

Bullying, Discrimination and Harassment Prevention Policy

Version 1.0

1. Purpose

This policy outlines the commitment of Nexus Institute of Higher Education to its positive duty to prevent and address bullying, discrimination and harassment within the Nexus Institute community.

This policy should be read in conjunction with

- Work, Health and Safety Policy
- Sexual Assault and Sexual Harassment Prevention Policy
- Complaints and Appeals Policy
- Student Misconduct Policy
- Student Code of Conduct
- Staff Code of Conduct

2. Scope

The policy applies to all members of the Nexus Institute community, including students, staff and others involved in Nexus Institute activities.

The policy covers all Nexus Institute activities related to study and work, including interactions through social media and technology.

3. Definitions

- *Bullying*. Bullying is repeated and unreasonable behaviour directed towards a person or a group of people that creates a risk to health and safety.
- *Discrimination*. Discrimination refers to actions that are prejudicial, discriminatory or antagonistic towards a person or group of people for any reason.
- *Harassment*. Harassment is unwanted behaviour that offends, humiliates or intimidates a person and targets them on the basis of a characteristic such as gender, race or ethnicity.
- *Sexual harassment*. Sexual harassment is unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated where that reaction is reasonable in the circumstance.
- *Racism*. Racism involves actions that are prejudicial, discriminatory or antagonistic to a person or group of people based on their membership of a particular racial or ethnic group.
- *Unreasonable behaviour*. 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.

4. Policy statement

Nexus Institute is committed to creating a campus environment that is free from bullying, discrimination and harassment. The Institute will actively promote diversity, equity and inclusion and foster a culture of respect and tolerance among all members of its community.

Nexus Institute expects all staff and students to behave in a responsible and professional manner and to treat others with dignity and respect.

5. Procedures

Prevention and education. Nexus Institute will offer regular training and educational programs on diversity, inclusion and prevention of bullying, discrimination and harassment to all students and staff.

Training on the code of conduct and prevention of bullying, discrimination and harassment will be part of the orientation for all commencing students and staff at Nexus Institute. Training programs will also address cultural competence, mental health awareness, bystander intervention, support and reporting.

The Institute will encourage open communication and provide resources for bystander intervention, reporting mechanisms and support services.

Reporting and response. Any member of the Nexus Institute community who believes they have been a victim of bullying, discrimination or harassment, or who has witnessed such behaviour, should promptly report the incident. Reports may be made by the affected individual or by a third party.

Provided the person is comfortable to do so, the behaviour may be raised directly with the person causing them concern. Students can report an incident to their teacher or another staff member. Complaints from students will be handled in accordance with the Complaints and Appeals Policy. Staff can report an incident to their supervisor or another staff member. Reports should include as much information as possible, including a detailed description of the incident(s), the date, time and location, as well as the names of the individuals involved. All reports will be treated with confidentiality to the fullest extent allowed by law. All complaints of bullying, discrimination and harassment should also be notified to the CEO who will ensure that appropriate action is being taken.

The institution will promptly investigate all reports and take appropriate actions in accordance with its policies and procedures. The initial assessment will consider the immediate safety and well-being of the complainant and whether any interim measures are necessary, such as work or study adjustments, or counselling services.

Investigations will be conducted by qualified and impartial personnel who are trained in handling such matters. All parties involved, including the complainant and the respondent, will have an opportunity to provide statements, share evidence and identify witnesses. Both the complainant and the respondent will be notified in writing of the outcome of the investigation and any sanctions or corrective actions taken.

Support services. Nexus Institute will provide access to support services for individuals involved in bullying, discrimination or harassment and to witnesses. Support includes counselling, legal resources and advocacy.

Disciplinary actions. If an investigation substantiates allegations of bullying, discrimination or harassment, Nexus Institute will take disciplinary actions, up to and including suspension, expulsion or termination of employment, depending on the severity and nature of the incident. Sanctions will be fair, consistent, and commensurate with the misconduct.

6. Roles and responsibilities

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The CEO has overall responsibility for the safety and wellbeing of staff and students engaged in Nexus Institute activities. The CEO is responsible for the implementation of this policy. The CEO will provide an annual report to the Board of Directors on the operation of the policy, types of complaints and responses, and information and training provided.

Managers and supervisors should intervene quickly and appropriately if they become aware of inappropriate behaviour and help staff and students to resolve complaints.

All staff, students and others engaged in Nexus Institute activities have a responsibility to foster a safe and inclusive work and study environment free from bullying, discrimination and harassment, where all members of the Nexus Institute community are treated with dignity and respect.

7. Related information

- Sex Discrimination Act 1984 (Cth)
- Anti-Discrimination Act 1977 (NSW) and NSW Anti-Discrimination Board
- Racial Discrimination Act 1975 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Age Discrimination Act 2004 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)
- Fair Work Act 2009
- ESOS Act 2000 and National Code 2018, Standard 10 (Complaints and Appeals)
- Higher Education Standards Framework (Threshold Standards) 2021
- Australian Human Rights Commission, 2023, "Guidelines for Complying with the Positive Duty under the Sex Discrimination Act 1984 (Cth), August 2023.
[https://humanrights.gov.au/sites/default/files/2023-08/Guidelines%20for%20Complying%20with%20the%20Positive%20Duty%20\(2023\).pdf](https://humanrights.gov.au/sites/default/files/2023-08/Guidelines%20for%20Complying%20with%20the%20Positive%20Duty%20(2023).pdf)
- AICD, Positive duty to prevent workplace sexual harassment.
<https://www.aicd.com.au/content/dam/aicd/pdf/tools-resources/director-tools/organisation/aicd-sex-harassment-playbook-final.pdf>

8. Document control

Category	Operational
HESF Standard	2.3, 6.1.4
Policy name	Bullying, Discrimination and Harassment Prevention Policy
Policy owner	CEO
Policy approver	Board of Directors
Date of approval	16 November 2023
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