

411 Student Bullying, Harassment and Discrimination Policy and Procedure

1. All students at Community College Gippsland (CCG) and ECG Secondary College (to be referred to as CCG for the purpose of this policy and procedure), are entitled to learn in an environment free from bullying, harassment or discrimination of any kind.
2. Any acts of bullying including cyber-bullying, discrimination, harassment or violence by students in breach of this policy and procedure may result in disciplinary action, including student removal from CCG's courses.
3. CCG expects all students to treat others with respect, courtesy and consideration, and respect the views of others including different beliefs, genders, sexuality, cultures and religions.
4. CCG is a Child Safe organisation that is committed to the cultural safety of students from a culturally and/or linguistically diverse backgrounds, and to providing a safe environment for students with a disability.

Purpose

5. To outline CCGs commitment to providing a safe and respectful learning environment where bullying will not be tolerated.
6. The purpose of this policy is to:
 - explain the definition of bullying so that there is shared understanding amongst all members of the CCG community
 - make clear that no form of bullying at CCG will be tolerated
 - outline the strategies in place at CCG to build a positive culture and prevent bullying behaviour
 - ask that everyone in CCG be alert to signs and evidence of bullying behaviour, and understands the importance of reporting bullying behaviour to CCG staff
 - ensure that all reported incidents of bullying are appropriately investigated and addressed
 - ensure that support is provided to individuals who may be affected by bullying behaviour (including targets, bystanders, witnesses and individuals engaging in bullying behaviour)
 - seek parental and peer group support in addressing and preventing bullying behaviour at CCG.
7. When responding to bullying behaviour, CCG aims to:
 - be proportionate, consistent and responsive in seeking a constructive solution for all.
 - stop the bullying from happening again
 - restore the relationships between the individuals involved.
8. CCG acknowledged that staff owe a duty of care to students to take reasonable steps to reduce the risk of reasonably foreseeable harm, including harm caused by bullying behaviour.

Scope

9. This policy and procedure apply to all:
 - CCG Campuses including the Virtual Campus.
 - activities, including camps and excursions and extracurricular activities.
 - bullying behaviour between students that occurs outside of college hours, where the behaviour impacts on student wellbeing and safety at school.
 - students of CCG always.

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Policy

Definitions

Bullying - In 2018 the Education Council of the Council of Australian Governments endorsed the following definition of bullying for use by all Australian schools:

Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening.

Bullying can happen in person or online, via various digital platforms and devices and it can be obvious (overt) or hidden (covert). Bullying behaviour is repeated, or has the potential to be repeated, over time (for example, through sharing of digital records).

Bullying of any form or for any reason can have immediate, medium and long-term effects on those involved, including bystanders. Single incidents and conflict or fights between equals, whether in person or online, are not defined as bullying.

Bullying has three main features:

- It involves a misuse of power in a relationship
- It is ongoing and repeated, and
- It involves behaviours that can cause harm.

There are four main types of bullying behaviour:

- **Physical** — examples include hitting, pushing, shoving or intimidating or otherwise physically hurting another person, damaging or stealing their belongings. It includes threats of violence.
- **Verbal/written** — examples include name-calling or insulting someone about an attribute, quality or personal characteristic.
- **Social** (sometimes called relational or emotional bullying) — examples include deliberately excluding someone, spreading rumours, sharing information that will have a harmful effect on the other person and/or damaging a person's social reputation or social acceptance.
- **Cyberbullying** — any form of bullying behaviour that occurs online or via a mobile device. It can be verbal or written, and can include threats of violence as well as images, videos and/or audio.

Bullying can be a form of racism, sexism, homophobia, transphobia or other type of social prejudice when the behaviour is targeted at an individual or group because of a personal characteristic, such as race, religion, sex, sexual orientation, gender identity or disability.

Other distressing and inappropriate behaviours

10. Many distressing and inappropriate behaviours may not constitute bullying even though they are unpleasant. Individuals who are involved in or who witness any distressing and inappropriate behaviours should report their concerns to CCG staff who will follow up, adhering to our policies and procedures.

- **Mutual conflict** involves an argument or disagreement between people with no imbalance of power. In incidents of mutual conflict, generally, both parties are upset and usually both want a resolution to the issue. Unresolved mutual conflict can develop into bullying if one of the parties targets the other repeatedly in retaliation.
- **Social rejection or dislike** is not bullying unless it involves deliberate and repeated attempts to cause distress, exclude or create dislike by others.
- **Single episode** acts of nastiness or physical aggression are not the same as bullying. However, single episodes of nastiness or physical aggression are not acceptable behaviours at CCG and may have serious consequences for individuals engaging in this behaviour. CCG will adhere to its policies and procedures to guide a response to single episodes of nastiness or physical aggression.

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- **Harassment** is language or actions that are demeaning, offensive or intimidating to a person. It can take many forms, including sexual harassment and disability harassment.
- **Discrimination** is behaviour that treats someone unfavourably because of a personal characteristic (for example, race, religious belief or activity, disability, sex or intersex status, gender identity or sexual orientation).
- **Discrimination, harassment**, and any other inappropriate behaviour is not tolerated at our organisation and there may be serious consequences for students engaging in this behaviour. This includes any form of racism, religious or disability discrimination, sexism, homophobia, transphobia, or any other behaviour that targets an individual or group. Further information about discrimination and harassment, including definitions, is set out in our Inclusion and Diversity Policy.

Principles

11. CCG will be guided by the underlying principles of natural justice in applying this policy:
12. Any allegation of bullying/harassment/discrimination will be investigated promptly
 - The person who is alleged to have committed the incident will be presumed innocent until the allegations are proven
 - The allegation must be put to the person alleged to have committed the incident.
13. The person alleged to have committed the incident must be provided the opportunity to explain their version of events. This may include being offered a meeting with all concerned to enable restorative practice to occur, encouraging resolution of conflict, repair of harm and restoration of positive relationships.
14. If any complaint is substantiated, the disciplinary and/or responsive and restorative action must be commensurate with the seriousness of the matter.
15. Bullying, harassment, or discrimination based on gender, race, ethnic or national origin, religious or ethical belief, political affiliation, academic or administrative status, age, physical ability, sexual orientation or other grounds is unacceptable.
16. Bullying, harassment, or discrimination can arise from jokes or innuendo; the public display of offensive material (including for example, posters, flyers, graffiti or computer screen savers); offensive questions, comments, abuse or gestures; offensive physical contact or physical assault; and bullying.
17. Sexual harassment and Child Abuse is unlawful and can arise from sexually oriented jokes or innuendo; the public display of offensive material (including, for example, posters, flyers, graffiti or computer screen savers); unnecessary physical contact, offensive gestures, or inappropriate inquiries into the private life of another person; persistently and inappropriately inviting out another person, particularly a subordinate or student; requesting or demanding sexual favours; and physical sexual assault. Such behaviour is considered sexual harassment when it is unwelcome and/or offensive to the recipient and is repeated or of such a significant nature that it has a detrimental effect on the recipient's ability to study or engage in his/her normal work activities.
18. Sexual harassment is most serious when it includes any of the following:
 - An implied or expressed promise or benefit for complying with a sexually oriented request; or
 - An implied or expressed threat of detriment; or

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- the actual causing of detriment, because a person has made, or indicated an intention to make, a complaint of sexual harassment, or has in any way objected to sexually oriented behaviour.
 - Actual physical assault or rape.
19. Sexual Harassment involving a minor may require reference to the Child Safety & Wellbeing Policy and Procedure and the Child Safe Responding and Reporting Obligations Policy and Procedure.

Procedure

Bullying Prevention

20. CCG has several programs and strategies in place to build a positive and inclusive college culture and relationships to promote wellbeing. We strive to foster a culture that prevents bullying behaviour by modelling, encouraging and teaching behaviour that demonstrates acceptance, kindness and respect.
- Bullying prevention at CCG is a proactive and whole school, multifaceted approach to prevent and address bullying. We identify and implement evidence-based programs and initiatives that are relevant to preventing and addressing bullying and help us to build a positive and inclusive climate. Students are exposed to and explicitly taught information and strategies pertaining to the making, nurturing and maintaining of positive and respectful relationships through targeted curriculum and programs.
 - Information is shared with the whole school community including the parent/carer community regarding Child Safety and parenting support and advice. We strive to build strong partnerships between CCG, families and the broader community that means all members work together to ensure the safety of students.
 - We participate in the Respectful Relationships initiative, which aims to embed a culture of respect and equality across our school.
 - We are an eSmart School, which means we invest in action and planning designed to build a culture of safe and responsible digital technology use.

At CCG:

21. We celebrate the diverse backgrounds of members of our school community and teach multicultural education, including Aboriginal History, to promote mutual respect and social cohesion.
- We foster a safe environment that is supportive and inclusive of LGBTQIA+ students, and align ourselves with the Victorian Safe Schools Framework, aiming to ensure that all students should be safe from bullying and feel included at school.
 - Teachers are encouraged to incorporate classroom management strategies that discourage bullying and promote positive behaviour, including restorative practices.
22. A range of year level incursions and programs are planned for to raise awareness about bullying and its impacts.
- In the classroom, our Wellbeing curriculum teaches students what constitutes bullying and how to respond to bullying behaviour assertively. This promotes resilience, assertiveness, conflict resolution and problem solving.

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- We promote upstander behaviour as a way of empowering our students to positively and safely take appropriate action when they see or hear of a peer being bullied.
 - Our Wellbeing Model includes key elements, guiding principles and effective collaborative practices to support our school community build and maintain safety, positive relationships and wellbeing.
23. We seek to empower students to be confident communicators and to resolve conflict in a non-aggressive and constructive way.
- Students are encouraged to look out for each other and to talk to teachers and older peers about any bullying they have experienced or witnessed.

For further information about our engagement and wellbeing initiatives, please see our Student Wellbeing and Engagement policy.

Incident Response

Reporting concerns to CCG

24. Bullying is not tolerated at CCG. We ensure bullying behaviour is identified and addressed with appropriate and proportionate consequences. All bullying complaints will be taken seriously and responded to sensitively.
25. Students who may be experiencing bullying behaviour, or students who have witnessed bullying behaviour, are encouraged to report their concerns to CCG staff or another trusted adult as soon as possible.
26. Our ability to effectively reduce and eliminate bullying behaviour is greatly reliant on students and/or parents and carers reporting concerning behaviour as soon as possible, so that the responses implemented by CCG are timely and appropriate in the circumstances.
27. We encourage students to speak to their classroom teacher. However, students are welcome to discuss their concerns with any trusted member of staff including the Child Safe Officer, Child Safe Champions or wellbeing staff.
28. Parents or carers who develop concerns that their child is involved in or has witnessed bullying behaviour at CCG should contact their child's teacher in the first instance, by phoning ECG Administration.

Investigations

29. When notified of alleged bullying behaviour, CCG staff are required to:
- record the details of the allegations in the relevant location i.e. incident register, Compass; and
 - inform the Campus Principal/Campus Lead Teacher who is responsible for investigating allegations of bullying in a timely and sensitive manner and to appropriately investigate an allegation of bullying, may:
 - speak to the those involved in the allegations, including the target/s, the students allegedly engaging in bullying behaviour/s and any witnesses to the incidents
 - speak to the parent/carer(s) of the students involved
 - speak to the teachers of the students involved
 - conduct a restorative conversation
 - take detailed notes of all discussions for future reference

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- obtain written statements from all or any of the above.
- 30. All communications with the Campus Principal/Campus Lead Teacher while investigating an allegation of bullying will be managed sensitively.
- 31. The objective of completing a thorough investigation into the circumstances of alleged bullying behaviour is to determine the nature of the conduct and the students involved. A thorough understanding of the alleged bullying will inform staff about how to most effectively implement an appropriate response to that behaviour.
- 32. Serious bullying, including serious cyberbullying, is a criminal offence and may be referred to Victoria Police. For more information, see: [Brodie's Law](#).

Responses to bullying behaviours

- 33. When Campus Principal/Campus Lead Teacher has sufficient information to understand the circumstances of the alleged bullying and the students involved, several strategies may be implemented to address the behaviour and support affected students in consultation with student wellbeing team, teachers, assistant principal student wellbeing or college principal.
- 34. There are several factors that will be considered when determining the most appropriate response to the behaviour. When deciding about how to respond to bullying behaviour, CCG will consider:
 - the age, maturity and individual circumstances of the student/s involved
 - the severity and frequency of the bullying, the impact it has had on the target individual
 - whether the individual/s have engaged in similar bullying behaviour before
 - whether the bullying took place in a group or one-to-one context
 - whether the individuals engaging in bullying behaviour demonstrates insight or remorse for their behaviour
 - the alleged motive of the behaviour.
- 35. Campus Principal/Campus Lead Teacher may implement all, or some of the following responses to bullying behaviours:
 - Offer wellbeing support, including referral to the Student Wellbeing Team to:
 - the target student or students
 - the students engaging in the bullying behaviour
 - affected students, including witnesses and/or friends of the target student.
 - Facilitate a restorative meeting with all or some of the students involved. The objective of restorative practice is to repair relationships that have been damaged by bringing about a sense of remorse and restorative action on the part of the person who has bullied someone and forgiveness by the person who has been bullied.
 - Facilitate a mediation between some or all the students involved to help to encourage students to take responsibility for their behaviour and explore underlying reasons for conflict or grievance. Mediation is only suitable if all students are involved voluntarily and demonstrate a willingness to engage in the mediation process.
 - Facilitate a Student Support Group (SSG) meeting and/or Behaviour Support Plan for affected students.
 - Prepare a Safety Plan restricting contact between target and students engaging in bullying behaviour.

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- Provide discussion and/or mentoring for different social and emotional learning competencies of the students involved.
 - Monitor the behaviour of the students involved for an appropriate time and take follow up action if necessary.
 - Implement cohort, year group, or whole school targeted strategies to reinforce positive behaviours (Tier 2 intervention).
 - Implement proportionate disciplinary consequences for the students engaging in bullying behaviour, which may include removal of privileges, detention, suspension and/or expulsion consistent with our Student Wellbeing and Engagement policy, any other relevant CCG policy.
36. CCG understands the importance of monitoring and following up on the progress of students who have been involved in or affected by bullying behaviour. Where appropriate, college staff will also endeavour to provide parents and carers with updates on the management of bullying incidents.
37. Campus Principal/Campus Lead Teacher is responsible for maintaining up to date records of the investigation of and responses to bullying behaviour.

Communication

This policy will be communicated to our school community in the following ways:

- Available publicly on college website
- Included in staff induction processes
- Included in our ECG handbook/s
- Discussed at ECG staff briefings/meetings as required
- Discussed at parent meetings
- Included in transition and enrolment packs
- Made available in hard copy from college reception upon request

Relationships

Internal

- Information Privacy Policy
- Occupational Health and Safety Policy
- Code of Conduct Policies and Disciplinary Procedures
- Child Safe Policy
- Child Safe Policy and Procedures
- Complaints and Appeals Policy and Procedures

External

- Fair Work Act (2009)
- Health and Safety Act (2012)
- Occupational Health and Safety Act (Vic) (2015)
- Equal Opportunity Act (Vic) 2010)
- Human rights and Equal Opportunity Commission Act (1986)
- Age Discrimination Act (2004)
- Disability Discrimination Act (2010)
- Racial Discrimination Act (2001)

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- Sex Discrimination Act (1984) amendment (1991)
- Racial and Religious Tolerance Act (2001)
- Disability Services Act (2006)
- Disability Amendment Act 2017
- Disability Regulations 2018
- Education and Training Reform Act 2006 (Vic)
- Education and Training Reform Regulations 2017
- Children, Youth and Families Act 2005 (Vic)
- Children's Services Act 1996 (Vic)
- Children's Services Regulations 2009 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Information Privacy Act 2000 (Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Victorian Information Privacy Act (2009)

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