



Procedure: Prevention of discrimination, harassment and bullying

Purpose

To outline the University strategies and responsibilities of staff and students for preventing discrimination, harassment and bullying at the University.

Principles

1. The University's commitment to excellence is underpinned by values including integrity in all activities, respect in all relationships, collegiality to encourage staff and students to work together and commitment to the University community to meet the needs and nurture the talents of all staff and students.
2. The University is committed to ensuring that staff and students are treated with respect, recognising all members of the University have the right to work and study in an environment free from discrimination, harassment and bullying.
3. Discrimination, harassment and bullying behaviour will not be tolerated under any circumstances, and is prohibited in any University work-related or educational context, whether on or off the University campus.
4. The [Discipline Rule](#) prescribes behaviour that amounts to misconduct by students including harassment, victimisation or other discrimination. Nothing in this procedure overrides any actions that may be undertaken under the Discipline Rule.
5. The University [Code of Conduct](#) prescribes duties and obligations of staff including ensuring fair treatment of people and avoiding harassing, bullying or discriminatory behaviour.
6. The University has an obligation under the Work Health and Safety Act 2011 to ensure a safe working environment and prevent bullying or harassing behaviour by staff that may amount to a risk to health and safety. This obligation is reiterated in the University Enterprise Agreement.

ANU strategies

7. The University will implement strategies to eliminate discrimination, harassment and bullying including:

- training and awareness-raising strategies to ensure that all staff and students are aware of both this policy and the University grievance policies for staff and students;
- grievance management procedures which are based on the principles of procedural fairness;
- treating all grievances in a sensitive, fair, timely and confidential manner;
- acting against victimisation; and
- encouraging the reporting of behaviour which breaches this policy.

Procedure

8. Workplace harassment or bullying is repeated unreasonable and inappropriate behaviour in the workplace or education environment conducted by one or more persons against another or others, which comprises behaviour that a reasonable person would regard as undermining the person(s) right to dignity through victimising, harming, humiliating, intimidating or the person or persons, thereby creating a risk to health and safety.
9. Workplace harassment or bullying does not include any legitimate comment, criticism and advice, or reasonable use of performance management processes; lawfully based and fairly applied disciplinary action; allocation of work in compliance with processes; implementation of organisational change or downsizing; action taken to transfer or redeploy a staff member; or a decision not to promote or reclassify the staff member.
10. Discrimination can be direct and can occur by specific exclusion or adverse treatment based on a person's personal characteristics, such as their gender, race, colour, ethnic or ethno-religious background, descent or national identity; age; sexual orientation, etc. Discrimination can also be indirect, and can occur when a requirement or condition is imposed on everyone equally, but persons of a particular group would have difficulty complying with the requirement because of their personal characteristics.
11. Sexual harassment is unwelcome behaviour of a sexual nature including suggestive comments or jokes, unwanted staring or touching, intrusive questions about a person's private life, repeated requests for dates or sex. Behaviour that is based on mutual attraction, friendship and respect, or where interactions are consensual, welcome and reciprocated it is not sexual harassment.
12. Some forms of discrimination, harassment and bullying can also constitute criminal offences, including:
 - physically assaulting a person, including sexual assault;
 - stalking; and

- obscene communications including through emails, phone calls etc.

13. The University will act immediately on reports of possible criminal offences.

Complaints procedures

14. A staff member who feels aggrieved by an action that may constitute workplace harassment, bullying or discrimination is expected to raise the issue(s) with their supervisor, or the supervisor's supervisor, as soon as practicable.

15. Should more than one staff member be aggrieved by the same or related actions that may constitute workplace harassment, bullying or discrimination these staff may choose to act as a group on this matter. Such a group complaint is an acceptable form of complaint and will be dealt with as a group complaint.

16. The [Staff grievance resolution policy](#) and [procedure](#) and the [Student complaint resolution policy](#) and [procedure](#), set out the procedure for managing formal or informal resolution of grievances. Staff and students are encouraged to use these policies and procedures if they consider that they are experiencing discrimination, harassment or bullying.

Responsibilities

17. Managers, supervisors and academic staff have a responsibility to:

- monitor the work or learning environment to ensure that acceptable standards of conduct are observed at all times;
- promote this procedure and the relevant University grievance procedure or complaints policy within their area of responsibility; and
- treat all complaints seriously and confidentially and take immediate action to refer the staff member or student to the relevant policy and procedures.

18. All staff have a responsibility to:

- personally demonstrate appropriate behaviour in accordance with the University Code of Conduct;
- take reasonable care to ensure their own safety and health and avoid adversely affecting the safety and health of any other person through any act of workplace bullying or omission to deal with an act of bullying.
- offer support to anyone who claims that they are experiencing discrimination, harassment or bullying and let them know where they can get help and advice; and
- consult with relevant senior officers on reports of discrimination, harassment and bullying.

19. All students have a responsibility to:

- comply with this procedure.

Document information

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