

## **Bullying Prevention and Management Policy**

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### **1. Purpose**

This policy affirms Flinders University's commitment to creating a work and study environment that values respect for all people and works to address and eliminate bullying behaviours.

### **2. Scope**

This policy applies to all members of the [University community](#), when they are engaged in [work- or study-related activities](#), at any location or online, including social activities occurring on campus. This policy also applies to all activities and actions taking place within, or related to, student accommodation owned or managed by Flinders University.

### **3. Policy statement**

Flinders does not tolerate any form of bullying by, or of, any member of the University community.

#### **3.1. What is bullying?**

- a. Bullying is repeated unreasonable behaviour directed at a person, or group of people, that creates a risk to health and safety.
- b. Bullying can include:
  - i. actions of an individual or a group, and may involve the individual inappropriately asserting power
  - ii. behaviour by physical, verbal, written, and online means.
- c. The making of vexatious or frivolous complaints directed at an individual may also constitute bullying.
- d. Bullying can also be discrimination and sexual harassment. However, not all bullying is discriminatory or sexual in nature.
- e. Bullying may be intentional or unintentional. However, behaviour will only be found to be bullying if it satisfies all the elements in s.3.1.a.

## 3.2. What does not constitute bullying

Not all actions that others may find annoying or unpleasant is bullying. For example, bullying is not:

- a. a single incident of unreasonable behaviour (however, a single incident of unreasonable or disrespectful behaviour may still constitute misconduct that is inconsistent with the values of the University and can still be addressed as a disciplinary issue)
- b. disagreements, when appropriately expressed, between members of the University community
- c. management or supervisory actions carried out in a reasonable manner (for example, critique of work or performance discussions, including performance management undertaken in accordance with relevant University policies and procedures)
- d. normal educative practices, such as requiring appropriate communications within tutorials or providing appropriately phrased critiques of student work
- e. group dynamics within group assessment tasks, even where one person may dominate discussions or fail to complete their portion of the work (however, these issues should still be raised with the relevant teaching staff member)
- f. invoking misconduct procedures or investigating complaints made against staff or students
- g. assessing student work fairly, even where this results in a fail grade, or
- h. applying student progress or academic integrity procedures or enforcing assessment due dates.

## 3.3. Addressing bullying

- a. Anyone who has been subject to behaviour that they believe may constitute bullying is encouraged to seek advice and support from the University. Students can seek assistance from the Student Equal Opportunity Advisors, while staff are encouraged to access the Equal Opportunity Contact Officer network.
- b. Where a matter cannot be managed via appropriate and relevant early action, a person may make a complaint of bullying in accordance with s.4 below.
- c. Anyone who has witnessed bullying behaviour is also encouraged to report this behaviour a staff member (a supervisor, in the case of staff).
- d. If reasonable to do so, before making a complaint staff and students are encouraged to take appropriate and relevant action to address bullying early:
  - i. for their own well-being and the well-being of those around them
  - ii. to prevent an escalation of the situation, and
  - iii. to facilitate a positive resolution.

Actions that are appropriate and relevant will differ according to the situation, the context, and the people involved. The [Bullying Prevention and Management Guidelines](#) offer more explanation and guidance in this area.

## 4. Complaints

- a. Complaints about any breaches of this policy may be made in accordance with the:
  - i. [Student Complaints Policy](#) and supporting procedures (if the complainant is a student)
  - ii. [Staff Grievances](#) provisions in the University's Enterprise Agreement and associated policy and procedures (if the complainant is an employee).
- b. Flinders will not tolerate the victimisation of people making complaints, or people who provide reports of behaviour they have witnessed. They must not suffer adverse consequences or reprisals from the University or any of its staff or students as the result of making a complaint. However, the making of frivolous or vexatious complaints may itself be bullying or misconduct, and may be treated accordingly.

## 5. Responsibilities

<p><b>The University</b></p>	<ul style="list-style-type: none"> <li>a. Provide a safe environment for work and study, which includes an environment free of bullying</li> <li>b. Act to investigate and address any incidents of bullying, as the case may reasonably require, that come to its attention, and</li> <li>c. Ensure that those in managerial, supervisory or teaching roles make themselves aware of the potential for bullying to occur and to put controls in place to prevent it.</li> </ul>
<p><b>All members of the <a href="#">University community</a></b></p>	<ul style="list-style-type: none"> <li>d. Respect the rights and welfare of other members of the University community</li> <li>e. Support the freedom of others to pursue their work- and study-related activities</li> <li>f. Comply with this policy</li> <li>g. Behave in an appropriate manner at all times</li> <li>h. Promote a climate of mutual respect</li> <li>i. Promptly report any bullying experienced or witnessed within the University, and</li> <li>j. Maintain appropriate confidentiality concerning any complaint or investigation.</li> </ul>
<p><b>Supervisors / Managers</b></p>	<p>In addition to the responsibilities of all members of the University community:</p> <ul style="list-style-type: none"> <li>k. Assess and monitor the work environment to ensure that bullying risk factors that may exist are appropriately managed and do not lead to bullying behaviours</li> <li>l. Refer staff members who have concerns about bullying to the Manager, Equal Opportunity and Diversity, or Contact Officers for advice</li> <li>m. On the advice of the Manager, Equal Opportunity and Diversity or People and Culture Business Partners, provide information about appropriate and relevant actions, and initiate appropriate and relevant action as necessary.</li> </ul>
<p><b>Topic Coordinators</b></p>	<ul style="list-style-type: none"> <li>n. Assess and monitor the study environment to ensure that bullying risk factors that may exist are appropriately managed and do not lead to bullying behaviours</li> <li>o. Refer students who have concerns about bullying to the Student Equal Opportunity Advisors for advice</li> <li>p. Provide information about appropriate and relevant actions, and initiate appropriate and relevant action as necessary.</li> </ul>
<p><b>Teaching Staff</b></p>	<ul style="list-style-type: none"> <li>q. Assess and monitor the study environment to ensure that bullying risk factors that may exist are appropriately managed and do not lead to bullying behaviours</li> <li>r. Refer students who have concerns about bullying to the Student Equal Opportunity Advisors for advice</li> </ul>

<b>People and Culture Business Partners</b>	<p>s. Provide advice and support to managers and supervisors where complaints of bullying have been made</p> <p>t. Initiate appropriate and relevant action as necessary</p> <p>u. Where a formal staff complaint is made, manage the complaint on behalf of the University.</p>
<b>Manager, Equal Opportunity and Diversity</b>	<p>v. Provide advice and support to supervisors / managers who are addressing bullying situations.</p>
<b>Student Equal Opportunity Advisors</b>	<p>w. Provide information and advice about options for students who feel they have been bullied.</p>
<b>Equal Opportunity Contact Officers</b>	<p>x. Provide information and advice about options for individuals who feel they have been bullied.</p>

## 6. Authorities

<b>Director, People and Culture</b>	Approve Bullying Prevention and Management Guidelines to support this policy.
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## 7. Definitions

<b>University community</b>	<p>For the purposes of this policy, University community includes:</p> <ul style="list-style-type: none"> <li>• enrolled Flinders students, including cross-institutional students and students on exchange from another institution</li> <li>• employees and exchange staff</li> <li>• employees of controlled entities, Centres and Institutes, and affiliated clubs and associations</li> <li>• contractors and consultants performing work on University sites or on behalf of the University</li> <li>• visiting academics or persons with academic status</li> <li>• the Council and its committees</li> <li>• any volunteer in the workplace and study environment.</li> </ul>
<b>Work- and study-related activities</b>	<p>Work- and study-related activities are any activities that relate to a person's employment / work commitment, involvement with or status as a student, or other connection with the University. This includes activities that take place away from University sites, such as field trips, conferences, Work-Integrated Learning placements, work experience placements, work-related social events and email, online and social media activities.</p>

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## 8. Supporting procedures and guidelines

Supporting procedures and guidelines are part of this policy and provide additional detail to give practical effect to the policy principles.

[Bullying Prevention and Management Guidelines](#)

Related policies / procedures:

[Student Complaints Policy](#)

[Staff Grievances](#) provisions in the University's Enterprise Agreement and associated policy and procedures

## 9. Legislation

This policy complies with the requirements of the following legislation:

- Equal Opportunity Act 1984 (SA)
- Fair Work Act 2009 (Cth)
- Work Health and Safety Act 2012 (SA)

Where staff or students are located outside South Australia, this policy will apply to the extent that it is compliant with the relevant laws of that jurisdiction, and otherwise the relevant laws of that jurisdiction will apply where necessary.

<b>Approval Authority</b>	Vice-President (Corporate Services)
<b>Responsible Officer</b>	Director, People and Culture
<b>Approval Date</b>	2 July 2019
<b>Effective Date</b>	2 July 2019
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\* Unless otherwise indicated, this procedure will still apply beyond the review date.

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