

# respectful behaviour policy

## Introduction

The policy applies to all members of the Clarendon community, including visitors and independent contractors. It should be read in conjunction with the Discrimination, Harassment and Bullying Policies. Clarendon is an equal opportunity employer and is committed to maintaining a work environment free of unlawful discrimination, sexual harassment, bullying, violence and victimisation. Clarendon strives to eliminate any elements of unlawful discrimination, harassment, bullying, violence or victimisation that may prevent our employees and students from reaching their full potential. All members of the Clarendon community are expected to adhere to a high standard of professional conduct.

## Policy

All members of the Clarendon community have a right:

- to be safe;
- to be respected; and
- not to be bullied, harassed or victimised.

Clarendon encourages anyone who feels that their rights have been breached to report the matter.

The Clarendon Community is defined as students, parents and guardians of students, grandparents and any other family members of students who may attend any Clarendon campus staff, and all authorized workers on any Clarendon campus.

## Social networking, the internet and social interactions

- This policy also applies to interactions which have sufficient connection with the Clarendon community and extends to include interactions using technology, such as mobile phones, email, chat sites, blog and internet sites (i.e. Facebook and LinkedIn, etc).
- All interactions connected must comply with the Social Media policy, observe appropriate etiquette, comply with all Clarendon policies and observe the expected standards of respect and fairness.
- Inappropriate use of Social Media, whether or not that use takes place on a Clarendon provided device or a private device, may constitute a breach of this policy. It may also constitute a breach of the Social Media Policy.
- Behaviour that may constitute a breach of this policy includes, but is not limited to, the posting of false, defamatory, offensive, confidential, private or inappropriate information about Clarendon, its employees, contractors, officers, students, suppliers or Community members. This includes the uploading of photos and videos that may be deemed to be false, defamatory, offensive, confidential, private or inappropriate.
- It is essential that all members of the Clarendon community familiarise themselves with this policy and the Social Media policy.

## Discrimination

Clarendon prohibits discrimination on any unlawful ground. Discrimination does not have to be calculated, intentional or even conscious, to be unlawful. The intention of the person discriminating is irrelevant.

### What are the prohibited grounds of discrimination?

The prohibited grounds of discrimination in Australia include, but are not limited to: race (including colour, nationality, ethnicity and ethnic origin); religious activity, beliefs or culture; sex; pregnancy or potential pregnancy; sexual preference; age; physical or mental disability; breast feeding; transsexuality; gender identity; lawful sexual activity; sexual orientation; expunged homosexual conviction; marital status; family or carer responsibilities; political activity or belief; physical features; industrial activity; criminal record (when it does not relate to the inherent requirements of the role); medical record (when it does not relate to the inherent requirements of the role); or, personal association with anyone possessing such attributes.

### Direct and indirect discrimination

Direct discrimination is when a person treats, or proposes to treat, someone unfavourably because of a personal characteristic protected by law.

Indirect discrimination occurs when an unreasonable condition is imposed that disadvantages a person with a personal characteristic protect by law. Indirect discrimination happens when a workplace policy, practice or behaviour seems to treat all workers the same way, but it actually unfairly disadvantages someone because of a personal characteristic protected by law.

### **What is bullying?**

Bullying is behaviour that victimises, humiliates, undermines, or threatens a person or group of people and the behavior creates a risk to health and safety. Bullying is not a one-off, isolated incident or an argument where two individuals have differences of opinion. Workplace bullying is defined as repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety.

**Repeated behaviour** refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

**Unreasonable behaviour** means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening. A single incident of unreasonable behaviour is not considered to be workplace bullying; however, it may have the potential to escalate and should not be ignored.

Types of bullying may include, but are not limited to:

- verbal abuse or verbal denigration;
- malicious use of electronic communication and/or social media;
- spreading malicious rumours or gossip;
- teasing (especially about a person's family, sex, sexuality, race, culture, education or economic background);
- exclusion or isolation;
- aggressive or intimidating conduct;
- unwanted physical actions, such as pushing, poking or grabbing;
- belittling or humiliating comments;
- teasing, practical jokes or 'initiation ceremonies';
- pressure to behave in an inappropriate manner; and
- displaying offensive material.

### **What is not bullying?**

- Bullying is not about the occasional differences of opinion, conflicts and problems in relationships – these are part of working life and not every conflict will constitute bullying.
- It is also important to distinguish between an employer's legitimate authority at work and bullying. All employers and leaders are required to direct and control how work is done and to provide feedback to employees on performance.
- Feedback that is provided to employees with the intention of assisting employees to improve performance or work-related behaviour does not constitute bullying – it is considered Reasonable Management Action.
- Reasonable Management Action may include, for example:
  - performance management processes;
  - disciplinary action for misconduct;
  - informing a worker about unsatisfactory work performance or inappropriate work behaviour;
  - directing a worker to perform duties in keeping with their job; and
  - maintaining reasonable workplace goals and standards.
- By contrast, comments unrelated to actual performance that are used to embarrass or humiliate the employee may constitute bullying, especially when they occur in conjunction with other bullying behaviours.

### **Harassment**

Harassment is a type of unlawful discrimination. Harassment is behaviour that a reasonable person would anticipate might be unwelcome, or might humiliate, abuse, belittle, threaten, offend or intimidate someone and targets the person because of a prohibited ground of discrimination. It may be directed towards an individual or to a group of people, as a result of a real; or perceived attribute or difference. Anyone, of any age, race or sex, can be harassed. Harassment is often about a person/group of people using power inappropriately, over another person/group of people. However, harassment can also happen between people when there is no power relationship.

Examples of harassment can include:

- displaying material that is racist, sexist, sexually explicit, homophobic etc in the school or circulation via paper, phone, email, or social media;
- verbal abuse or comments that denigrate people because of their sex, pregnancy, race, age, sexuality, disability etc.;

- offensive jokes or gestures based on these characteristics;
- ignoring, isolating or segregating a person or group because of these characteristics;
- staring or leering in a sexual manner;
- unwanted physical contact of a sexual nature;
- unwanted sexual advances or requests for sexual favours;
- inappropriate use of email, and/or Clarendon's computer system with racist, sexist or defamatory information;
- harassing statements or threats; and
- transmitting, receiving and/or displaying sexually explicit material.

### **What is Sexual Harassment?**

The most common form of harassment is sexual harassment. Sexual harassment is a form of sex discrimination and, in some cases, it may constitute a criminal offence. Clarendon is committed to maintaining a work environment free from this form of behaviour.

### **What is Racial Harassment?**

Another form of unlawful harassment is racial harassment. Like sexual harassment, in some cases racial harassment may constitute a criminal offence. Examples of racial harassment include using words, gestures, visual material or threats about skin colour, race or ethnic or natural origin. These examples are not exhaustive.

### **Managing breaches of this policy**

In terms of managing student behaviour, our approach is to take disciplinary action out of the 'punishment' arena so that it is viewed in the context of personal growth. Clarendon is firmly opposed to corporal punishment or any form of physical violence. We aim to educate our students to value themselves and others as individuals, who respect the rights of other community members and who can incorporate this awareness into their daily decision making and actions. As such, disciplinary action will require students to take responsibility for the effect that their disrespectful behaviour may have had on others and where possible to make reparation.

The Respectful Behaviour Procedure outlines how incidents of disrespectful behaviour should be reported and subsequently managed.



Owner: Head of HR	Approved: Board	Respectful Behaviour Policy
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