



Cairnmillar
INSTITUTE

Treatment | Education | Research

Discrimination, Bullying, and Harassment Policy

Policy Name	Discrimination, Bullying, and Harassment Policy
Policy number	FSP002
Date approved	28 June 2021
Approving body	Cairnmillar Institute Council
Responsible officer	CEO
Implementation officer	Director of Finance, Director of Clinical Services, Dean, General Manager
Next review date	5 years from approval date
Linked policies	<ul style="list-style-type: none"> SSP007 Grievance policy
Linked forms and documents	

1. Purpose of this policy

This policy outlines Cairnmillar Institute's policy (the Institute) policy to promote a safe, harmonious, discrimination/bullying/harassment-free environment for all employees, clients and students.

2. Scope

The policy applies to:

- a) Employees or prospective employees
- b) Contractors employed by the Institute and their employees
- c) Members of associate organisations and qualifying bodies
- d) Students, prospective students, clients, and customers of the Faculty
- e) Visitors to the Institute or individuals engaged in an official/formal relationship with the Institute

3. Policy

The Institute will uphold its core values and commitment to an environment free from discrimination, bullying and harassment. Forms of behaviour which may initially appear mild or trivial may constitute as discrimination, bullying or harassment, particularly where there is a relationship of power or formal inequality of personal status between individuals

The Institute regards the following behaviours as workplace discrimination, harassment and bullying:

3.1 Discrimination:

- Constant and unjust criticism
- Unjustified threats of dismissal or other punishment
- Unfairly giving a person the most unpleasant and menial tasks in comparison to co-workers
- Using sarcasm, insults and criticism in front of clients, the public or co-workers to humiliate a co-worker
- Unjustified denial of training and advancement opportunities
- Unjustified nit-picking and checking a person's work
- Deliberately withholding information that is important to the person's capacity to perform his/her work

- Unfairly overloading a person and not allowing them sufficient time to complete the task(s)
- Intentionally excluding a person from social events or social groups within the workplace
- Spreading gossip or false rumours.
- Unjust or prejudicial treatment of different categories of people, especially on the grounds of race, age, religion or gender

3.2 Harassment:

- Sexual propositions or persistent requests for dates
- Making promises or threats in return for sexual favours
- Sexual jokes, offensive telephone calls and e-mail messages, displays of obscene or pornographic photographs, pictures, posters, screen savers and internet sites, reading materials or objects
- Physical contact such as patting, pinching, fiddling with a person's clothing or touching in a sexual way, familiarity such as brushing against a person or putting an arm around another person's body
- Unwelcome or improper remarks or insinuations about a person's sex life or private life
- Suggestive comments about a person's appearance or body
- Leering, wolf whistles, catcalls, obscene gestures
- Indecent exposure
- Requests for sex
- Sexually explicit conversations, insults, taunting or comments

3.3 Bullying

- Insulting or offensive language or comments
- Unreasonable behaviours, including aggressive or intimidating body language.
- Unjustified criticism or complaints or the threat of complaints
- Deliberately excluding someone from workplace activities without reasonable cause.
- Setting unreasonable or constantly changing deadlines
- Setting tasks that are unreasonably beyond a person's skill level
- Denying or withholding access to information, supervision or resources which causes detriment to the worker
- Spreading misinformation or rumours
- Changing work arrangements, such as rosters and leave, to deliberately inconvenience a particular worker or workers

- Excessive scrutiny at work.

4. Procedure

All Cairnmillar staff are required to complete compulsory training on Bullying in the workplace

<https://360.articulate.com/review/content/c135781e-78af-4b65-97d7-336ecf191092/review>

Staff members and students who believe that they are being victimised in contravention of this policy may take action as follows:

1.1.2. Where a person believes they are being victimised, they must:

- a) Identify who is causing the victimisation
- b) Keep a diary and make notes about each incident eg: when, where, what occurred, how, why, who witnessed the incident? This will help them establish a pattern of events to support their case
- c) Discuss the problem and concern with their supervisor
- d) Avoid retaliating
- e) Formally report their concern to their supervisor and the Director of Corporate Services.
(workplace bullying complaints form)

1.1.3. Complaints will be treated in a confidential, sensitive, fair and timely manner in a way that protects the rights of all parties and ensures natural justice is upheld.

1.1.4. All reports of alleged victimisation are to be documented and investigated by the direct supervisor and the Institute's Director of Corporate Services.

1.1.5. Once the reports are prepared, they must be made available to the person who is alleged by the victim to be the perpetrator and they be given an opportunity to respond in a reasonable time.

1.1.6. Reports of stalking, assault, rape, physical harm or false imprisonment are to be reported directly to the CEO and the police.

1.1.7. Staff who require counselling should contact the Director of Corporate Services who will refer them to the appropriate person for assistance.

1.1.8. If the internal investigation proves the victim was affected but the nature of the incident was not serious enough for the perpetrator to be dismissed, then the perpetrator is to be formally counselled and warned that such behaviour is not acceptable at the Institute.

- 1.1.9. If a staff member is charged with assaulting a co-worker or any other offence against a co-worker, then they will be stood down without pay until the outcome of the investigation is determined.
- 1.1.10. The CEO is responsible for the application and ongoing development of this procedure.

5. Resources and References

Legislative and compliance framework relevant to the development of this policy:

- The Equal Opportunity Act 2010 (Vic)
- The Racial and Religious Tolerance Act 2001 (Vic)
- The Human Rights and Equal Opportunity Commission Act 1986 (Cth)
- The Racial Discrimination Act 1975 (Cth)
- The Sex Discrimination Act 1984 (Cth)
- The Disability Discrimination Act 2005 (Cth)
- Disability Standards for Education 2005
- The Racial Hatred Act 1995 (Cth)
- Workplace gender Equality Act 2012