

Bullying and Harassment Policy



Institute of Health &
Management Pty. Ltd.

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SECTION 1

Purpose

1. This policy describes the Institute of Health & Management's (IHM's) principles in providing a positive, safe, and supportive study and work environment for students, staff, and visitors and reducing and eliminating bullying and harassment.
2. This Policy sets out the Institute's principles and commitment to preventing and responding to incidents of bullying or harassment.

Scope

3. This policy applies to all IHM staff, students, contractors, business partners, interns, volunteers and visitors participating in online, on-campus and offshore activities.
4. This policy applies to any conduct is connected to the IHM, including that:
 - a) Occurs on, or in connection to, IHM's property, managed or occupied by IHM.
 - b) Takes place at or in connection to any IHM related function, conference or event.
 - c) Involves any form of contact or communication, whether initiated in person, by phone, fax, cameras, social networking or media, email, SMS communication or any other means.
 - d) Occurs in connection with the employment or enrolment status of a student or staff member.

Definitions

5. The following definitions have their meaning as spelt out below:
 - a) **Bullying** - as defined by the Occupational Health, Safety and Welfare Act 1986, is behaviour that is directed towards a person or a group of persons, that is repeated and systematic, and that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten personnel to whom the behaviour is directed, creating a risk to health or safety.
 - b) **Occupational violence** - any incident where personnel is physically attacked or threatened in the workplace.
 - c) **Offensive** - means any conduct or language which a reasonable person would regard as insulting or humiliating in the circumstances.
 - d) **Sexual Harassment** is defined as:
 - a. making an unwelcome sexual advance, or an unwelcome request for sexual favours, to another person; or
 - b. engaging in other unwelcome conduct of a sexual nature in relation to another person (including making a statement of a sexual nature to, about or, in the presence of another person).
 - e) **Victimisation** - refers to unfavourable treatment of a person because of their involvement in a complaint made under the Institute's grievance procedures or to an external body.
 - f) **Vilification** - is publicly encouraging or inciting hatred, ill-feeling or severe contempt for someone or a group of people on the basis of race and certain other personal characteristics.

Suite documents

6. This Policy is linked to the following procedures:
 - a) Bullying and Harassment Procedure
 - b) See also the associated information listed in the 'Related Internal Documents' in Section 3 below.

SECTION 2

Policy

7. **Responsibility**
 - a) The Work Health and Safety Act 2011 imposes an obligation on all employees, students, contractors and visitors (including workers as defined in the relevant work health and safety legislation) to take reasonable care for their own health and safety, and to take reasonable care that their acts or omissions do not adversely affect the health and safety of others, including through incidents of harassment, bullying and unlawful discrimination.
 - b) Staff and students are expected to maintain appropriate standards of behaviour and to respect the rights and differences of others.
 - c) Staff and students are responsible for the accuracy of any complaints they may lodge. Vexatious complaints are viewed seriously by the Institute and may lead to disciplinary action being taken against the complainant.
 - d) Managers and supervisors have a responsibility to:
 - a. Become familiar with the Bullying and Harassment Policy and Procedure.
 - b. Become familiar with the Complaints and Appeals Policy and Procedure 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 IHM's procedures.
 - g. Provide appropriate support and/or referral for support and advice.
 - h. Take steps to prevent victimisation and respond quickly to any complaints of victimisation which follow a complaint of harassment or bullying.
8. **Principles**
Institute of Health & Management
 - a) Is committed to providing an environment where staff and students are able to work and study free from unlawful discrimination, bullying and/or harassment.
 - b) Expects members of the staff and student community to act to create a fair, inclusive and safe environment, where diversity is valued and unlawful discrimination, bullying, and/or harassment in any form are considered unacceptable.
Expects members of the staff and student community to behave in a reasonable and respectful

manner, and to refrain from and actively prevent (as much as is safe and reasonable) any unlawful discrimination, bullying and/or harassment.

- c) Will not tolerate any form of unlawful discrimination, bullying and/or harassment.
- d) Encourages all members of the staff and student community who feel they have experienced unlawful discrimination, bullying and/or harassment at the Institute to raise their concerns to an appropriate authority within the Institute.
- e) Will assist those affected by unlawful discrimination, bullying and/or harassment and take all reasonable steps to protect them from any further incidents.
- f) Will support and keep informed all parties affected by matters raised about unlawful discrimination, bullying and/or harassment.
- g) Will take seriously and deal promptly and effectively with matters raised of unlawful discrimination, bullying and/or harassment from staff and students.
- h) Will not tolerate the victimisation of a person for raising or being associated with a matter of unlawful discrimination, bullying and/or harassment.
- i) Will treat vexatious or malicious claims seriously and may refer these for disciplinary action.
- j) Will provide professional development and educative strategies across the staff and student community to ensure that members are aware of their rights and responsibilities in relation to the prevention of and effective response to unlawful discrimination, bullying and/or harassment.

9. Education and Training

- a) IHM safeguards individuals from bullying, harassment and discrimination by educating, informing, and training all the stakeholder to:
 - a. Assess the risk of harm and implement preventative measures.
 - b. Articulate and demonstrate clear and uncompromising standards of respectful behaviour.
 - c. Address underlying disrespectful attitudes and behaviours.
 - d. Be able to define and recognise bullying, discrimination, harassment and Assault.
 - e. Respond appropriately to incidents of bullying and harassment.
 - f. Collaborate and consult with skilled external agencies.
- b) IHM provides education of this Policy through its Student Orientation and Staff Induction processes.

10. Response to incidents

- a) Any form of harassment (including bullying) may constitute serious misconduct and lead to disciplinary action under the Student Misconduct Policy and Staff Business Code of Conduct.
- b) While the emphasis is generally on informal resolution of harassment complaints, more formal action by the Institute 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.
- c) 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.

11. Disclosure, Reporting and Monitoring

- a) Individuals who have directly experienced bullying, harassment or discrimination on the Institute's premises involving IHM staff or students have the right to decide what information they disclose.
- b) A process of information and support will be commenced once a student or staff made a disclosure.
- c) IHM encourages individuals to report any such incident to Student Support Services or Human Resource department, as applicable.
- d) An internal investigation may be initiated as required if the incident was reported by the victim or witness.
- e) Reports can also be filed by individuals who have heard about, or witnessed, such an incident occurring. Such reports must not identify the people involved without their consent.
- f) A Student Services staff member or other staff can direct the victim or witness to fill in the report form on behalf of a student, allowing the student to choose to be named or remain anonymous.
- g) A Complaints Form is used to report bullying or harassment incidents and a detailed report is prepared as soon as possible, in minimal time, depending on a range of factors.

SECTION 3

Associated information

Related Internal Documents	Bullying and Harassment Procedure Business Code of Conduct for Staff Critical Incident Response Policy Critical Incident Response Procedure Sexual Assault and Sexual Harassment Policy Sexual Assault and Sexual Harassment Procedure Student Code of Conduct Student Code of Conduct Implementation Guidelines Student Complaints and Appeals Policy Student Complaints and Appeals Procedure
Related Legislation, Standards, and Codes	Fairwork Ombudsman, Government of Australia – Fairworks Act- 2009 Safe Work Australia- Guide for preventing workplace bullying Preventing Workplace Violence and aggression Australian Human Rights Commission- Ending workplace sexual harassment: A resource for small, medium and large employers Worksafe Victoria- Guides for Employers TEQSA - Guidance notes Universities Australia- Guidelines for University Responses To Sexual Assault And Sexual Harassment
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