BULLYING AND HARASSMENT POLICY

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1. PREAMBLE

John Wollaston Anglican Community School (the School) is committed to making the School a place where students can learn and staff can perform their roles free from harassment, bullying or violence. Our aim is to establish a community in which everyone is able to feel safe and valued and where individual differences are appreciated.

- Our school does not tolerate bullying or harassment.
- Our school promotes a positive, nurturing environment where respect for others is expected.
- Students are educated through Religious and Values Education, in assemblies, services, Encounters, Secondary House Groups and Primary classes about what constitutes harassment and bullying. *Opportunities are also taken to raise awareness as situations present themselves.*
- Strategies and behaviours for positive social interaction are taught.
- Resilience and positive self-esteem are encouraged.
- Students are encouraged to report incidents of bullying – it is their right and responsibility to do so, whether it happens to them or to someone else. They are taught that this is not 'dobbing'.
- Reports of bullying are always dealt with as quickly as possible. Each case is dealt with individually according to the specifics of the situation.
- Support and guidance is offered to all students, both those who are bullied and those who are bullying, through our Pastoral Care System.
- The School will also work with parents to support those who are bullied and to try to modify the behaviour of offenders.

Please Note: [1]The Anglican Schools Commission (ASC) and the School explicitly forbids the use of any form of child abuse, corporal punishment or other degrading punishment. (Refer *Glossary of Definitions – Appendix 1*)

2. INFORMATION FOR STUDENTS AND PARENTS

2.1 WHAT IS BULLYING AND WHAT IS HARASSMENT?

Bullying is an ongoing misuse of power in relationships through repeated verbal, physical and/or social behaviour that causes physical and/or psychological harm. It can involve an individual or a group misusing their power over one or more persons.

Bullying can happen in person or online, and it can be obvious (overt) or hidden (covert). Bullying of any form or for any reason can have 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. However, these conflicts still need to be addressed and resolved.

Harassment is behaviour that targets an individual or group due to their identity, race, culture or ethnic origin; religion; physical characteristics; gender; sexual orientation; marital, parenting or economic status; age; ability or disability and that offends, humiliates, intimidates or creates a hostile environment.

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[1] *Child Safe Policy - Western Australia.* Anglican Schools Commission, Retrieved from J:\Staff Read Only\SCHOOL POLICIES\Current Policies\1. ASC POLICIES.

Harassment may be an ongoing pattern of behaviour, or it may be a single act. It may be directed randomly or towards the same person/s. It may be intentional or unintentional (i.e. words or actions that offend and distress one person may be genuinely regarded by the person doing them as minor or harmless).

Some examples of bullying are:

- **Verbal:** Teasing, mocking, taunting, using put-downs, name-calling, rumour-mongering, threatening, unpleasant online messages, text messages and telephone calls, racial, religious and cultural vilification, sexist, homophobic, transphobic and biphobic comments.

- **Physical:** Punching, hitting, kicking, bumping, pinching, tripping, spitting, scratching, hair-pulling, taking or damaging property, throwing objects with the intent to injure or annoy, locking someone in or out, inappropriate touching.

- **Written:** Unpleasant, threatening or abusive notes, emails, text messages, online messages etc.

- **Social/Psychological:** Rumour-mongering, gossiping, threatening looks or gestures, ostracising, excluding or ignoring someone, stalking, influencing others in a negative way, coercing or pressuring others to act against their will, damaging or interfering with personal property.

- **Cyberbullying:** (*see 4. Cyberbullying*) Cyberbullying is the use of technology to bully a person with the intent to hurt or intimidate them. One in five young people have been bullied online. Cyberbullying behaviour can include: abusive texts and emails; hurtful messages, images or videos; imitating others online; excluding others online; humiliating others online; spreading malicious online gossip and chat; creating fake accounts to trick someone or humiliate them. *(Reference https://www.esafety.gov.au/young-people/cyberbullying)*

2.2 WHAT IS NOT BULLYING?

- Mutual conflict without an imbalance of power.
- Social rejection where there is no deliberate, repeated attempt to cause distress.
- Random 'one-off' acts of meanness, intimidation, violence.

These issues will be dealt with through counselling and the School's *Behaviour Management Policy and Procedures Secondary School* and *Promoting Positive Behaviours: Policy and Procedures Primary School*.

2.3 SIGNS THAT A CHILD MAY BE BEING BULLIED

- Crying
- Nightmares
- Refusing to talk about things
- Physical aches
- Negative body language
- Unexplained scratches and bruises
- Temper outbursts
- School refusal
- Feeling 'sick' in the morning
- Drop in work standards
- Becoming withdrawn
- Bullying siblings
- Acting unreasonably

2.4 RESPONSE OF STUDENT BEING BULLIED

- Tell the bully to stop. Be very clear that you do not like what they are doing and/or saying.

- Tell someone. It is always a good thing to 'talk it out' with someone you trust.
- Report it to a staff member.
- Tell a parent or guardian.

2.5 RESPONSE OF BYSTANDERS

- Care enough to act.
- If you feel able, tell the bully to stop.
- Report it to a staff member.
- Don't be a bystander who does nothing as this can exacerbate the problem.

2.6 RESPONSE OF PARENTS

When a situation has occurred:
- calmly encourage your child to talk through it so you can get the facts straight;
- keep an open mind, remembering you are hearing only one side of the story;
- help your child to reflect on what they have done so far and to work out what might be done;
- contact the School; the best first port of call may be your child's Head of House, the Secondary Dean of Pastoral Care or the Deputy Head of Primary, Primary Coordinator;
- present the information you have as calmly as possible;
- reassure your child that the bullying is not their fault;
- talk to your child about positive ways of dealing with bullying such as:
    - pretending not to hear hurtful comments;
    - using silent self-talk e.g. *"That's their problem, not mine."* to develop confidence;
    - developing greater self-assertiveness;
    - believing it is important to tell someone when bullying happens or reoccurs.

It does not help to:
- get angry or upset;
- feel guilty or ashamed;
- make the child feel it is not important;
- blame the child;
- blame the other child/children involved;
- blame the School;
- accuse people without knowing all the facts;
- demand to know all the facts at once;
- look for easy solutions;
- try to sort the bullies out yourself, including contacting the family of the alleged bully.

3. PROCEDURES

3.1 EDUCATION OF STUDENTS, PARENTS AND STAFF:

- Programs to address bullying and harassment, and build resilience in students, are in place across the School; for example:
    - Encounter Program (Pre-Kindergarten to Year 12)
    - Positive Education activities and philosophy
    - Assemblies – Primary and Secondary
    - PATHS (Primary)
    - Kimochis ® (Early Learning)
    - eSmart Schools Program
    - Year 10 Cyber Leaders Program
    - Peer Support Leaders (Secondary) work with students to raise awareness of issues

- Bullying. No Way! Day
- Other intervention and educational programs where suitable and available; for example: Class Act Theatre in Education's Cyber Busters presentation

- In Primary classes and Secondary House Groups, the expectations of students in terms of the School's *Bullying and Harassment Policy* are clearly articulated via the *Code of Conduct: Primary* and *Code of Conduct: Secondary*. These documents are also used when counselling students with regard to a bullying issue. These documents are available to students via the Student Homework Diary, SEQTA Learn portals and the School's website at http://www.jwacs.wa.edu.au/

- Staff are routinely made aware of the content and procedures of the *Bullying and Harassment Policy* at induction, at staff meetings and on the Staff Drive at *J:\Staff Read Only\SCHOOL POLICIES\Current Policies*

- Parents are kept informed about the School's policy and advice is given on what to do if bullying occurs through the School newsletter, the Student Homework Diary, SEQTA Engage portals and the School's website at http://www.jwacs.wa.edu.au/.

3.2 RESPONSE OF STAFF MEMBERS

- A teacher who observes bullying or harassment must intervene unless the safety of the teacher or bystanders is put at risk by such action.

- When bullying or harassment is reported to a teacher, they must inform relevant staff members: the Classroom Teacher, the House Teacher and/or Head of House of the students involved. If the matter is serious or ongoing, they must inform the Deputy Head of Primary, the Head of Primary or the Secondary Dean of Pastoral Care.

- Reports of bullying and harassment are followed up as promptly as possible and dealt with initially by the Classroom Teachers, the House Teacher and/or the Head of House; or, in serious or ongoing instances, by the Deputy Head of Primary, the Head of Primary or the Secondary Dean of Pastoral Care who will follow-up and inform the Principal.

- Investigations into bullying incidents will confirm to the rules of procedural fairness and non-discrimination.[2]

- Interviews must be fully documented. (In some instances victims may find it easier to fill out a Bullying Incident Report form before the interview – this is optional.) In Pre-Kindergarten to Year 12 consequences must be recorded as a student profile in SEQTA.

- Students involved in bullying incidents are given counselling. This may be done informally by the staff member who has dealt with the incident or students may be offered counselling with a member of staff responsible for their pastoral care, the School Counsellor or the School Chaplain, or in serious cases, by the AISWA School Psychologist.

3.3 RESOLUTIONS TO BULLYING

Bullying incidents can vary in their form and severity. At times those who bully and harass are also in need of help. The most likely approaches adopted when dealing with a bullying incident are the 'No Blame' Method and/or the issuing of consequences for bullying behaviour, depending on the severity and/or frequency of the bullying behaviour.

- **'No Blame' Method**

    Most often students who experience bullying will say all they want is for the bullying to stop.

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[2] These rules require: (a) a hearing appropriate to the circumstances; (b) lack of bias: (c) evidence to support a decision; and (d) inquiry into matters in dispute.

- The **student who experienced bullying** is interviewed to give their perspective of the issue.
- The **alleged bully/bullies** is/are interviewed to give their perspective(s) of the issue.
- **Witnesses** (where appropriate) are interviewed to give their perspective(s) of the issue.
- Suggestions and support are given to all parties about how they could have handled the situation better/how they can more effectively handle situations that may arise in the future.
- Behaviour changes are negotiated.
- Sometimes the victim and the bully/bullies are brought together in a Restorative meeting facilitated by the Deputy Head of Primary/Head of Primary or the Head of House/Dean of Pastoral Care Secondary in order to discuss how everyone can move forward in a positive manner.
- For the above statement to occur, all parties must agree to participate in the meeting.
- The situation is monitored.

- **Consequences**

  This approach is taken in more severe cases of bullying e.g. physical (hitting, shoving, biting, pushing, fighting etc.) or in cases of continued bullying.

  - Often the process is the same as that described above for the 'No Blame' method, but consequences are put in place.
  - The consequence itself will depend on the nature and impact of the bullying, age of the student and past behaviour of the student.

  The imposition of consequences such as suspension will not occur without consultation with the Principal.

3.4 PARENTS

Parents are promptly informed about incidents of bullying via one or more of the following methods. Once again this will depend on the situation.

- SEQTA Direqt Message
- Note in the diary
- Telephone call
- Letter
- Interview
- Sometimes, particularly with older students, the students are first given the responsibility of telling their parents what has occurred before a member of staff contacts them

4. CYBERBULLYING

Cyberbullying is the use of technology to bully a person with the intent to hurt or intimidate them. One in five young people have been bullied online. Cyberbullying behaviour can include: abusive texts and emails; hurtful messages, images or videos; imitating others online; excluding others online; humiliating others online; spreading malicious online gossip and chat; creating fake accounts or messages to trick someone or humiliate them. *(Reference https://www.esafety.gov.au/young-people/cyberbullying)*

Students do not have access to social networking sites during school hours. Students who engage in antisocial behaviour on social networking or blogging sites that impacts the John Wollaston community, such as bullying a fellow student, will be subject to school sanctions and/or legal regulations regarding such behaviour even though the infringements occurred off campus. Students must not engage in bullying, spamming, illegal behaviour, malicious blogging or similar antisocial behaviours.[3]

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[3] *ICT Appropriate Use Policy: Students, page 3, (2020). John Wollaston Anglican Community School, Retrieved from J:\Staff Read Only\SCHOOL POLICIES\Current Policies\3. ICT Info Communication Technologies.*

4.1 ONLINE SAFETY

Online safety refers to the safe and responsible use of the Internet and any other digital form of sharing information such as, but not limited to, email and texting. Users need to pay particular attention to the information shared on the Internet including social networking sites such as Discord, Instagram, SnapChat, TikToc or Facebook and video sharing sites such as YouTube.

Students should not offer any personal information including last name, contact information, home address, telephone numbers, the School's name, e-mail address, last names of friends or relatives, instant messaging names, age, or birth date. Students are advised never to post provocative pictures of themselves or anyone else, and be sure any images they provide do not reveal any of the previously mentioned information. Remember to also check the background of a picture. It should be assumed that anything posted online may be seen by anyone.

Students are given training regarding online safety practices and are expected to use ICT equipment* in a safe manner.[4]

ICT covers a broad spectrum of equipment/software/services including mobile phone technology. For the purposes of this policy they refer to and include all forms of technology that are used at the School, inclusive of the Internet, School computer network, email, software, computers (laptops, tablets, smart phones, desktops,), storage devices (such as USB and flash memory drives, external drives, CDs and DVDs), video and audio players/recorders, gaming consoles and other similar technologies as they come into use.

(From *ICT Appropriate Use Policy Students, John Wollaston Anglican Community School, 2023, page 1*)

4.2 CYBERBULLYING MANAGEMENT

While cyberbullying is generally limited to out-of-school hours and home-to-home device contact, the School acknowledges that cyberbullying which takes place in this context may have an impact on student relationships and behaviour during school hours. The School manages such cyberbullying in the following manner:

- In the first instance, parents/guardians are encouraged to be involved and to take responsibility for their children's behaviour in a home and/or out-of-school setting. (Advice is given on best practice.);
- When it is necessary for the School to become involved, the same procedures that are employed for **bullying** are used for **cyberbullying**, as it is generally agreed that this is merely another form of the traditional problem. (Bullying is still bullying no matter what form it takes.)
- Students are encouraged to screenshot inappropriate posts and forward them to the appropriate staff.
- Year 10 Cyber Leaders, under the direction of the Secondary Digital Technologies teacher, work with students on specific scenarios promoting safe online behaviours.
- eSmart initiative funded through the School.
- The School participates annually in a *Bullying. No Way!* Day; the Bullying. No Way! website https://bullyingnoway.gov.au/ is made available to students.

4.3 WEAPONS

- Students are not permitted to bring weapons on school grounds or to any school event or activity.
- A student who is aware of a weapon on school grounds or school event or activity, must report this to school staff immediately.

4.3.1 Relevant legislation

Under the Weapons Act 1999, it is an offence to:

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[4] *ICT Appropriate Use Policy: Students, . John Wollaston Anglican Community School, Retrieved from J:\Staff Read Only\SCHOOL POLICIES\Current Policies\3. ICT Info Communication Technologies.*

- carry, possess, purchase, supply or manufacture a prohibited weapon;
- carry or possess a controlled weapon without a lawful reason to do so – defence is not a lawful excuse;
- carry an article with the intention of using it to injure or threaten any person; and
- sell or supply a controlled weapon to a person under the age of 18 years, except if it is to be used in the course of a sporting or recreational activity.

4.3.2 Definitions

A *weapon* is 'anything serving as an instrument to making or repelling an attack'.

- *Prohibited weapons* are any item that has no purpose other than as a weapon, such as spray weapons, butterfly, flick or switch blades, crossbows, batons, knuckle dusters and hydro gel blasters.
- *Controlled weapons* include those used in the practice of a martial art, act, sport, or similar discipline, such as irritation firearms, swords, machetes or spear guns or throwing stars.
- *Firearm* includes any lethal firearm and any other weapon of any description from which any shot, bullet or other missile can be discharged or propelled, such as handguns, paintball guns and gel blasters.

4.3.3 Response of staff members

- Alert the Principal or delegate if there is a reasonable suspicion, or it is known that a student is in possession of a weapon.
- The Principal or delegate, in the company of another staff member, will request the item be handed over.
- If the item is not handed over, the Principal or delegate in the company of another staff member, will perform a locker and bag search.
- If a weapon is found and deemed to be prohibited or controlled, police will be informed.
- If the weapon is not a prohibited or controlled item, e.g. a pocket knife, the item will be securely stored and only returned to the student's parent/guardian.

4.3.4 Consequences

- The Principal or delegate will refer to the Behaviour Management Policy – Secondary School to determine a suitable consequence.

Support will be provided to staff and students on a needs basis.

5. WORKPLACE BULLYING

Bullying can be an issue between adults in the workplace too. Bullying in the workplace may be deemed to have occurred when an employee is harmed, intimidated, victimised, threatened, coerced, undermined, humiliated or degraded by another employee or his/her employer. The School does not tolerate bullying in the workplace. All employees are required to adhere to the School's *Code of Conduct for Staff Policy.*[5]

5.1 Staff members who believe they have been bullied in the workplace should refer the matter to:

- the Gender and Workplace Equity Officer;
- their line manager;
- a member of the Executive; and/or
- directly to the Principal.

5.2 Should it be the Principal who is deemed to be the perpetrator of the bullying, the staff members should refer the matter to:

- the Gender and Workplace Equity Officer; or
- directly to the Chair of Council.

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[5] *Code of Conduct for Staff Policy.*. John Wollaston Anglican Community School, Retrieved from J:\Staff Read Only\SCHOOL POLICIES\Current Policies\3. HR Human Resources.

The options in **5.1** and **5.2** provide staff members with choice so that they are able to approach a person with whom they feel comfortable and believe will assist them to deal effectively with the issue. However, it is necessary that, unless the perpetrator is the Principal, the Principal is informed of the situation; either by the staff member or his/her initial point of contact, so that the issue can be dealt with properly.

- All issues will be investigated and handled fairly and equitably, making every effort to ensure privacy and that the matter is resolved as quickly as possible. The Anglican Schools Commission's *Dispute and Complaint Resolution Policy and Procedures – ASC Schools* policy will be followed.
- Both the staff member who believes he/she has been bullied and the offender(s) will be offered counselling through Anglicare WA's Employee Assistance Program.
- If necessary, the offender(s) will be disciplined.

5.3 The School also recognises that there may be instances in which a staff member believes that he/she is being bullied by a student or a parent.

5.4 If a staff member believes he/she is being bullied by a student he/she should refer the matter to a member of the Executive; and/or directly to the Principal.

5.5 If a staff member believes he/she is being bullied by a parent he/she should refer the matter directly to the Principal.

- All issues will be investigated and handled fairly and equitably, making every effort to ensure privacy and that the matter is resolved as quickly as possible.
- The Anglican Schools Commission's *Dispute and Complaint Resolution Policy and Procedures – ASC Schools* policy will be followed.
- The staff member will be offered counselling through Anglicare WA's Employee Assistance Program.

5.6 Bullying[6] (including cyber-bullying) happens at work when:

- a person or group of people repeatedly behave unreasonably towards another worker or group of workers
- the behaviour creates a risk to health and safety.

Examples of bullying include:
- behaving aggressively towards others
- teasing or playing practical jokes
- pressuring someone to behave inappropriately
- excluding someone from work-related events
- unreasonable work demands.

It is considered to be a crime if a phone or the use of the internet threatens, harasses or seriously offends somebody particularly if it is going to instil outrage, anger, disgust or humiliation. The current maximum penalty for this type of behaviour is a three (3) year jail term.

6. RELEVANT POLICIES

- *Behaviour Management Policy and Procedures Secondary School*
- *Child Safe Policy – Western Australia (ASC)*
- *Code of Conduct for Staff Policy*
- *Dispute and Complaint Resolution Policy and Procedures – ASC Schools (ASC)*
- *ICT Appropriate Use Policy: Students*
- *Mobile Phone Policy*
- *Promoting Positive Behaviours: Policy and Procedures Primary School*
- *Student Code of Conduct: Primary*
- *Student Code of Conduct: Secondary*

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[6] Fair Work WA

7. RELEVANT LEGISLATION

- Criminal Code Act
- Common Law
- Equal Opportunity Act 1984
- Fair Work Act 2009
- Fair Work Regulations 2009
- Fair Work Amendments (Protecting Vulnerable Workers) Act 2017
- Industrial Relations Act 1979
- Weapons Act 1999
- Work Health and Safety Act 2020
- Work Health and Safety Regulations 2022
- Workers' Compensation and Injury Management Act 1981
- Workplace Amendments Act 2005
- Workplace Agreements Act 1993
- Workplace Relations Agreement Act 2005

GLOSSARY OF DEFINITIONS

CHILD ABUSE

Four forms of child abuse are covered by WA law and are defined by the Department of Communities:

Physical abuse occurs when a child is severely and/or persistently hurt or injured by an adult or a child's caregiver. It may also be the result of putting a child at risk of being injured.

Sexual abuse occurs when a child is exposed to, or involved in, sexual activity that is inappropriate to the child's age and developmental level. It includes circumstances where the child has less power than another person involved, is exploited or where the child has been bribed, threatened, or coerced. It also includes situations where there is a significant difference between the developmental or maturity level of the child and another person involved.

Emotional abuse occurs when an adult harms a child's development by repeatedly treating and speaking to a child in ways that damage the child's ability to feel and express their feelings.

Neglect is when children do not receive adequate food or shelter, medical treatment, supervision, care or nurturance to such an extent that their development is damaged, or they are injured.

CORPORAL PUNISHMENT

Any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light; typically involving hitting the child with the hand or with an implement; can also include, for example, forcing the child to stay in an uncomfortable position. It does not include the use of reasonable physical restraint to protect the child or others from harm [UN Committee on the Rights of the Child, General Comment No. 8 (2007)].

DEGRADING PUNISHMENT

Any punishment which is incompatible with respect for human dignity, including corporal punishment and non-physical punishment which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child [UN Committee on the Rights of the Child, General Comment No. 8 (2007)].

EMOTIONAL ABUSE

Emotional abuse occurs when an adult harms a child's development by repeatedly treating and speaking to a child in ways that damage the child's ability to feel and express their feelings.

PSYCHOLOGICAL ABUSE

Repeatedly treating and speaking to a child in ways that damage the child's perceptions, memory, self-esteem, moral development and intelligence. It is a form of emotional abuse.