



VCAL STUDENT BULLYING (INCLUDING CYBER BULLYING) AND HARASSMENT POLICY AND PROCEDURE

PURPOSE

Skillinvest is committed to providing a supportive and safe environment for students of Skillinvest that is free from bullying (including cyber bullying) and harassment. This policy and procedure outlines Skillinvest's approach to preventing and addressing any such incidents among its student population.

SCOPE

This Policy and Procedure applies only to Skillinvest VCAL students.

All Employees of Skillinvest (including VCAL Staff) are bound by the Skillinvest Equal Employment Opportunity – Discrimination Harassment Bullying Victimisation Policy available on the Skillinvest Extranet

OBJECTIVES

The objectives of the Bullying and Harassment Policy and Procedure are to:

- Reinforce within the Skillinvest community that no form of bullying is acceptable.
- Ensure everyone within the Skillinvest community is alerted to signs and evidence of bullying and has a responsibility to report it to staff whether as an observer or victim.
- Ensure that all members of Skillinvest are part of an environment that is safe and supportive.
- Establish a clear process for the prevention of, reporting of and response to bullying and harassment behaviour.

UNDERSTANDING BULLYING

Bullying has three key features that are as follows:

1. involves a misuse of power in a relationship,
2. is ongoing and repeated, and
3. involves behaviours that can cause harm.

Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening.

Bullying can happen in person or online, via various digital platforms and devices and it can be obvious (overt) or hidden (covert). Bullying behaviour is repeated, or has the potential to be repeated, over time (for example, through sharing of digital records).

Bullying of any form or for any reason can have immediate, medium and long-term effects on those involved, including bystanders.

Single incidents and conflict or fights between equals, whether in person or online, are not defined as bullying.

TYPES OF BULLYING

Direct Physical Bullying, included but not limited to; Hitting, Kicking, Tripping, Pinching, Pushing, Damaging property

Direct Verbal Bullying, including but not limited to; Name calling, Insults, Teasing, Homophobic or racist remarks, Intimidation, Verbal abuse

Indirect Bullying: Action designed to harm someone's social reputation and/or cause humiliation, including but not limited to; Lying and spreading rumours, playing nasty jokes to embarrass or humiliate, Mimicking, encouraging others to socially exclude someone, Damaging someone's social reputation or social acceptance

Cyber Bullying : Direct or indirect bullying behaviours using digital technologies, including but not limited to; Harassment via mobile phone or social media, setting up defamatory personal websites or social media accounts, deliberately excluding someone from social networking spaces

BULLYING IS NOT

Many distressing behaviours are not examples of bullying even though they are unpleasant and often require Educator/staff intervention and management.

Behaviours that do not constitute bullying include mutual arguments and disagreements (where there is no power imbalance), not liking someone or a single act of social rejection, one-off acts of meanness or spite, isolated incidents of aggression, intimidation or violence. However, these conflicts still need to be addressed and resolved.

POLICY

A holistic approach will be taken to deal with bullying (including cyber bullying) and harassment in a consistent and systematic way.

- All VCAL students (and parent guardians where student is under 18 years of age) will be informed of the VCAL Student Bullying (including Cyber Bullying) and Harassment Policy and Procedure at the time of enrolment
- All complaints of bullying or harassment will be heard in confidence and taken seriously.
- Skillinvest will organise and deliver lessons that promote resilience, life and social skills, assertiveness, conflict resolution and problem solving within the Personal Development strand of the VCAL program.
- There will be disciplinary consequences, covering a range of strategies, for those in breach of the VCAL student Bullying and harassment Policy

All VCAL staff will:

- maintain a safe, inclusive and supportive learning environment
- model and promote appropriate relationships and behaviours
- promote a culture where bullying is not acceptable
- teach students to identify, report and respond to bullying at Skillinvest and online
- manage reports of bullying and escalate matters to the VCAL coordinator, Training Manager (or nominee) when necessary
- maintain a positive climate which includes respectful relationships
- identify patterns of bullying behaviour and initiate action to respond
- manage complaints about bullying in accordance with the policy and procedures
- manage complaints about how Skillinvest has responded to a report of bullying

Constructive strategies to deal with harassment will include education in coping strategies; assertiveness, problem solving and social skills and counselling. These strategies will be employed in preference to punitive sanctions and negative consequences.

The VCAL Student Bullying (including Cyber Bullying) and Harassment Policy and Procedure of Skillinvest will be widely promoted to students, staff, parents/guardians and the local community. This will be done via a number of means including: Skillinvest website, at enrolment of students and at induction of staff, referenced in both VCAL Student and Parent Information Handbook and VCAL Educator Handbook and at staff meetings.

The Skillinvest leadership team and VCAL Educators will work together to ensure the safety of all students in situations of bullying (including cyber bullying) and harassment, by thoroughly investigating all complaints while respecting the need for confidentiality, notifying parents/guardians and planning interventions.

If an Educator feels a student is at serious and imminent risk from bullying (including cyber bullying) and harassment, then it is their professional duty to pass on the information to an appropriate person in order to ensure appropriate support for the student. It is important that educators document fully their interaction with the student and to verify the actions taken.

Student programs will be organised to raise student awareness about bullying (including cyber bullying) and harassment, to provide a forum for discussion of matters and to aid development of attitudes. Some matters will be included in the Personal Development strand of the VCAL curriculum and more directly, occasional activities will run by the wellbeing officer or external agencies.

PROCEDURE FOR DEALING WITH BULLYING OR HARASSMENT

If a student has a complaint regarding bullying or harassment, they should first discuss the matter with a VCAL Staff member to determine whether the complaint falls under bullying or harassment.

If the complaint is potentially bullying and or harassment, the following options are available to students:

Speak Up - Should a student have a concern or complaint, the student should attempt to resolve the concern/complaint themselves with the individual they have the concern with. This should be done as close to the time of the concern arising as possible, if and only where the student feels comfortable to do so.

Discuss with VCAL Coordinator – If the student is unable to resolve the complaint themselves, they should speak to their VCAL Coordinator regarding the issue. This should be done as close to the time of the concern arising as possible. At this stage, every effort should be made to resolve the complaint before it is formalised, using verbal and informal methods.

Formal Complaint - The formal complaint process will commence if the matter cannot be resolved in the above manners, or where a student is not able to attempt to resolve the complaint themselves. To commence the formal process, the student should outline their complaint in writing, with as much detail as possible. This should be given to the VCAL Coordinator or VCAL Wellbeing Officer. Alternatively, if for any reason the student is unable to make a written statement, the student may make an oral statement about the incident.

Where the complaint concerns the VCAL Coordinator or the VCAL Wellbeing Officer, the student should report the matter to the Training Manager and may be guided on the process by a VCAL staff member that the student feels comfortable with.

Where the complaint concerns the Training Manager, the matter should be referred to the General Manager and can be communicated through the VCAL Coordinator or VCAL Wellbeing Officer.

The manner in which a student's complaint is handled will vary depending on the circumstances, but may include the steps outlined below:

- Discussions may be held with the Student's Educator, Wellbeing Officer, Training Manager, Parent or guardian where the student is under 18 years of age, and/or representative of the Home school

- The person whom the complaint is related to will be given details of the complaint against them, and they will be given the opportunity and a reasonable time to respond before the process continues. The details of the complaint provided may not provide the names of the person/s making the complaint and will depend on the nature of the complaint
- The VCAL Coordinator or other VCAL Staff representative may have a discussion with all parties in an effort to resolve the complaint
- Where there is an unresolved complaint, the matter may be referred to the Training Manager for discussion and resolution in the manner in which the Training Manager deems to be appropriate.
- At any time during the complaint process, a representative from Management may be involved in the discussions, at Skillinvest's discretion.
- During the course of the complaint process, any person involved in the process may request to have a support person present. The support person must not act as an advocate for the employee.
- The complaint will be documented and must be, to the extent possible, kept confidential by all parties involved. The only people who will have access to information about the complaint will be those who have a need to know (this will usually include the person/s against whom the complaint is made, the person/s handling the complaint and any witnesses).
- Skillinvest may, at any time during or after the complaint resolution process, undertake a review of the complaint resolution process. The review may be conducted by Senior Management and HR, or another representative from Management and may involve some or all of the parties involved in the complaint.
- At all times where either the complainant or the person who the complaint is related to, are under 18 years of age, their parents or guardians will be kept informed of the process
- Outcomes of the complaint will be dealt with on an individual basis and where bullying or harassment continues may result in student exiting of the VCAL program

CONSEQUENCES

The consequences of bullying (including cyber bullying) or harassing behaviour will be decided on an individual basis.

Consequences may include, but are not limited to:

- Formal written warnings
- Suspension
- Permanent exit from the VCAL program
- Exclusion from activities
- Changes to class group

RIGHT OF APPEAL

Students have the right to submit a complaint or appeal in relation to the outcomes from processes outlined in this policy and procedure that impact on them. To do so, students should follow the appropriate steps as outlined in the VCAL Student Complaints and Appeals Policy and Procedure available on the Skillinvest website at www.skillinvest.com.au

POLICY AND PROCEDURE EVALUATION & REVIEW

This policy was last updated in Term 3 2019 and is scheduled for review in Term 3 2023.