

Our Centre is committed to creating a workplace with vision and meaningful direction, adhering to our code of conduct and practicing ethical behaviour to ensure a productive work environment free from bullying, discrimination, and/or harassment.

Purpose

We are committed to providing a safe and equitable workplace for all staff and educators. Bullying, discrimination, and harassment will not be tolerated under any circumstances. As part of this commitment we aim to prevent workplace bullying by adhering to the Early Childhood Code of Ethics, Fair Work requirements, and the Centre philosophy, ensuring a safe workplace and the wellbeing of all staff and Educators employed at the Centre.

Implementation

This policy applies to staff, management, and educators of the Centre.

Everyone has a right not be bullied or harassed at work. Workplace bullying occurs when a person or group of people repeatedly behave unreasonably towards a worker or a group of workers, creating a risk to health, safety, and wellbeing.

Bullying may involve any of the following types of behaviour:

- Aggressive or intimidating conduct
- Making belittling or humiliating comments
- Spreading malicious rumours
- Teasing, practical jokes or initiation of, or participation in 'initiation ceremonies'
- Exclusion from work-related events
- Unreasonable work expectations
- Displaying offensive material, and/or
- Pressure to behave in an inappropriate manner.
- Bullying does not include management action carried out in a reasonable manner including:
- Making decisions about poor performance
- Taking disciplinary action
- Directing and controlling the way work is to be carried out.

Bullying, Discrimination and Harassment

- **Discrimination** occurs when someone is treated less favourably than others because of a particular characteristic (such as age, disability or gender), or belong to a particular group within the population (due to, for example, religion, culture, or sexual orientation).
- **Harassment** involves unwelcome behaviour that intimidates, offends or humiliates a person because of a particular personal characteristic such as race, age, gender, disability, religion or sexuality. It is possible for a person to be bullied, harassed and discriminated against at the same time.
- **Bullying** is repeated and unreasonable behaviour towards a worker or a group of workers. Our Centre will not tolerate bullying in any form because it may have a detrimental effect on the psychological, emotional and/or physical wellbeing, health and safety of our educators and staff. Amendments to the Fair Work Act 2009 make it illegal to bully a person in the workplace from 1 January 2014.

There are a number of anti-discrimination, equal employment workplace relations, and human rights laws which make it illegal to discriminate or harass a person in the workplace. Australia's federal anti-discrimination laws are contained in the following legislation:

- [Age Discrimination Act 2004](#)



- [Disability Discrimination Act 1992](#)
- [Racial Discrimination Act 1975](#)
- [Sex Discrimination Act 1984](#)

Our Centre philosophy, code of conduct and the [Early Childhood Australia \(ACA\) Code of Ethics](#) will guide educator behaviours and interactions and adhere to best practice by providing a vision and a purposeful and meaningful direction to ensure a safe working environment for all staff.

Management and Nominated Supervisor will ensure:

- A thorough induction process for new employees is conducted at the commencement of employment.
- All staff have a comprehensive understanding of the Centre's code of conduct, *Grievance Policy* and the *Early Childhood Code of Ethics*.
- The *Bullying, Discrimination and Harassment Policy*, and all related policies are reviewed annually.
- Educators are informed that inappropriate behaviour, including bullying and harassment will not be tolerated, and will be advised of potential consequences of this behaviour
- Educators are aware of the Centre's bullying and harassment procedure
- Inappropriate behaviour is addressed in a timely manner
- Educators are aware of appropriate interactions through professional development and training
- Staff and educators are aware of their job roles and responsibilities which will be clarified through job descriptions, team meetings, performance appraisals and clear management expectations
- They are encouraged to embrace the uniqueness and diversity of their colleagues
- Constructive feedback is provided to staff and educators
- Communication practices are reviewed frequently to ensure best practice
- All staff and educators are treated equally and fairly
- Meetings are documented accurately and appropriately
- An understanding and compliance with discrimination law is communicated with all employees.

Educators will:

- Be involved in decision making with a clear understanding of their roles and responsibilities, outlined in each individual job description
- Embrace the uniqueness and diversity of their colleagues
- Respect the skills, strengths and opinions of all educators in order to create team cohesion based on professionalism
- Comply with discrimination law
- Be responsible for their own actions in the workplace
- Raise matters of concern to management at an early stage
- Provide management with specific information regarding the perceived bullying and be prepared to have the complaint made known to the person, to allow for fair management and rectification
- Maintain confidentiality and not discuss or release information relating to bullying allegations.

Source: *Anti-Discrimination Act:* See <https://raisingchildren.net.au/disability/disability-rights-the-law/law/anti-discrimination-laws> for Acts for specific Australian states and territories. Australasian Legal information institute: www.austlii.edu.au Australian Children's Education & Care Quality Authority. (2014). Australian Human Rights Commission. (2019). Reform of discrimination law: <https://www.humanrights.gov.au/> Early Childhood Australia Code of Ethics. (2016). *Fair Work Act 2009* (Cth), Fair Work Ombudsman. (2019). Bullying & Harassment: <https://www.fairwork.gov.au/employee-entitlements/bullying-and-harassment> Fair Work Ombudsman. (2019). Managing performance & warnings: <https://www.fairwork.gov.au/employee-entitlements/managing-performance-and-warnings> Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. (2020). Guide to the National Quality Standard. (2017). Law Council of Australia. (2019). Bullying and harassment in the workplace: <https://www.lawcouncil.asn.au/policy-agenda/advancing-the-profession/equal-opportunities-in-the-law/bullying-and-harassment-in-the-workplace> Revised National Quality Standard. (2018). Safe Work Australia. (2019). Bullying:



<https://www.safeworkaustralia.gov.au/bullying> Work Health and Safety Act 2011 (Cth). Workplace Relations Act 1996 (Cth).

Date Implemented: 30/10/2017

Review Completed: 29/03/2021

Schedule for Review: 29/03/2022

Authorised by COM: Nov 2020

National Quality Standard – NQS		
Quality Area 4: Staffing Arrangements		
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.
Education and Care Service National Regulations		
168	Education and care service must have policies and procedure	
173	Prescribed information to be displayed	
176	Time to notify certain information to Regulatory Authority	

