



# University Policy

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## Bullying Prevention and Management

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### 1. Purpose

To affirm the University's commitment to providing and maintaining a healthy and safe environment free from bullying.

### 2. Scope

This policy applies to all staff, students and other members of the University in situations related to their employment, studies or activities at the University of Ballarat.

### 3. Definitions

**Bullying** – a form of persecution with these key features

- *Directed towards a specific person or persons*
- *Unreasonable Behaviour which causes harm* to another person's body, feelings, property or reputation
- *Distress* for the recipient
- *Repetition* of the harmful actions
- *A power imbalance* (which can be obtained in a variety of ways such as numbers in a group, official position or stronger social influence)
- *Inability of the targeted person(s) to easily leave or avoid* the situation

**Other members of the University** – members of the Council; members of any board, committee or other body established by or constituted under the University Statutes and Regulations; members of the Professoriate, Visiting Teaching or Research staff and Academic Associates appointed under the University Statutes and Regulations.

**Repetition** – refers to the persistent nature of the behaviour, not the specific form the behaviour takes. Behaviour is considered "repeated" if an established and consistent pattern can be identified over a period of time.

**Staff member** – any person who is an employee of the University at the time of the alleged bullying. This includes full-time, part-time, sessional or casual staff. Staff member, for the purpose of this policy only, includes other contracted staff.

**Student** – any person enrolled as a student of the University at the time of the alleged bullying. This includes full-time, part-time, block-mode or distance education students.

**Unreasonable behaviour** – refers to behaviour that a reasonable person, having regard to all the circumstances, would expect to humiliate, intimidate, undermine or threaten. In this context, the hypothetical *reasonable person* does not require total knowledge of every aspect of the situation – rather this person knows as much as the alleged bully could reasonably be expected to know.

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### 4. Policy Statement

Bullying is totally unacceptable at the University of Ballarat. All students, staff members and other members of the University are expected to treat each other with respect. Bullying leads to individual distress and organisational disruption. It can cause physical and psychological harm.

The University encourages the early reporting of any allegations of bullying and is committed to implementing a prevention program which will include the following measures:

- creating awareness of this Policy and Procedure
- informing, instructing and training for Supervisors
- encouraging reporting
- fair and timely procedures for managing incidents of bullying.

### 5. Responsibility

**Staff members, students and other members of the University:**

- are responsible for their own behaviour and must not participate in or encourage bullying;
- are discouraged from using an intimidating interpersonal style characterised by disrespect, putdowns etc, although the behaviour may not constitute bullying;
- who believe they are being bullied, or who are aware of or witness bullying within the University should report it promptly in accordance with the Procedure;
- may face disciplinary action if they participate in or encourage bullying.

The **Pro-Vice-Chancellor (Governance & External)**, as nominee of the Vice-Chancellor, has overall responsibility for the implementation and review of this Policy.

### 6. Legislative Context

*Commonwealth Age Discrimination Act 2004*

*Commonwealth Disability Discrimination Act 1992*

*Commonwealth Equal Employment Opportunity for Women in the Workplace Act 1999*

*Commonwealth Human Rights and Equal Opportunity Commission Act 1986*

*Commonwealth Racial Discrimination Act 1975*

*Commonwealth Racial Hatred Act 1995*

*Commonwealth Sex Discrimination Act 1984*

*Commonwealth Workplace Relations Act 1996*

*Victorian Equal Opportunity Act 1995*

*Victorian Occupational Health and Safety Act 2004*

*Victorian Racial and Religious Tolerance Act 2001*

### 7. Associated Documents

University of Ballarat Bullying Prevention and Management Procedure

University of Ballarat Sexual, Sex-based, Racial and Disability Harassment Policy and Complaints Procedure

University of Ballarat Managing Disruptive Student Behaviour Flowchart and Guidelines

University of Ballarat Occupational Health and Safety Issue Resolution Procedure

University of Ballarat Procedure for investigating disclosures under the *Whistleblower's Protection Act 2001*

University of Ballarat Staff Grievance Policy and Procedure

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University of Ballarat Student Grievance Policy and Procedure

University of Ballarat Valuing Diversity/Equal Opportunity Policy

University of Ballarat Statute 6.1 – Student Discipline

Staff disciplinary and termination procedures: Enterprise Agreement for Academic and General Staff  
2000-2003 and TAFE Teaching Staff Certified Agreement 2000-2003

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Authorised by: Council

Maintained by: Pro-Vice-Chancellor (Governance & External)

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