Bullying Prevention and Management Policy

Section 1 - Summary

(1) The purpose of this Policy is to affirm Victoria University's (VU) commitment to creating a work and study environment that is, as far as possible, free from bullying.

(2) This Policy:

a. Explains what is and what is not bullying.
b. Clearly states the expectation of all members of the VU community in relation to bullying.
c. Confirms that bullying will not be tolerated at VU.
d. Sets out how VU will address allegations of bullying.

Section 2 - Accountability

Accountable/Responsible Officer	Role
Accountable Officer	Deputy Vice-Chancellor Enterprise and Digital
Responsible Officer – for Students	Chief Wellbeing Officer
Responsible Officer – for Staff	Chief People Officer

Section 3 - TEQSA/ASQA/ESOS Alignment

(3) HESF: Standard 2.3 Wellbeing and Safety; 2.4 Student Grievances and Complaints; 6.1.4 Corporate Governance

(4) Outcome Standards for NVR Registered Training Organisations 2025: Standard 2.7, 2.8 Feedback, Complaints and Appeals. Compliance Standards for NVR Registered Training Organisations and FPP Requirements 2025: 20 Compliance with Laws.

Section 4 - Scope

(5) This Policy applies to members of the VU community, including all:

a. Staff;
b. onshore and offshore Students enrolled or registered in any VU program, whether Award or Non-Award, including:
    i. students with provisional enrolment status; and
    ii. people whose studies were completed or terminated within the six months prior to the bringing of their complaint under this Policy, provided that the matter to which the complaint relates occurred during the

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course of their enrolment.

(6) This Policy applies in relation to all interactions with or discussion about other members of the VU community, be it in-person or through phone, email, text messaging or social media.

(7) People who perform work on a VU site, but are not VU staff (such as contractors, visitors or students) must abide by this Policy while on site. The relevant VU staff responsible for engaging the services will ensure that the service provider is fully informed of their responsibilities under this Policy.

(8) This Policy does not allow for a complaint by a person who is not a staff member, contractor, student, or former student of VU. However, VU will take all reasonable steps to successfully resolve matters that arise in these circumstances via its Complaints Policy and associated processes.

(9) The examples provided in each section of this Policy are intended as indicative, not comprehensive.

Section 5 - Definitions

(10) Staff

(11) Bullying

(12) Repeated Behaviour (Bullying): Refers to the persistent nature of the behaviour, not the specific form the behaviour takes. Behaviour is considered repeated if an established pattern can be identified.

(13) Student

(14) Unreasonable Behaviour: Behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Section 6 - Policy Statement

(15) VU does not tolerate any form of bullying by, or of, any member of VU community.

Part A - What is Bullying?

(16) Bullying is:

a. repeated, unreasonable behaviour directed at a person, or group of people, that creates a risk to health and safety;
b. behaviour which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person or group of people. The behaviour can include actions of an individual or a group, and may involve the bully using a system of work or inappropriately asserting power;
c. not always intentional. Sometimes people do not realise that their behaviour is harmful to others and is victimising, humiliating, intimidating, undermining or threatening another person. A staff member can still be considered to have bullied another staff member even where they did not intend to do so;
d. able to occur in many different forms, including face-to-face, over the telephone, via email, instant messaging, through mobile phone technologies including text messaging or via social media forums such as Facebook, Instagram or Twitter;
e. Potentially criminal behaviour in Victoria under “Brodie’s Law” in the Crimes Act 1958 (Vic);
f. Potentially horizontal (e.g. peer to peer) or vertical (e.g. from a supervisor to direct report, or from team

member to manager).

(17) In some instances, people bully a person they report to or are taught by. This kind of bullying may also be experienced as a group action, where more than one person acts together to engage in bullying of a manager, teacher or supervisor.

(18) Examples of bullying might include, but are not limited to:

a. Repeated verbal denigration or humiliation.
b. Offensive words or conduct, including swearing or shouting. (NB: depending on the nature of the words, this may also constitute sexual harassment.)
c. Interfering with work product or sabotage of work.
d. Physical attacks of any kind.
e. "Pranks" or repeated teasing, sarcasm, insults or practical jokes.
f. Spreading misinformation or rumours, whether substantively true or not.
g. Repeated and systemic exclusion or isolation of a person or group from discussions, opportunities, or social events.
h. Denigration of a person or group via electronic communication methods, including all forms of online communication and social media ("cyberbullying").
i. Deliberately withholding information that is vital for effective work or study performance.
j. Unreasonably overloading a person with work or not providing enough work.
k. Assigning impossible tasks or meaningless tasks unrelated to the job or course of study.

Not all Conflict is Bullying

(19) Bullying does not include:

a. a single incident of unreasonable behaviour (however, a single incident of unreasonable behaviour is not tolerated by VU and can still be addressed as a disciplinary issue);
b. low-level workplace conflict and personality clashes;
c. differences of opinion; or
d. the legitimate exercise of reasonable managerial or supervisory actions carried out in a fair and reasonable manner (e.g. performance discussions or feedback).

Part B - VU's Responsibility

(20) VU has a legal responsibility to provide a safe environment for work and study, so far as is reasonably practicable, which includes an environment that is free of bullying. As part of this, VU will act to investigate and address any allegations of bullying that come to its attention.

(21) VU recognises its duty to ensure that those in positions of responsibility understand what is expected of them, make themselves aware of the potential for bullying to occur and to put controls in place to prevent it.

(22) Managers and supervisors have an active responsibility to lead by example and to take appropriate action where behaviour falls short of the standard expected. Indications that bullying behaviour might be occurring may include, but are not limited to:

a. Complaints (note that these do not need to be formal complaints; once a leader becomes aware of the potential issue, they have an obligation to act).
b. Incidents reported through the University’s OHS incident management system, QuickSafe.

c. High turnover of staff or lower than average retention rates for students.
d. Increased levels of sick or stress leave.
e. A workers compensation claim indicating that workplace bullying is a factor.
f. People that suddenly become disengaged, withdrawn or isolated.

Part C - Individuals' Responsibility

(23) As a member of the VU community, you are expected to:

a. Comply with this Policy;
b. Behave in an appropriate manner at all times;
c. Behave in a manner which does not constitute bullying;
d. Complete training modules related to bullying;
e. Promote a climate of mutual respect;
f. Promptly report any bullying you experience within VU;
g. Maintain appropriate confidentiality concerning any complaint or investigation;
h. If a disclosure of bullying is made to you by a person aged under 18 years, report the matter using the Child Safety Reporting Process under the Safety and Welfare of Children and Young People Policy (this is mandatory).

(24) If you observe a person being bullied, you are expected to:

a. Check on the welfare of the person.
b. If appropriate, possible and safe to do so, intervene to interrupt the bullying in the moment.
c. Report what you have witnessed.
d. If the victim of the bullying is a person aged under 18 years, report the matter using the Child Safety Reporting Process under the Safety and Welfare of Children and Young People Policy (this is mandatory).

(25) If you have any teaching, supervisory or managerial responsibility, you are also expected to:

a. Model an appropriate standard of personal conduct;
b. Maintain an environment that encourages communication and mutual respect;
c. Assess and monitor the work environment in your management or control to ensure that bullying risk factors (for example negative leadership styles, poor workplace relationships and vulnerable workers) that may exist are appropriately managed and do not lead to bullying behaviours;
d. Identify and take action to redress potential problems expeditiously and at an early stage;
e. Alert People and Culture or a Student Adviser to any potentially serious bullying situations and liaise with them to address issues of concern;
f. Provide confidential advice and information to anyone who has concerns about bullying, including acting upon any complaints that are made or lodged, in accordance with VU policies and procedures.

Part D - Breaches of this Policy

(26) VU treats all allegations of bullying as serious matters.

(27) In addressing allegations of bullying:

a. VU will exercise procedural fairness. Those involved in the process will not be biased or affected by conflict of interest, and will act fairly and impartially.

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b. Confidentiality will be maintained wherever possible in the handling of complaints of bullying.

(28) People making complaints should not suffer adverse consequences or reprisals from VU or any of its staff or students as the result of making a complaint. If victimisation occurs, VU will take steps to address it.

If you feel you have been Bullied

(29) If you experience bullying at VU, you are strongly encouraged to report the matter. You may choose to:

a. Address the issue directly with the person who you believe has bullied you, if you feel comfortable to do so.
b. Seek advice from your manager or a People and Culture adviser or a discrimination, harassment and bullying contact officer (DHB) (if you are a member of staff). Information on DHB officers can be found on the VU Intranet.
c. Seek advice from Student Advisers (if you are a student).

(30) After, or instead of, pursuing the options outlined in clause (29), you may choose to lodge a complaint.

(31) The processes for lodging a complaint, and the methods through which matters are explored and resolved, are detailed in the Complaints Procedure (Staff).

(32) Bullying may also occur at the same time as unlawful discrimination or harassment (including sexual harassment). Please refer to the Discrimination and Harassment Prevention and Management Policy and Gender-based Violence Policy for further information.

If an Allegation is made that you have Bullied a Person or Group

(33) If an allegation is made against you, depending on the nature and severity of the alleged conduct, VU will address the matter either as detailed in the Complaints Policy and Complaints Procedure (Staff) or through the applicable industrial instrument. The expectations of you, and your rights in the process, are explained in those procedures.

(34) You will be given an opportunity to know the case against you and have the opportunity to respond to allegations made.

(35) The consequences for substantiated breaches of this Policy will depend on the seriousness of the case. Outcomes may include:

a. disciplinary action in accordance with the relevant industrial instrument (for staff);
b. disciplinary action in accordance with the Student Misconduct Regulations 2019 (for students).

(36) Disciplinary action may also be taken against anyone who retaliates against or victimises a person who has made a complaint.

(37) If the matter involves very serious bullying, in addition to the possible termination of your employment or enrolment, VU may also refer the matter to Victoria Police for investigation as a criminal offence.

If you make a Vexatious Complaint

(38) A vexatious complaint is where a groundless complaint is lodged to cause harm to, or harass, the respondent.

(39) If VU has reasonable grounds to regard a complaint as vexatious, it may decline to investigate the matter.

(40) If you make a vexatious complaint, outcomes may include:

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a. disciplinary action in accordance with the relevant industrial instrument (for staff);
b. disciplinary action in accordance with the Student Misconduct Regulations 2019 (for students).

Section 7 - Procedures

(41) Nil.

Status and Details

Status	Current
Effective Date	28th July 2021
Review Date	25th March 2026
Approval Authority	Vice-Chancellor
Approval Date	28th July 2021
Expiry Date	Not Applicable
Accountable Officer	Lisa Line Deputy Vice-Chancellor Enterprise and Digital Lisa.Line@vu.edu.au
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Glossary Terms and Definitions

"Student" - - a person enrolled at the University in a course leading to a degree, diploma, certificate, licence or other award; or - a person whose study performance is being or is to be assessed by the University, notwithstanding that such a person is not enrolled at the University in a course leading to a degree, diploma, certificate, licence or other award. (The above definition of student is from section 3 of the Victoria University Act 2010 and Council Resolution C2010 - 070).

"Staff" - Staff means: - all employees of the University, on all domestic and offshore locations, including student residences, and while engaged in all work-related activities such as conferences and work-sponsored social occasions; - all contractors and consultants performing work on University sites or on behalf of the University; - visiting academics, honorary, adjunct and exchange staff; - the Council and its committees; and - any volunteer in the workplace and study environment.

"Bullying" - Repeated, unreasonable behaviour, directed towards a person or a group of people that creates a risk to health and safety, and includes behaviour by verbal, written, cyber or electronic means. Bullying behaviour may not be intentional.

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