

Harassment and Bullying Prevention Policy - Ontario

Section 1 - Purpose

(1) The purpose of this Policy is to set out Charles Sturt University's commitment to preventing harassment and bullying, the responsibilities of staff and students, and university sanctions against behaviour that constitutes harassment or bullying.

(2) This Policy has been adapted to meet the requirements of Ontario human rights and occupational health and safety legislation.

Scope

(3) This Policy covers staff and students of Charles Sturt University in Ontario, visitors to the Ontario campus and contractors working on campus. It also applies to events that occur off campus that are associated with the University related activities.

Section 2 - Glossary

(4) For the purpose of this Policy:

- a. Harassment - refers to unwelcome behaviour that:
 - i. makes a person feel offended, belittled, intimidated or apprehensive; and that
 - ii. a reasonable person, taking into account all the circumstances, would expect to cause offence, intimidation or apprehension.
 - iii. The Occupational Health and Safety Act (Ontario) defines workplace harassment as 'engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.'
 - iv. Under the Ontario Human Rights Code , harassment on any of the following grounds is deemed to constitute discrimination:
 - Race
 - Ancestry
 - Place of origin
 - Colour
 - Ethnic origin
 - Citizenship
 - Creed (religion)
 - Sex (including pregnancy, breastfeeding and gender identity)
 - Sexual orientation
 - Disability
 - Age
 - Marital status (including same sex partners)

- Family status (such as being in a parent-child relationship)
- Record of offences
- Association or relationship with a person identified by one of the above grounds;

v. In addition, sexual harassment is specifically proscribed.

- b. Bullying - can be described as unreasonable behaviour that intimidates, demeans or humiliates a person, putting their health, safety or welfare (including psychological welfare) at risk.
- c. Victimisation - refers to unfavourable treatment of a person because of their involvement in a complaint made under the the University's grievance procedures or to an external body.

Section 3 - Responsibilities

(5) Staff and students are expected to maintain appropriate standards of behaviour and to respect the rights and differences of others.

(6) Staff and students are responsible for the accuracy of any complaints they may lodge. Vexatious complaints are viewed seriously by the the University and may lead to disciplinary action being taken against the complainant.

(7) Managers and supervisors have a responsibility to:

- a. become familiar with the Harassment and Bullying Prevention Policy;
- b. become familiar with the Complaints Policy and their role in resolving complaints;
- c. make sure that the staff and students they supervise understand that harassment and bullying will not be tolerated;
- d. ensure that acceptable standards of conduct are observed at all times in the classroom or workplace;
- e. take early corrective action to deal with behaviour that may be offensive or intimidating, even if a complaint has not been made;
- f. ensure that all complaints of harassment or bullying are dealt with promptly, fairly, sensitively and in accordance with the University procedures;
- g. provide appropriate support and/or referral for support and advice;
- h. seek advice from the Division of Human Resources or University Ombudsman where necessary, in relation to any complaints of harassment or bullying they receive; and
- i. take steps to prevent victimisation and respond quickly to any complaints of victimisation which follow a complaint of harassment or bullying.

Section 4 - Statement of Commitment

(8) Charles Sturt University aims to provide a learning and employment environment that is free of harassment and supports the dignity and self esteem of every student and employee.

(9) Harassment of staff, students or members of the public, on campus or in circumstances associated with the University related activities, is unacceptable and contrary to the educational and employment policies of the the University.

(10) Incidents of harassment and bullying will be treated seriously and the following will apply:

- 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 harassment or bullying; and

- d. victimisation as a result of a complaint will not be tolerated.

(11) The the University will ensure that both staff and students are informed of this Policy and managers and other supervisory staff are aware of their responsibilities in accordance with this Policy.

Section 5 - the University Sanctions Applying to Harassment and Bullying

(12) Any form of harassment (including bullying) may constitute misconduct or serious misconduct and lead to disciplinary action under the relevant industrial instrument or Student General Misconduct Rule .

(13) While the emphasis is generally on informal resolution of harassment complaints, more formal action by the the University may be appropriate in instances where, for example:

- a. there are repeated offences;
- b. the alleged behaviour constitutes serious misconduct;
- c. the complaint has been made in bad faith; or
- d. the complainant has been victimised subsequent to a complaint being made.

(14) Penalties for breaches of this Policy may include:

- a. for staff - a directed apology, formal censure, counselling, demotion or dismissal;
- b. for students - a formal reprimand, fine, suspension or expulsion.

Status and Details

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Unit Head	Malcolm Wilson Director, Workplace Relations and Policy +61 2 63384632
Author	Sarah McCormick Manager, Diversity and Equity
Enquiries Contact	Craig Hinley Manager, Diversity and Equity +61 2 63384555