

Bullying, Discrimination and Harassment Prevention Policy

Section 1 - Purpose

(1) This policy sets out Charles Sturt University's commitment to the prevention of bullying, discrimination, harassment, victimisation and vilification. It also provides processes for reporting and the responsibilities of staff and students in relation to these behaviours and types of conduct where they arise.

Scope

(2) This applies to staff, students and visitors of Charles Sturt University (the University), and to behaviour and conduct:

- a. on-campus, including outside of normal working hours
- b. while undertaking University-related activities away from campus (including University travel and work placements)
- c. at University-related events (e.g. conferences and social functions)
- d. while using University IT systems
- e. on social media
- f. outside of work hours or teaching sessions, if interactions are between University employees or students, including interactions through social media.

Section 2 - Policy

Statement of commitment

(3) The University aims to provide a learning and employment environment that is free of bullying, discrimination, harassment, victimisation and vilification for all students, employees and visitors.

(4) The University has zero tolerance for bullying, discrimination, harassment, victimisation and vilification and will take whatever action it considers appropriate if there has been or appears to have been such behaviour.

(5) Incidents of bullying, discrimination, harassment, victimisation and vilification will be treated seriously and:

- a. complaints will be dealt with promptly and in accordance with principles of natural justice
- b. confidentiality will be maintained within the procedures for resolving complaints
- c. disciplinary procedures may be invoked in the case of serious or persistent bullying, discrimination, harassment, victimisation and vilification
- d. victimisation or detrimental action against a person in reprisal for reporting, making a complaint or being a University witness in a proceeding will not be tolerated.

Addressing or reporting bullying, discrimination, harassment, etc.

(6) Part A of the [Bullying, Discrimination and Harassment Prevention Procedure](#) sets out options available to students, staff and visitors for reporting, investigating and resolving complaints of bullying, discrimination, harassment, victimisation and vilification.

(7) Reports will generally be addressed in accordance with the [Complaints Management Policy](#), either through an informal process (such as that described in the [Complaints Procedure - Workplace](#)) or the formal process described in the [Complaints Management Procedure](#).

(8) Any form of bullying, discrimination, harassment, victimisation or vilification that is determined to constitute misconduct or serious misconduct will lead to disciplinary action and penalties under the [Enterprise Agreement](#), employment contract or [Student Misconduct Rule 2020](#).

Responsibilities

(9) Staff and students are expected to maintain appropriate standards of behaviour as set out in the [Code of Conduct](#) (for staff), [Student Charter](#) (for students) and [University Values](#), and to respect the rights and differences of others.

(10) Managers and supervisors have a responsibility to:

- a. become familiar with this policy and the [Complaints Management Policy](#) and their role in resolving complaints
- b. make sure that the staff and students they supervise understand that bullying, discrimination, harassment, victimisation and vilification will not be tolerated
- c. ensure that acceptable standards of conduct are observed at all times in teaching or workspaces
- d. take early corrective action to deal with behaviour that may be offensive or intimidating, even if a complaint has not been made
- e. ensure that all complaints of harassment or bullying are dealt with promptly, fairly, sensitively and in accordance with University procedures
- f. provide appropriate support and/or referral for support and advice
- g. seek advice from the Division of People and Culture, Equity and Diversity team, senior Division of Safety, Security and Wellbeing staff or the University Ombudsman where necessary, in relation to any complaints of harassment, bullying or discrimination they receive
- h. take steps to prevent victimisation and respond quickly to any complaints of victimisation which follow a complaint of harassment, bullying or discrimination.

Behaviours that are not considered bullying, discrimination, harassment, etc.

(11) The University does not regard the following behaviours as bullying, discrimination, harassment, victimisation or vilification:

- a. The expression of ideas or opinions by University staff, students or visitors, consistent with the University's [Statement on Academic Freedom and Freedom of Speech](#), notwithstanding that these may be offensive or confronting to others.
- b. Low-level conflict that is not sufficient to constitute bullying. This may arise as a consequence of differences of opinion, conflicts or low-level interpersonal conflicts or disagreements or problems in work/study relationships (provided that low-level conflicts should not be ignored and should be resolved, if possible, in an informal manner).
- c. Reasonable management practices and the legitimate exercise of managerial, supervisory or teaching authority, such as those described in the [Bullying, Harassment and Discrimination Prevention Procedure](#).

(12) For the avoidance of doubt, any difference of opinion, conflict, disagreement or problem in work/study relationships that gives rise to a risk to health and safety and/or which prejudices the ability of the University to foster the wellbeing of students and staff will not be considered a low-level conflict and may constitute bullying or harassment.

Section 3 - Procedures

(13) The [Bullying, Discrimination and Harassment Prevention Procedure](#) supports this policy.

Section 4 - Guidelines

(14) Nil.

Section 5 - Glossary

(15) For the purpose of this policy, the following definitions have been adapted from those used by the Australian Human Rights Commission. See also the [Bullying, Discrimination and Harassment Prevention Procedure](#) for further examples of the behaviour or conduct.

- a. Bullying - means repeated, unreasonable behaviour directed towards a person or a group to cause distress or a risk to their wellbeing.
- b. Discrimination - means treating one person or group less favourably than another, or causing them disadvantage, in circumstances prohibited by law.
- c. Harassment - means unwelcome behaviour that makes a person feel offended, belittled, intimidated or apprehensive, and that a reasonable person, taking into account all the circumstances, would expect to cause offence, intimidation or apprehension.
- d. Victimisation - means treating a person unfavourably or subjecting them to some detriment, because of their involvement in a complaint or report, or being a University witness in a proceeding under this or other policies.
- e. Vilification - means a public act that could incite or encourage hatred, severe ridicule or serious contempt for a person or group of people because of characteristics such as their race, gender identity, sexuality, religion or infectious disease status.

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