

Bullying, Discrimination and Harassment Policies and Procedures

Purpose

Unity Skills College of Hospitality are committed to ensuring that our practices, systems, policies and procedures support an environment that is free from bullying, discrimination and harassment. This policy informs that all students, staff, and visitors are treated with dignity, kindness, and fairness, by fostering a culture of mutual respect and support.

Scope

This policy applies to:

- All staff, learners, clients and visitors; and
- All aspects of our operations.

Responsibilities

CEO

- Ensures compliance with legislation, regulations and Standards for RTOs.
- Oversees the implementation of corrective actions.

All Staff

- Monitors the environment to ensure it is free of offensive materials.
- Collaborates with each other to promote a harassment-free workplace.
- Supports individuals experiencing bullying or harassment and maintain an inclusive, supportive environment.
- Respects individual differences and encourage others to maintain an inclusive environment.

Trainers & Assessors

- Ensures all training and assessment resources and environments encourage inclusivity and are free from discriminatory content or behaviours.
- Actively monitors student behaviour and engage with them to identify and address concerns.

Definitions

- The Australian Human Rights Commission defines **bullying** as any verbal, physical, social or psychological abuse by an employer (or manager), another person or group of people. That includes behaviour that intimidates, offends, degrades or humiliates someone. Whilst it can happen to anyone, Unity Skills College of Hospitality are committed to do our best to stem out any bullying behaviours within our community. It is important to note that some types of bullying are criminal offences and suspected criminal behaviour will be reported to the local police authorities immediately.

Bullying can include:

- Repeated hurtful remarks or attacks; making fun of one's work.
 - Making fun of something someone has done or their personality.
 - Sexual harassment, particularly unwelcome touching and sexually explicit comments.
 - Excluding behaviours such as stopping one from working with others or from taking part in activities.
 - Playing mind games.
 - Ganging up on someone.
 - Intimidation.
 - Deliberately holding back information so that one cannot get their work done properly.
 - Pushing, shoving, tripping, and grabbing.
 - Attacking or threatening with knives or any type of weapon.
 - Initiation or hazing where one is made to do humiliating or inappropriate things in order to be accepted as part of a team.
- **Discrimination** happens when a person, or a group of people, is treated less favourably than another person or group because of their background or because of their:
 - Race, colour, nationality or ethnicity;
 - Gender orientation, sexual preference, pregnancy or marital status;
 - Age;
 - Disability; or
 - Some other characteristic such as one's political affiliations or religion.
 - **Harassment** can be against the law when a person is treated less favourably on the basis of certain personal characteristics, such as race, sex, pregnancy, age, disability, sexual

orientation, gender identity or intersex status. It does not need to be a chain of continuous and related incidents; one-off incidents can also constitute as harassment. Examples of harassment include joking about a racial group in an insulting manner, sending sexually suggestive messages to a colleague or student, displaying racially offensive material making derogatory comments about someone's race, and asking intrusive questions about someone's personal life, including their sex life.

General Principles

We are committed to:

- Providing and investing in a safe, inclusive and secure environment through training, awareness campaigns and implementing practices, policies and procedures that are effective to achieve our aim.
- Promoting appropriate standards of conduct at all times to place our learner's wellbeing at the core.
- Building an environment which is safe from any form of discrimination and harassments, where our students, staff and visits are treated with kindness, respect and fairness.
- Treating all reports of bullying, discrimination and/or harassment in a sensitive and just manner.
- Ensuring every person has the right to make a report about bullying, discrimination and/or harassment experienced or witnessed, with no prejudice or repercussions, including providing the reporter as well as any other person(s) involved with protection from any victimisation or reprisal and will treat any and all information shared by the complainant with the strictest of confidentiality.
- Handling all incidents of bullying, discrimination and/or harassment identified by applying the principles of natural justice and will result in actions which reflects the seriousness of the individual circumstances;
- Reporting criminal or unlawful behaviour(s) to the police immediately which can further result in immediate dismissal of one's employment or enrolment with us.
- Taking appropriate actions such as counselling, re-training, apology, conciliation, re-assigning of duties, transfer of class, suspension of employment or enrolment, warning, dismissal of employment or termination of enrolments at the outcome of the investigation of a bullying, discrimination and/or harassment report.

Lines of Assistance

The following agencies can provide assistance to Unity Skills College of Hospitality in the management of bullying, discrimination and harassment, and in maintaining an inclusive and supportive environment:

- **Human Rights and Equal Opportunity Commission**
General line: 1300 369 711
Complaints line: 1300 656 419
Website: www.humanrights.gov.au
- **Victoria Equal Opportunity Commission**
General line: 1800 134 142
Website: www.humanrightscommission.vic.gov.au

Compliance

This policy aligns with:

- **Standards for RTOs 2025:**
 - **Standard 2.6** – The wellbeing needs of the VET student cohort are identified and strategies put in place to support these needs.
 - **Standard 4.2** – Roles and responsibilities are clearly defined and understood.
 - **Standard 4.3** – Risks to VET students, staff and the RTO are identified and managed.
 - **Standard 4.4** – The RTO undertakes systematic monitoring and evaluation to support the delivery of quality services and continuous improvement.
- **Australian Human Rights Commission Act 1986**
- **Work Health and Safety Act 2011**

Failure to comply with this policy can have serious consequences, including but not limited to:

- **For the RTO** – breaches of legislation or regulatory requirements may result in financial penalties, loss of registration, reputation damage, or regulatory enforcement actions.
- **For Staff Members** – staff found to have knowingly or negligently failed to comply with this policy and any associated legislative or regulatory requirements may face disciplinary actions, up to and including termination of employment.
- **For Learners and Clients** – non-compliance could lead to disruptions in training and assessment services, warnings, suspension or the cancellation of enrolment with us.
- **For Visitors** – revocation of access or termination of contracts.

Continuous Improvement

- Feedback from staff, learners, clients and industry stakeholders will be used to inform improvements to compliance processes and the effectiveness of our operations.
- An internal audit is to be conducted at least once per year to assess our compliance with this policy and the relevant legislative and regulatory requirements. The audit schedule is outlined in our *Continuous Improvement Schedule* and areas for improvements are documented in our *Continuous Improvement Register*.
- Internal audit review questions for self-assurance purposes should include:
 - What strategies do you have in place for preventing abuse, harassment or violence, and for dealing with such issues should they arise amongst your student cohort?
 - Is the language of the policy clear, inclusive and consistent with current legislative definitions and best practices?
 - Does the RTO actively promote respectful behaviour and cultural safety through its learning environment and communication channels?
 - Are all reports of bullying, discrimination and harassment handled in a fair, timely and impartial manner?
 - Are the measures in place to prevent victimisation or retaliation following a report sufficient?
 - Are there any trends or commonalities in any reports of bullying, discrimination and harassment? If yes, what are they and how can they be addressed and how can we improve to reduce and eliminate any re-occurring incidents?

Related Documents

- Continuous Improvement Register
- Continuous Improvement Schedule
- Student Handbook

Bullying, Harassment, and Discrimination Investigation Procedure

1. Provide support

- i. It is important that any staff member approached regarding an incident of bullying, discrimination or harassment handle the situation with sensitivity and care.
- ii. Individuals who approach you about their experience may feel a range of emotions such as anger, distress, vulnerable, frustration, and powerless.
- iii. Support them by reassuring them that they are safe and have done the right thing by approaching you.
- iv. Take them seriously and inform them that no form of bullying, discrimination or harassment is acceptable, and it is their right to feel safe and secure.
- v. It is imperative that the staff member not pass off the student's complaint to another staff member, as the student may not feel comfortable sharing this information with others.

2. Listen to the reporter and explain the process

- i. Ask the reporter how they want the situation handled.
- ii. Listen to their point of view and clarify the situation with them.
- iii. Explain the process and discuss options and potential outcomes with the reporter.

3. Record and document

- i. All information provided must be recorded in the *Complaint Form* and saved into the student's file.
- ii. The information should also be entered into the *Complaints and Appeals Register*.

4. Investigate the claim

- i. It is important to investigate the claim(s) made and speak to all parties involved to verify the claims.
- ii. When speaking to the reportee, clarify expectations, what is acceptable and unacceptable behaviour, and inform them that if the alleged behaviours did occur, they would be in breach of the organisation's policy and/or state or federal law.
- iii. It is important to not disclose any personal information or the identities of the complainant and any witnesses that have been identified.
- iv. Remember to apply the principles of natural justice during the course of the handling of the complaint and anyone interviewed during the course of the investigation should be provided with a support person during their interviews.

Consider the evidence

- i. A formal complaint should not be dismissed on the grounds that no one saw or heard the incident(s) occurring. Given the nature of the incident, there are often no direct witnesses to alleged acts of bullying, discrimination and harassment.
- ii. Those responsible for investigating complaints should consider all available evidence, including any surrounding evidence such as:
 - Supporting evidence provided by a medical practitioner, counsellor, family member, friend or co-worker;
 - Managerial or Trainer & Assessor's reports and personnel records;
 - Complaints, reports or information provided by others about the behaviour of the alleged reportee;
 - Records kept by the person claiming to have been discriminated against or harassed;
 - Whether the evidence was presented by the parties in a credible and consistent manner; and
 - The absence of evidence where it should logically exist.

5. Notify the CEO and discuss options for action(s)

- i. A meeting is to be set with the CEO to discuss the matter, including potential options and outcomes (AS discussed with the complainant), and findings of the investigation.
- ii. In determining the appropriate actions, management may consider factors such as:
 - The severity and frequency of the discrimination or harassment;
 - That the actions will not disadvantage the reporter;
 - The weight of the evidence;
 - The wishes of the person who was discriminated against or harassed;
 - Whether the harasser could have been expected to know that such behaviour was a breach of policy; and
 - Whether there have been any prior incidents or warnings.
- iii. If there is insufficient proof to decide whether or not discrimination or harassment has occurred, everyone involved should be reminded of the expected standards of conduct, further training and awareness raising sessions should be conducted, and the situation should be monitored carefully.
- iv. The CEO may need to seek professional or legal guidance when making a decision.

6. Discuss outcome and findings

- i. It is important to sit down with the reporter and reportee to discuss the outcome, the findings and the action(s) to be undertaken.
- ii. If appropriate, advise the reportee of potential penalties if the behaviour continues and advise of the need for confidentiality and the prohibition of victimisation.

7. Undertake the approved or agreed upon action(s)

- i. Implement the approved or agreed upon action(s).
- ii. Prepare a report for the CEO.

8. Record management

- i. The discussions, interviews, findings, options and outcomes must be recorded on the *Complaints and Appeals Register* and reviewed for continuous improvement purposes.
- ii. Where appropriate, the Continuous improvement procedure should be enacted.

9. Monitor the situation

- i. This is to ensure that the behaviour does not re-occur and that the reportee is not victimised.

Bullying, Harassment and Discrimination Investigation Flow-Chart

