

DISCRIMINATION, BULLYING AND HARASSMENT POLICY

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1. PURPOSE AND SCOPE

1.1. Purpose

This policy provides a clear statement of Teach For Australia's (TFA) position on Discrimination, Bullying, and Harassment within the workplace.

1.2. Scope

This national policy applies to TFA employees, contractors, volunteers, work experience students and other individuals working within a TFA workplace, or undertaking work directed by TFA.

This policy is not limited to the workplace or working hours, and includes all work-related activity, such as (but not limited to); lunches, dinners, functions/events, meetings and conferences.

2. POLICY DETAILS

2.1. Organisation Commitment

TFA acknowledges that everyone has a right not to be discriminated against, bullied or harassed within the workplace, and that a workplace culture which is free from Discrimination, Bullying, Victimization and/or Harassment is essential for our people's wellbeing, which enables productivity for the achievement of TFA's vision and mission.

TFA recognises its responsibility to prevent injury and harm to those involved in its work through compliance with anti-bullying, equal employment opportunity, occupational health and safety laws, and other relevant laws.

Management of Discrimination, Bullying, Victimization and Harassment incidents are subject to TFA's Grievance Resolution Policy and Procedure.

2.2. Policy Application: Headlines

For TFA to maintain a respectful and productive working environment, which is free from Discrimination, Bullying, Victimization or Harassment, the following is required:

- a) individuals must comply with policy;
- b) individuals must take responsibility for own actions and undertake appropriate conduct, contributing to a culture free from Discrimination, Bullying, Victimization and/or harassment;
- c) individuals are expected to report (in accordance with the [Grievance Resolution Policy and Procedure](#)) any incidents of Discrimination, Bullying, Victimization and/or Harassment, and if safe to do so, encouraged to intervene to prevent and stop Discriminatory, Bullying, Victimising and/or Harassing behaviour;
- d) TFA will provide prevention programs, including policies, information and training to contribute towards providing work environments that are free from Discrimination, Bullying, Victimization and/or Harassment;
- e) TFA will make all Reasonable Adjustments to ensure persons with a disability are treated no less favourably than persons without a disability;
- f) Reasonable management actions and supervisory practices are not bullying.

2.3. Definitions

Term	Definition
Bullying	<p>Is repeated, unreasonable behaviour directed toward an individual, or group of individuals, that a reasonable person, having regard to all of the circumstances, would anticipate to be humiliating, intimidating, undermining or threatening and that creates a risk to their health and safety.</p> <p>Some instances of bullying will also amount to unlawful discrimination, victimisation and/or sexual harassment.</p> <p>Can take the form of physical, verbal and non-verbal conduct and can occur both in and outside the workplace at events such as social functions or business trips.</p>
Discrimination	<p>Discrimination may be direct or indirect.</p> <p>Direct discrimination occurs when a person with a particular attribute is treated unfavourably due to that attribute.</p> <p>Indirect discrimination occurs when a person, or group of persons, with an attribute is unreasonably disadvantaged as a result of a requirement, condition or practice being imposed on that person or group of persons.</p> <p>In respect of both direct and indirect discrimination, the motive for the unfavourable treatment is irrelevant.</p> <p>The attributes referred to in anti-discrimination legislation vary from State to State and Federally, and include but are not limited to:</p> <ul style="list-style-type: none"> • age; • disability; • industrial activity; • lawful sexual activity; • marital or relationship status; • physical features; • political beliefs; • pregnancy or potential pregnancy; • race; • religious beliefs; • breastfeeding; • sex; • gender identity, sexual orientation, gender expression and intersex status; • parental status or status as a carer; and • family responsibilities.

Harassment	<p>Is any unwanted physical, verbal or non-verbal conduct based on grounds of age, disability, gender identity, marriage and civil partnership, pregnancy or maternity, race, heritage culture, religion or belief, sex or sexual orientation which affects the dignity of anyone at work or creates an intimidating, hostile, degrading, humiliating or offensive environment.</p> <p>For the purpose of this Policy, Harassment includes Sexual Harassment and Racial and Religious Vilification.</p>
Reasonable Adjustment	<p>A change or removal of a barrier to the way in which a work situation is organised so that an employee with a disability can perform their role effectively and free from Discrimination.</p> <p>A Reasonable Adjustment may include, but is not limited to:</p> <ul style="list-style-type: none"> • a change to a person’s physical working environment; • a change to the way in which the person is required to perform their work; • a change in how other people are directed to interact with that person. <p>An adjustment will be Reasonable Adjustment where it does not cause unjustifiable hardship to TFA.</p>
Racial and Religious Vilification	<p>Occurs where a person engages in conduct that incites hatred, serious contempt, revulsion or severe ridicule against another person or group of people, because of their race or religious belief or activity.</p> <p>It is irrelevant whether or not the person that made an assumption about the race or religious belief or activity of another person that was incorrect.</p>
Sexual Harassment	<p>Any verbal, written, visual or physical behaviour of a sexual nature that is unwelcome and uninvited where the harasser in all the circumstances should have anticipated the possibility that the other person would be offended, humiliated or intimidated.</p>
Victimisation	<p>Victimisation occurs when a person is treated or threatened to be treated in an adverse manner as a result of making or proposing to make a complaint under this policy. Victimisation also occurs when there is adverse treatment because a person has supported the complaint of another.</p> <p>It is unacceptable and against the law for any person to be treated differently for the reason that he or she decided to exercise their legal rights under Commonwealth, State or Territory laws in relation to bullying, victimisation or harassment or to help someone else to do the same.</p>
Work Environment / Workplace	<p>Any location where TFA work is carried out and includes but is not limited to TFA’s offices, home offices and stakeholder and service provider sites.</p>

2.4. Organisation Responsibility

TFA is committed to ensuring, so far as is reasonably practicable, work environments that are free from Discrimination, Bullying or Harassment.

TFA will take all reasonably practicable steps to:

- a) provide and maintain work environments that are free from Discrimination, Bullying and/or Harassment;
- b) provide information and training to enable individuals to conduct their work activities and undertake reasonable management practices which are free from Discrimination, Bullying and/or Harassment;
- c) ensure that all reports of bullying and/or harassment are treated seriously, investigated quickly, objectively and fairly;
- d) ensure that any person who makes a complaint in respect of bullying and/or harassment is not victimised for raising concerns;
- e) make all Reasonable Adjustments to ensure persons with a disability are treated no less favourably than persons without a disability;
- f) make all documents, processes and guidance referenced in Section 3 available to all individuals.

Reasonable management actions and supervisory practices are not bullying. For example, it is not bullying when TFA reasonably:

- a) implements a performance management or counselling process;
- b) imposes disciplinary action;
- c) allocates work; or
- d) requires the performance of additional working hours.

2.5. Individual Responsibility

Individuals have a duty to take responsibility for their own behaviour, which includes consideration to the health, safety and wellbeing of others who may be affected by their actions or omissions.

Individuals:

- a) must conduct themselves appropriately, adhering to this, and other associated policies and procedures (namely, Code of Conduct, Health, Safety and Wellbeing and Grievance);
- b) must comply with any reasonable duties and instructions that are given by TFA and cooperate with any reasonable and relevant policy or procedure of TFA;
- c) are expected to promptly report (in accordance with the Grievance Resolution Policy and Procedure) any incidents of Discrimination, Bullying, Victimisation and/or Harassment that may be in breach of this policy, so that it can be appropriately managed;
- d) where it is safe to do so, are encouraged to intervene to prevent and stop Discriminatory, Bullying, Victimising and/or Harassing behaviour;
- e) where relevant, maintain confidentiality, if involved in any investigation of Discrimination, Bullying, Victimisation or Harassment.

3. RELATED DOCUMENT AND REFERENCES

- [Code of Conduct](#)
- [Grievance Resolution Policy and Procedure](#)
- [Health, Safety and Wellbeing Policy](#)
- [Employee Assistance Program](#)
- [Equal Employment Opportunity and Valuing Diversity Policy](#)
- [Individual Performance and Development Framework](#)
- Social Media & Internet Policy
- Australian Human Rights Commission (1800 620 241)
- Fair Work Commission (13 13 94)
- Applicable State and Federal anti-discrimination legislation
- Applicable State and Federal Racial and Religious Tolerance legislation

4. POLICY HISTORY

From time to time, this policy may be changed by TFA.

Version	Effective Date	What
1	12 May 2015	Policy implemented.
2	22 Nov 2019	Full review of previous policy, and a refreshed policy implemented.