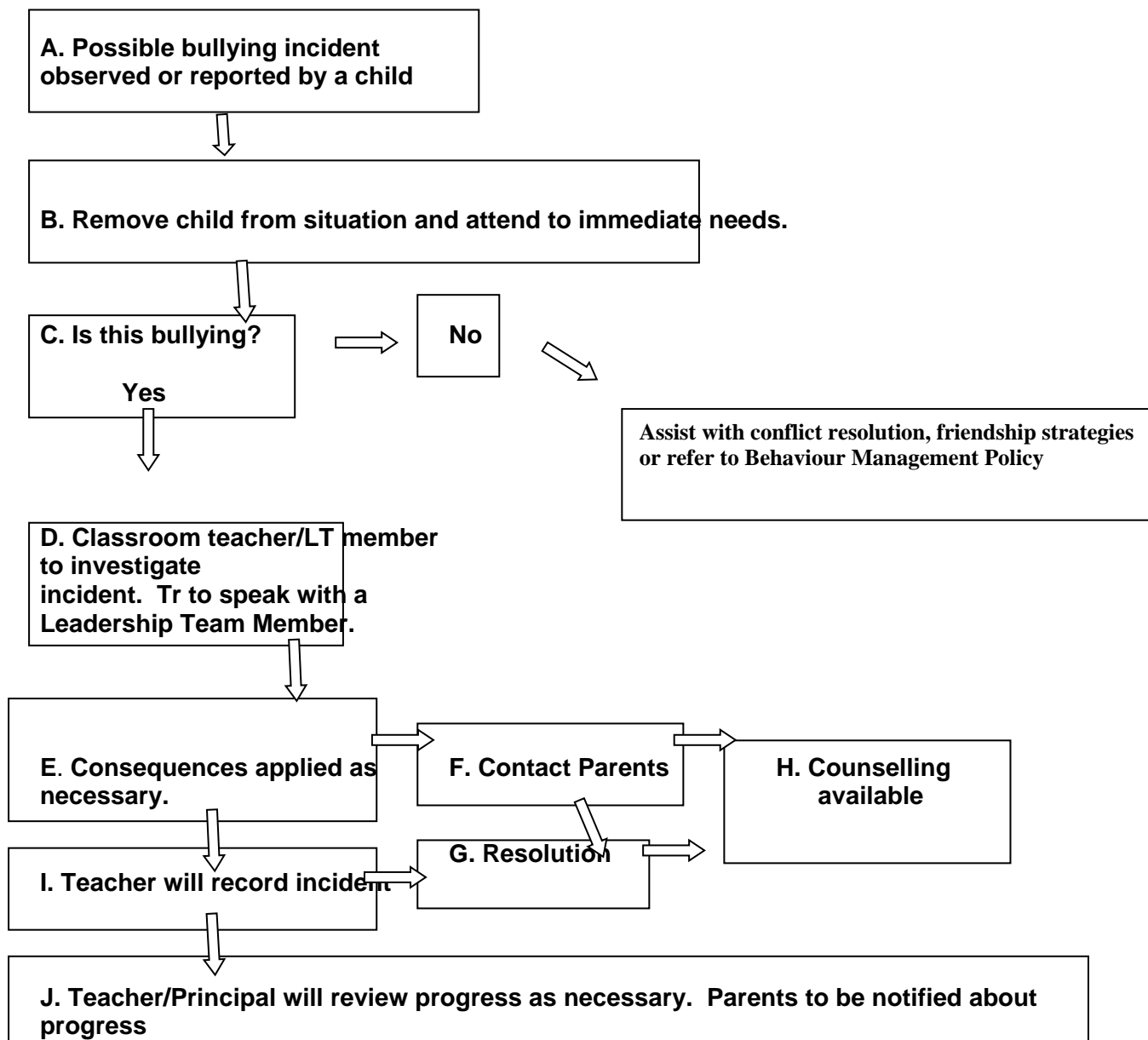
A staff member or student person who is found to have made a complaint on vexatious or malicious grounds shall have disciplinary action taken against them. A staff member will be subject to the CECWA policy statement 2-C8 Unsatisfactory Performance

SUGGESTIONS FOR IMPROVING CO-OPERATION AND RESOLVING BULLYING

- Read **Parent and Student Information Guide on Bullying** to the students. This sheet covers some important advice to students on what to do if they are being bullied. This sheet is attached to this policy.

Individual	Class	Whole School	Agencies
Meeting/talks with students, parents, victims	Class meeting, Community Circle	Social Skills	School Psychologist
Teacher, Social worker, student...	Role-Play		School Worker Social
	Group resolution strategies		

SCHOOL ACTION PLAN FLOW CHART



THE IMPORTANT ROLE OF PARENTS

All students have a right to attend St John's Primary School and feel safe!

Parents, you can help by:

- Showing interest in your child's school, social, sporting and cultural life.
- Having a warm, friendly home environment where your child is encouraged to bring friends home.
- Encouraging your child's self-esteem by saying and doing positive things, nurturing their positive qualities and valuing them for whom they are.
- Discussing the school's expectations about behaviour and how to best deal with bullying.
- Being observant and looking out for the tell-tale signs that something is wrong.
- Informing the school if you become aware of any bullying incident so it can be stopped.

TELL-TALE SIGNS OF BULLYING

- A sudden unwillingness to attend school.
- Declining academic performance.
- A decline or total loss of self-confidence.
- A lack or loss of interest in social events.

WHY A BULLYING POLICY?

All children should be able to feel safe and valued in our school community. Therefore, the teachers at St John's Primary have produced a Bullying Policy to ensure that proper standards of self-discipline are maintained. This policy is under review in 2015 and a copy is to be placed on the school website.

BULLYING IS SERIOUS

Bullying is not okay. It is not an accepted part of "Growing up". St John's does not tolerate bullying.

WHAT IS BULLYING?

St John's Primary School defines **bullying** as persistent teasing, name calling, physical contact, non-verbal harassment, exclusion or other intimidatory behaviour that distresses an individual and creates within that individual, the expectation of further harassment.

FORMS OF BULLYING

Bullying may take on many forms including:

- Making hurtful and racist comments.
- Commenting on social or family backgrounds.
- Referring to religious beliefs and practices.
- Picking on others.
- Unwanted touching, hitting, teasing, abusing and mocking.
- Spreading rumours.
- Attempting to intimidate, threaten or belittle.
- Deliberately ignoring and avoiding.
- Taking or damaging property.
- Sending hurtful notes.

SOME ADVICE FOR STUDENTS

WHAT TO DO IF YOU ARE BEING BULLIED

- First and foremost you should believe in yourself. You have the right to feel safe and valued.
- Try not to retaliate by becoming a physical or verbal bully yourself.
- You could try to ignore the bullying. If you show that you are not upset, the bully may stop.
- Try giving the person bullying you three warnings then see the teacher if he or she persists. If the “bully” knows the rules you are applying, he or she may stop upsetting you.
- There are many adults at school who want to help you too; perhaps you could talk to the duty teacher or classroom teacher, the Principal or the Assistant Principals. They can help you decide how to handle the situation or they can take action.
- Don't be afraid to talk about it with your friends or family.
- You could also talk to some of the older students at school, especially the Year 5 and 6 students. They can help you decide how to handle the situation.

IF YOU WITNESS A BULLYING INCIDENT

If you witness someone being bullied, we hope you care enough to want to help. We all need to work together if we are going to stop bullying in our school.

You should:

- Offer friendship and support to the victim, encouraging them to get help from a teacher, their family or the school principal.
- If possible, intervene while the bullying is happening by saying "leave him/her alone" or "cut it out" or “That’s not a fair way to treat him/her” or “would you like to be treated that way?”
- Report the incident to a teacher or parent as soon as you can. Don't be afraid to come forward as you can speak in privacy and your identity will be kept anonymous if you desire.

It is against the law to victimise witnesses or complainants.