

POLICY

BULLYING AND HARASSMENT – STUDENT



Scotch College is committed to providing all children and young people enrolled in or visiting the School with an environment free from bullying and harassment of any kind.

DEFINITION OF BULLYING

Bullying is any repeated unreasonable behaviour that creates a risk to a person's physical or mental health or safety. It can arise out of a course of conduct where any incident alone might appear to be insignificant, but put together the incidents establish an environment that is hostile to an individual, and a risk to the individual's health and safety.

Bullying can take many forms, including:

- Physical bullying (causing physical harm; e.g., punching, kicking, fighting, damaging property, invading someone's personal space)
- Verbal bullying (e.g., name-calling, teasing, spreading rumours, demeaning someone, swearing, using offensive language)
- Exclusion or social bullying (e.g., leaving a person or group out of social or group activities)
- Cyber bullying, when technology (e.g. electronic devices like mobile phones, social networking sites and email) is used to harass, threaten, embarrass, or target another person
- Sexting, when sending sexually explicit messages or photographs via electronic devices may lead to public humiliation
- Victimisation (e.g., standover tactics, extortion, picking on others and repeated exclusion)
- Racial bullying (e.g., bullying which targets a person's race or religion)
- Sexual bullying (e.g., touching or brushing up against another person in a sexual manner, using rude names, or commenting inappropriately about someone's sexuality or morals)
- Continually overloading a child or a young person with work, setting timelines that are very difficult to achieve, setting tasks that are beyond the child's or young person's ability.

There are also many distressing behaviours that are not regarded as bullying, even though they are unpleasant and often require intervention and management. These can include:

- mutual conflict
- social rejection
- single-episode acts of nastiness or meanness
- random acts of aggression and intimidation

Although these behaviours may not be regarded as bullying, the School will not ignore or condone single episodes of nastiness or physical aggression.

Serious bullying is a criminal offence by extending the application of the Crimes Act 1958 to include behaviour that includes serious bullying (Brodie's Law).

DEFINITIONS OF HARASSMENT AND SEXUAL HARASSMENT

Harassment

Harassment is any type of conduct or behaviour towards another person which is offensive, humiliating, demeaning, derogatory or intimidating. Harassment can be verbal, physical, written or visual.

Harassment can take many forms, including:

- making offensive comments, or jokes, about a person's religion, physical appearance, dress or private life

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- asking intrusive questions of a racial, religious or physical nature, or in relation to a disability
- using technology to post inappropriate comments about a person's religion, physical appearance, dress or private life.

Sexual Harassment

Sexual harassment is an unwelcome sexual advance, request for sexual favours, or unwelcome conduct of a sexual nature, which a reasonable person would find offensive, humiliating or intimidating.

Sexual harassment can take many forms including:

- direct propositioning or subtle pressure for sexual favours
- leering, patting, pinching, touching or unnecessary familiarity
- making comments or gestures of a sexual nature
- spreading rumours of a sexual nature about a person
- indecent exposure or sexual assault.

The sexual harassment of students and staff of schools is unlawful under the Federal Sex Discrimination Act, 1984.

The Act explicitly prohibits the following forms of sexual harassment, if it occurs in connection with the harasser being an adult student or staff member of Scotch:

- The sexual harassment of any student or prospective student by a member of staff
- The sexual harassment of any student or staff member by an adult student (i.e., a student who has attained the age of 16 years)
- The sexual harassment of students from other schools by any Scotch College staff member
- The sexual harassment by an adult student from Scotch College of students or staff from other schools.

WHAT TO DO IF YOU ARE BULLIED OR HARASSED

Bullying and harassment are unacceptable, and contrary to the values, aims and expectations of Scotch College. They will not be tolerated.

Any child or young person, enrolled in or visiting the School has the right to seek assistance if they feel threatened with bullying or harassing behaviour.

The child or young person affected and/or their parents(s) should inform a member of staff of the situation. Support, information and advice can be obtained from the following:

- For Senior School students – the Principal, Vice-Principal, Head of School, Head of House, Form Teacher, Chaplains, School Psychologists
- For Junior School students – the Head of Junior School, Deputy Head of Junior School, Educational Support Director, Year Level Coordinator, Teacher-in-Charge of Religious Education/Pastoral Care
- For Boarding House students – the Head of Boarding House, Dean of Boarding, Chaplains, Principal, Vice-Principal, Head of School, Head of House, Form Teacher, School Psychologists
- For visiting students – their supervising teacher, the Vice-Principal.

If the child or young person, enrolled in or visiting the School does not feel comfortable talking to anyone they know, outside agencies such as Kids Helpline (tel: 1800 55 1800; website (www.kidshelp.com.au) or 'stompoutbullying' (www.stompoutbullying.org) (www.reachout.com) or (www.eheadspace.org.au) might be of use. Phones at School can be used for this purpose.

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WHAT TO DO IF YOU WITNESS OR BECOME AWARE OF BULLYING OR HARASSMENT

If you are a bystander (a person observing or becoming aware of the behaviour considered to be bullying or harassment, or likely to develop into bullying or harassment) you can defuse stimulus and lessen the likelihood of bullying or harassment. As a bystander you are encouraged to:

- indicate to the 'bully' that you feel the behaviour is bullying, and as such, inappropriate, and that if the behaviour does not stop, you will take action by talking to an appropriate member of the School community
- inform an appropriate member of the School community of the bullying behaviour or harassment, so that appropriate action can be taken.

SCOTCH COLLEGE PROCESS

All employees of Scotch College have a duty to ensure that any bullying or harassment brought to their attention or personally witnessed is addressed as soon as possible. The School will treat any report of bullying or harassment confidentially, seriously and sympathetically. It will follow up any complaint impartially, promptly and confidentially.

If the report is verified, the School will view the matter seriously and will take appropriate action. Actions the School takes will depend on the nature and severity of the bullying or harassment, and may include:

- dealing with the situation informally through a 'no blame' or 'shared concern' approach
- mediation
- counselling
- dealing with the situation through restorative practices
- taking disciplinary action, such as issuing a demerit, detention, suspension or expulsion against the bully or harasser.

Bullying and harassment, and in particular cyber bullying and sexting, may also amount to criminal behaviour in breach of legislation; e.g. assault, unlawful threats or stalking.

The School will continue to review the resolutions and the wellbeing of the complainant and the alleged bully or harasser for a period, to ensure the actions taken have been effective in stopping the bullying or harassment.