Safe School Policy
(Incorporating our Bullying & Harassment Policy & Procedures)

Rationale

At St Joseph’s School, the community is committed to providing all its members with a safe, caring environment, which promotes personal growth and positive self worth for all and provides a culture of child safety. All members of the school community have a right to participate, learn, play and work in an environment free from all forms of abuse, bullying and harassment, so that learning, personal growth and positive self-esteem are promoted and an atmosphere of trust, acceptance and compassion is evident. There will be zero tolerance of any form of child abuse and we will not condone any form of bullying or harassment. This policy applies to all members of the school community including students, governing authorities, staff, parents, contractors and visitors and includes all school and outside of school environments, both within and outside of school hours.

Policy Statement

St Joseph’s School is committed to a culture of child safety, including zero tolerance of child abuse. We will not tolerate abuse, bullying or any action that undermines a person’s right to feel safe under any circumstance and will:

- Promote appropriate standards of behaviour at all times
- Treat complaints of abuse and bullying in a sensitive, fair, timely and confidential manner
- Implement training and awareness – raising strategies to ensure all students, staff, parents, contractors and visitors know their rights and responsibilities
- Provide an effective procedure for complaints of abuse and bullying to be addressed
- Encourage the reporting of behaviour which breaches this policy
- Ensure protection from victimisation or reprisals for persons reporting abuse or bullying

This policy should be read in conjunction with:

Definition

Child abuse includes:

- Any act committed against a child involving:
  - a sexual offence
  - an offence under section 49B(2) of the Crimes Act 1958 (grooming)
- The infliction, on a child, of:
  - physical violence
  - serious emotional or psychological harm
- Serious neglect of a child

Bullying is repeated verbal, physical, social or psychological aggressive behaviour by a person or group directed towards a less powerful person or group that is intended to cause harm, distress or fear. Cyberbullying is bullying using digital technologies including mobile phones, email and social media tools.

Abuse, Bullying and Harassment:

- May be physical (hitting, kicking, pinching), verbal (name-calling, teasing), psychological (stand over tactics, gestures), social (social exclusion, rumours, putdowns) or sexual (physical, verbal or nonverbal sexual conduct)
- May be done directly (e.g. face to face) or indirectly (e.g. via mobiles or the internet)
- May be motivated by jealousy, distrust, fear, misunderstanding or lack of knowledge
- May have an element of threat
- Can continue over time
- Will be sustained if no action is taken

If the following examples were directed towards an individual and occurred as part of a pattern of behaviour, they could be considered to be bullying:

- Demeaning language or verbal abuse
- Threats, physical or verbal intimidation
- Outbursts of anger or aggression
- Excluding or isolating an individual/s
- “Ganging up” on an individual/s
- Psychological harassment or intimidation
- Giving employees impossible assignments
- Deliberately changing work hours to inconvenience particular individuals
- Deliberately withholding information that is vital for effective work performance
- Displaying or transmitting sexually offensive messages digitally or in hardcopy form
Cyberbullying includes:

- Pranking - Repeated hang ups, anonymous, mocking or threatening phone calls
- Image sharing - Forwarding or sharing unflattering or private images without permission
- Sexually explicit images - People of any age, who forward or share images of a sexual nature of a person under 18 need to be aware that this is a criminal offence (child pornography) that may result in prosecution
- Text and email - Sending insulting or threatening text messages or emails
- Personal online information - Publishing online someone's private, personal or embarrassing information without permission, or spreading rumours online
- Identity theft - Assuming someone’s identity online and negatively representing them in a way that damages their reputation or relationships
- Hate sites - Creating hate sites or implementing social exclusion campaigns on social networking sites

A risk to Health and Safety occurs where there is a risk to the mental or physical health of the employee.

What is Not Bullying?

There are also some behaviours, which, although they might be unpleasant or distressing, are not identified as being cases of bullying:

- mutual conflict - which involves a disagreement, but not an imbalance of power. Unresolved mutual conflict can develop into bullying if one of the parties targets the other repeatedly in retaliation
- single-episode acts of nastiness or physical aggression, or aggression directed towards many different people
- social rejection or dislike, unless it involves deliberate and repeated attempts to cause distress, exclude or create dislike by others

In particular, for staff:

Bullying is not any Staff Member, in the performance of their work, being:

- performance managed
- investigated as a result of alleged misconduct or inappropriate behaviour
- disciplined for misconduct or inappropriate behaviour
- allocated work in accordance with St Joseph’s Primary School policies and procedures
- allocated less hours or not offered a contract renewal as a result of falling enrolments
Types of Bullying Behaviour

There are some specific types of bullying behaviour:

- **verbal or written abuse** - such as targeted name-calling or jokes, or displaying offensive posters
- **physical abuse** - including threats of violence
- **sexual harassment** - unwelcome or unreciprocated conduct of a sexual nature, which could reasonably be expected to cause offence, humiliation or intimidation
- **homophobia** and other hostile behaviour relating to gender and sexuality
- **discrimination**, including racial discrimination
- **cyberbullying** - either online or via mobile phone

Leadership Team’s Responsibilities in Child Safety

Members of St Joseph’s Primary School Leadership Team have the primary responsibility for ensuring that abuse and bullying of students, staff, parents, contractors and visitors does not occur.

Members of the Leadership Team have a responsibility to:

- Monitor the school environment to ensure that acceptable standards of conduct are observed at all times
- Model appropriate behaviour themselves
- Promote St Joseph’s Primary School’s Safe School policy
- Treat all complaints seriously and take immediate action to investigate and resolve the matter
- Refer complaints to another Representative (trained in dealing with abuse or bullying), if they do not feel that they are the best person to deal with the matter (for example, if there is a conflict of interest or if the complaint is particularly complex or serious)

Staff Member Responsibilities in Child Safety

All Staff Members have a responsibility to ensure that they do not participate in child abuse or bullying in the workplace, and to work to eradicate bullying in the workplace.

Staff Members have a responsibility to:

- Comply with the St Joseph’s Primary School’s Safe School policy
- Promote the right of all school community members to feel safe in all school environments, both within and outside of school hours
- Promote care, respect, inclusivity and co-operation, and value diversity
- Comply with the VIT (Victorian Institute of Teaching) Professional Standards for Teachers
• Report any abuse or bullying they experience at the first available opportunity, to enable the issue to be addressed promptly
• Offer support to anyone who is being abused or bullied and advise them where they can obtain help and advice
• Fully participate in any investigation into an incident of abuse or bullying
• Maintain complete confidentiality if they provide information during the investigation of a complaint
• Be aware that spreading gossip or rumours may expose them to a defamation action
• Attend professional development as part of an ongoing understanding of current research and practices in managing incidents of abuse and bullying
• Undertake annual Mandatory Reporting training
• Provide opportunities for students to learn through the formal curriculum the knowledge, skills and dispositions needed for positive relationships.
• Model respectful, positive relationships and positive conflict resolution strategies
• Take action to protect children from and manage, incidents of bullying, violence, abuse and neglect

**Student Responsibilities in Child Safety**

All students are expected to:

• Be courteous and well-mannered at all times
• Show respect for staff, fellow students and all members of the school community
• Show respect for school property and the school environment
• Be punctual to classes
• Behave outside the school in a respectful manner
• Demonstrate pride in the School
• Wear the school uniform as stipulated
• Maintain a clean and neat personal appearance
• Use technology in an appropriate manner
• Disseminate required information to parents and guardians responsibly
• Actively and positively participate in school events
• Actively and positively participate in learning activities
• Complete assigned learning tasks to the best of their ability
• Respect the rights of others to learn
• Refrain from using abusive or aggressive language
• Being truthful, fair, caring and considerate through their actions and words
• Refrain from using or supplying leisure or serious drugs to other students
Parent Responsibilities in Child Safety

It is the parent’s responsibility to:

- Understand all aspects of the School’s policies
- Understand their role in supporting the ethos of St Joseph’s Parish Primary School
- Ensure their child’s attendance on all school days except in the case of illness or prior permission for absences
- Communicate with staff in a polite and timely manner, any concerns which affect their child
- Respectfully communicate concerns directly to the school and not on social media (see Social Media Policy)
- Ensure that their child is personally groomed and dressed in the required school uniform
- Access communication channels provided by the school for information
- Report any instances of abuse or bullying concerning their own child/children as soon as possible

Implementation

School staff who, in the course of carrying out their duties, form a reasonable belief that a child is in need of protection from physical harm, and that the child’s parents are unwilling or unable to protect the child, must report that belief to DHHS Child Protection. If a belief is formed by any staff member that a child or young person has been a victim of, or is in danger of, sexual abuse then they must report this to Victoria Police. (See Guidelines and Procedures for Mandatory Reporting of Child Physical and Sexual Abuse).

Students, governing authorities, staff, parents, contractors and visitors may deal with child safety issues either by resolving the issues themselves, by discussing the problem with the person involved, or by seeking assistance from the Leadership Team.

It is important that victims do not ignore circumstances where they feel they are being abused or bullied, thinking it will go away. Ignoring the behaviour could be wrongly interpreted as approval by the person causing the abuse or bullying.
Steps that can be taken to address individual concerns:

- If you can, try to resolve the problem yourself with the person(s) involved as soon as possible.
- If you can’t resolve it yourself, report the issue either verbally or in writing to a teacher or a member of the Leadership Team as soon as possible.
- If you’re unsure of how to handle the problem yourself, or you just want to talk about the problem with someone and get more information about what you can do, talk to your teacher or a member of the Leadership Team.
- Members of the Leadership Team & the Health & Safety Representative, where elected, may seek external advice and assistance from persons such as independent mediators or investigators.

If you do make a complaint about abuse or bullying, you are responsible for ensuring that you:

- Make the complaint honestly and in good faith.
- Provide all the facts relevant to the complaint.
- Co-operate with the investigation and resolution processes.
- Comply with the St Joseph’s Parish Primary School’s Grievance policy.

In accordance with amendments made to the Fair Work Act 2009, Staff Members or other Workers engaged on behalf of the school, who reasonably believe that they are being bullied at work, may apply to the Fair Work Commission (FWC) to have the matter investigated.

To make an application, a worker must lodge a simple form together with the prescribed application fee to the FWC. NOTE: There is no time limitation on when the application can be made although the FWC is required to deal with the application within 14 days.

If any Staff Member observes an incident in which another Staff Member is being bullied, it is their responsibility to bring it to the attention of the Leadership Team.

**What to do if a complaint is made about you?**

If a complaint of abuse or bullying has been made against you, you are responsible for ensuring that you:

- Cooperate with the investigation and the resolution processes.
- Provide a written or verbal response to the complaint which has been made.
- Provide all relevant facts to the person conducting the investigation.
Complaints that won’t be dealt with:

St Joseph’s Primary School may not assist in dealing with a complaint of abuse or bullying where:

- The complaint has been satisfactorily dealt with or resolved previously (unless another bullying incident has occurred since)
- The complaint is made anonymously without sufficient detail being provided to allow investigation or resolution of the matter
- The complaint is frivolous, vexatious or malicious, for example, where false or misleading information is provided, relevant information is withheld, facts are distorted or there is no demonstrated commitment to resolution. (Note: Depending on the circumstances, these types of complaints could lead to disciplinary action including dismissal action being taken against the person making the complaint)
- The complaint does not constitute abuse or bullying as defined by the policy

Revised: February 2017

Ratified: March 2017

Review: 2020
Procedures for Investigating Bullying & Harassment

St Joseph’s Primary School will respond promptly to any reports of Bullying and Harassment and will work with all parties involved to ensure the matter is appropriately resolved.

Where a serious allegation has been made, an investigation will be the first step taken. Investigations will focus on establishing whether or not a report of bullying is substantiated or if there is not enough information to proceed.

Principles of Natural Justice will be followed:

These principles are designed to protect all parties.

- The person who is alleged to have committed the bullying should be treated as innocent unless the allegations are proved to be true
- Allegations should be investigated promptly
- All allegations need to be put to the person they are made against
- The person the allegations are made against must be given a chance to explain his or her version of events
- If the complaint is upheld, any disciplinary action that is to be taken needs to be commensurate with the seriousness of the matter
- The person who is alleged to have committed the bullying has the right of appeal
- Mitigating factors should be taken into account when assessing if disciplinary action is necessary
- If needed, the person who is alleged to have committed the bullying is able to have a support person (Union Rep or Advocate) present at meetings

Planning an Investigation:

The following needs to be considered and communicated to all involved:

- Who will conduct the investigation (establish the independence of the investigator)
- Setting out what might be achieved by undertaking an investigation
- Determine the investigation process
- Communicating potential outcomes (including disciplinary action) of an investigation to those involved

Investigation Findings:

At the conclusion of an investigation, recommendations should be made about the measures that must be undertaken to finalise the matter. In some circumstances, an investigation may find that a report of bullying is not substantiated and no further action can be taken.

Where bullying is substantiated, strategies to assist complaint resolution should be accessed.

Outcomes of investigations should be communicated to relevant parties in a fair and consistent way that avoids bias.
Procedures for Responding to Bullying & Harassment

St Joseph’s Primary School will respond promptly to any reports of Bullying and Harassment and will work with all parties involved to ensure the matter is appropriately resolved.

The following principles will be applied:

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<th>Treat all matters seriously</th>
<th>» Take all complaints seriously. Assess all reports on their merits and facts.</th>
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<tr>
<td>Act promptly</td>
<td>» Reports should be dealt with quickly, courteously, fairly and within established timelines.</td>
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<td>» All relevant parties should be advised of how long it will take to deal with the report and should be kept informed of the progress.</td>
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<td>» If additional time is required to address the issues, all relevant parties should be kept informed and advised of the additional time required and the reasons for the delay.</td>
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<td>Non-victimisation</td>
<td>» It is important to ensure that anyone who raises an issue of bullying is not victimised for doing so.</td>
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<td>» The person/s the complaint is made against and any witnesses should also be protected from victimisation.</td>
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<td>Support for all parties</td>
<td>» Once a complaint has been made, the parties involved should be told what support is available (e.g. worker assistance programs and peer support systems).</td>
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<td>» The person the allegations have been made against should also be advised of the available support.</td>
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<td>» Treat all parties involved with sensitivity, respect and courtesy.</td>
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<td>» All parties involved should be allowed to have a support person present at interviews or meetings (e.g. Health and Safety Representative, Union Representative or friend).</td>
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<td>Neutrality</td>
<td>» Impartiality towards everyone involved is critical. This includes the way that people are treated in any process.</td>
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<td>» The person in charge of an investigation or resolution process should never have been directly involved in the incident they are investigating or attempting to address.</td>
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<td>» They should also avoid any personal or professional bias.</td>
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<td>Communication (of process and outcomes)</td>
<td>» All parties need to be informed of the process, how long it will take and what they can expect to happen during the process.</td>
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<td>» Provide all parties with clear reasons for any actions that have been taken and in some circumstances not taken.</td>
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<td>Confidentiality</td>
<td>» The process should ensure complainant confidentiality and also ensure confidentiality for other parties involved.</td>
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<td>» Details of the matter should only be known by those directly concerned.</td>
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<td>Documentation</td>
<td>» Even if the matter is not formally investigated, a record should be made of all meetings and interviews detailing who was present and the agreed outcomes.</td>
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Related Documents and Resources

- St Joseph’s Mandatory Reporting Guidelines and Procedures
- St Joseph’s Duty of Care Policy
- St Joseph’s Social Media Policy
- St Joseph’s WWC Register Policy
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