Prevention of Discrimination, Bullying and Harassment Policy

1 Purpose

The purpose of this policy is to set out the principles underpinning the University's commitment to preventing and responding to all forms of Discrimination, Bullying, and Harassment, in compliance with various legislative instruments and industry standards that apply to the University.

2 Scope

This policy applies to the University's prevention of, and response to, all forms of:

- Bullying;
- Discrimination (including sex-based Discrimination); and
- Harassment (including Sexual Harassment which does not constitute Gender-based Violence)

that occur in connection with University activities, regardless of whether the conduct occurs on campus, off campus, or online.

This policy does not apply to the University's prevention of, or response to, Gender-based Violence. These matters are set out in the Gender-based Violence Prevention and Response Policy and its subordinate procedures.

The University has the right to determine which Policy Instrument or process most appropriately applies to the management of Complaints or disclosures about the conduct of Students and University Members.

3 Policy Statement

The University is committed to developing and maintaining a safe and inclusive work and study environment, where all members of the University Community feel welcome.

Bullying, Discrimination, and Harassment are unacceptable and, as such, the University is committed to developing and implementing appropriate prevention and response initiatives and processes to address these behaviours and may take disciplinary action against Students and University Members found to have engaged in these behaviours in connection with University

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activities.

This policy aligns with the:

- *Higher Education Standards Framework (Threshold Standards) 2021:* Standard 2.2 Diversity and Equity; and
- *National Code of Practice for Providers of Education and Training to Overseas Students (2018):* Standard 6: Overseas Student Support Services.

4 Principles

4.1 Prevention principles

The University will aim to prevent Bullying, Discrimination, and Harassment through a range of mechanisms and initiatives, including through:

- clear and accessible expectations for the standards of conduct expected from Students and University Members, communicated through the Student General Conduct Policy and Code of Conduct Policy, respectively;
- education and training, to increase awareness of Bullying, Discrimination, and Harassment and the impacts and potential consequences of these behaviours;
- encouraging and valuing Active Bystander intervention by Students and University Members to prevent or stop Discrimination, Bullying, and Harassment from occurring or continuing;
- promotion and communication of evidence-based preventative information across the University's working, learning, living, and social environments; and
- undertaking prevention initiatives to increase awareness and understanding of Bullying, Discrimination, and Harassment.

The University will take a proactive approach to the prevention of Bullying, Discrimination, and Harassment. This approach will focus on primary prevention and early intervention through education and training, to raise awareness of these behaviours and foster a culture of respect and inclusion among Students and University Members.

Students and University Members have a shared responsibility to contribute to a safe and inclusive environment free from all forms of Bullying, Discrimination, and Harassment:

- Students and University Members must comply with University policies and procedures,

including the Student General Conduct Policy and Code of Conduct Policy, respectively, as well as with relevant legislation, and must ensure their conduct does not constitute Bullying, Discrimination, and Harassment.

- Members of the Vice-Chancellor's Executive, senior leaders, and Supervisors are responsible for modelling expected standards of behaviour and promoting a University-wide culture that prioritises the safety and support of Students and University Members in the prevention of, and response to, Bullying, Discrimination, and Harassment.

The University will monitor and evaluate the effectiveness of its Bullying, Discrimination, and Harassment education and training, and its preventative activities, to inform improvements to its prevention and response to these behaviours.

4.2 Response principles

4.2.1 Procedural fairness

The University's response to Bullying, Discrimination, and Harassment will be procedurally fair.

This means the University will ensure that:

- its response is compliant with relevant legislation and University policies and procedures;
- individuals are afforded the opportunity to report or disclose incidents of Bullying, Discrimination, and Harassment by Students or University Members, and to provide information in support of their allegations;
- Students and University Members are afforded the opportunity to respond to a report or disclosure about their conduct before a Decision is made that affects them;
- the decision-maker in a Bullying, Discrimination, and Harassment disclosure response process is impartial and unbiased; and
- Decisions that affect Students and University Members are reasonable and justifiable in the circumstances.

4.2.2 Person-centred approach

The University will take a person-centred approach to responding to Bullying, Discrimination, and Harassment.

This means the University will consider the wishes of the person who experienced these behaviours when making Decisions about its response to Bullying, Discrimination, and Harassment. While the Decision remains with the University, a person-centred approach means

the University will take into account the impact any Decision may have on the affected person, while also ensuring the health and safety of others, and making sure the parties are afforded dignity and respect throughout the process.

4.2.3 Trauma-informed approach

The University's response to Bullying, Discrimination, and Harassment will be Trauma-informed.

This means the University will minimise the risk of re-traumatising a Discloser, and will support the Discloser's recovery and wellbeing, through ensuring the process of responding to Bullying, Discrimination, and Harassment reports or disclosures, is built on safety (including psychological safety), trust, choice, collaboration, and empowerment.

4.2.4 Cultural safety

The University's response to Bullying, Discrimination, and Harassment will be undertaken in a culturally safe manner.

This means Employees responsible for responding to Bullying, Discrimination, and Harassment will consider biases towards people of diverse cultural backgrounds, including First Nations people, when responding to a report or disclosure, and will ensure the parties involved in the report or disclosure are treated with fairness and respect.

4.2.5 Good faith participation

Persons involved in a Bullying, Discrimination, and Harassment report or disclosure are required to act in good faith. This means that they are required to act in an honest and sincere way when engaging in a process of responding to these behaviours.

4.2.6 Victimisation and retaliation

The University recognises an individual's right to make a report or disclosure about Bullying, Discrimination, and Harassment, and to participate in the response process, as well as their right not to be victimised, vilified, or retaliated against for doing so.

The University will ensure persons involved in a report or disclosure about Bullying, Discrimination, and Harassment are notified of their rights and obligations in this regard.

4.2.7 Privacy and confidentiality

The University will treat Personal Information disclosed to it in a report or disclosure about Bullying, Discrimination, and Harassment as confidential and will comply with its obligations under the *Information Privacy Act 2009* (Qld) when handling Personal Information.

During any investigation into alleged Bullying, Discrimination, and Harassment, persons involved in the process are required to maintain the confidentiality of the matter, including any

associated materials and information, for the purpose of maintaining the integrity of the process.

University Members responsible for responding to reports or disclosures about Bullying, Discrimination, and Harassment must ensure they provide the parties with consistent and clear information (in plain English) in relation to these obligations.

4.3 Support principles

The University will make a variety of support services available to persons involved in incidents of Bullying, Discrimination, and Harassment, which may include:

- risk assessments and the implementation of controls to eliminate or mitigate risk as far as is reasonably practicable in the circumstances;
- free and confidential counselling to Students;
- free and confidential counselling to Employees through the Employee Assistance Program;
- reasonable academic adjustments for Students;
- reasonable workplace adjustments for Employees; and
- appropriate leave arrangements for Employees.

Persons involved in a report or disclosure of Bullying, Discrimination, and Harassment, may be accompanied by a support person throughout the University's process of responding to the report or disclosure. Support persons must not have a conflict of interest in the matter.

4.4 Recordkeeping and reporting principles

The University will keep records of reports about Bullying, Discrimination, and Harassment, in accordance with its legislative obligations and the Records and Information Management Policy and Procedure.

The University recognises that data plays a critical role in understanding the nature and prevalence of Bullying, Discrimination, and Harassment and in informing the University's policies and procedures, systems, and response to these behaviours.

The University will regularly report to the University Council, through the appropriate Council Committees, on the effectiveness of its Bullying, Discrimination, and Harassment prevention and response mechanisms.

The University will report or refer incidents of Bullying, Discrimination, and Harassment to other external agencies, such as the Queensland Police Service or the Crime and Corruption

Commission, if required to do so by law. These reports or referrals may include Personal Information about the persons involved in the matter.

5 References

Nil.

6 Schedules

This policy must be read in conjunction with its subordinate schedules as provided in the table below.

7 Policy Information

Accountable Officer	Vice-Chancellor
Responsible Officer	Vice-Chancellor Deputy Vice-Chancellor (Academic and Research) Deputy Vice-Chancellor (Students and Education) Chief Operating and Financial Officer Pro Vice-Chancellor (Engagement) Pro Vice-Chancellor (International) Pro Vice-Chancellor (First Nations)
Policy Type	Governance Policy
Policy Suite	Student Discrimination, Bullying, Harassment and Sexual Misconduct Response Procedure
Subordinate Schedules	
Approved Date	12/10/2026
Effective Date	1/1/2026
Review Date	1/1/2031
Relevant Legislation	*Age Discrimination Act 2004* (Cth) *Anti-Discrimination Act 1991* (Qld)

	Australian Human Rights Commission Act 1986 (Cth) *Disability Discrimination Act 1992* (Cth) *Disability Services Act 2006* (Qld) *Fair Work Act 2009* (Cth) *Human Rights Act 2019* (Qld) *Public Sector Ethics Act 1994* (Qld) *Racial Discrimination Act 1975* (Cth) *Sex Discrimination Act 1984* (Cth) *Sex Discrimination and Fair Work (Respect at Work) Amendment Act 2021* (Cth) *University of Southern Queensland Act 1998* (Qld) *Workplace Gender Equality Act 2012* (Cth)
Policy Exceptions	Policy Exceptions Register
Related Policies	Code of Conduct Policy Employee Complaints Policy Employee Diversity and Inclusion Policy Social Media Policy Student General Conduct Policy Student Grievance Resolution Policy Students with a Disability Policy and Procedure
Related Procedures	Employee Complaints (Sexual Harassment, Sexual Assault and Sex Discrimination) Procedure Employee Complaints Procedure Employee Health and Wellbeing Procedure Social Media Procedure Student General Misconduct Procedure

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	Student Grievance Resolution Procedure
Related forms, publications and websites	Complaints Form (about University Members) Disclosure Form (about University Members) Your Call website and Your Call report form Feedback, Complaints and Appeals Student General Misconduct Procedure Penalty Schedule
Definitions	**Terms defined in the Definitions Dictionary**
	Active Bystander Anyone who witnesses, or becomes aware of, someone being harassed, bullied, abused, assaulted or discriminated against by another person, and intervenes to potentially prevent an incident or escalation. Bullying Bullying occurs when a person or group of people repeatedly behaves unreasonably towards a person or group of persons, and that behaviour creates a risk to health and safety. Interpretation Rule: Unless context otherwise requires, a reference to 'bullying' (or other grammatical forms of any of this term) wherever appearing in University policy or procedure, and whether or not those terms are capitalised in any such instrument, is taken to include a reference to 'Antisemitism' as defined in the Definitions Dictionary . Complaint A Complaint is an “expression of dissatisfaction made to or about the University, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required”. Decision A determination made by an Employee, contractor or other authorised delegate in the course of their duties on behalf of the University. Discrimination Occurs when a person or a group of people are treated less favourably than another person or group because of race, colour, national or ethnic origin; gender or marital status; disability; religion or

political beliefs; sexual preference; or some other central characteristic. Discrimination may occur when a person is denied the opportunity to participate freely and fully in normal day-to-day activities, for example being harassed in the workplace or being denied entry to public places and other facilities. Interpretation Rule: Unless context otherwise requires, a reference to 'discrimination' (or other grammatical forms of any of this term) wherever appearing in University policy or procedure, and whether or not those terms are capitalised in any such instrument, is taken to include a reference to 'Antisemitism' as defined in the Definitions Dictionary .

Employee

A person employed by the University and whose conditions of employment are covered by the Enterprise Agreement and includes persons employed on a continuing, fixed term or casual basis. Employees also include senior Employees whose conditions of employment are covered by a written agreement or contract with the University.

Harassment

Harassment includes, but is not limited to, treating a person less favourably because of a person's characteristic such as their sex, race, age, disability, sexuality, religious or political belief or activity, or some other characteristic protected under anti-discrimination laws. Harassment may include Bullying a person and may also breach human rights legislation. Interpretation Rule: Unless context otherwise requires, a reference to 'harassment' (or other grammatical forms of any of this term) wherever appearing in University policy or procedure, and whether or not those terms are capitalised in any such instrument, is taken to include a reference to 'Antisemitism' as defined in the Definitions Dictionary .

Policy

A high level strategic directive that establishes a principle based approach on a subject. Policy is operationalised through Procedures that give instructions and set out processes to implement a Policy.

Procedural Fairness

Has the meaning ascribed to it from time to time by the applicable common law of the State of Queensland.

Procedure

An operational instruction that sets out the process to operationalise a

Policy.

Racism

A person's race includes their: colour; and descent or ancestry; and ethnicity or ethnic origin; and nationality or national origin. Racism is the process by which systems and policies, actions and attitudes create inequitable opportunities and outcomes for people based on race. Racism occurs when prejudice - whether individual or institutional - is accompanied by the power to discriminate against, oppress or limit the rights of others. The Anti-Discrimination Act 1991 (Qld) makes it unlawful to discriminate against a person because of their race.

Sexual Harassment

Sexual Harassment is any unwanted or unwelcome sexual behaviour which makes a person feel offended, humiliated or intimidated, or occurs in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct. Sexual Harassment can take many different forms. It can be obvious or indirect, physical or verbal, repeated or one-off, and perpetrated by a person of any gender against people of the same or another gender. Sexual Harassment may include: staring or leering; unnecessary familiarity, such as deliberately brushing up against a person, or unwelcome touching; suggestive comments or jokes; insults or taunts of a sexual nature; intrusive questions or statements about a person's private life; displaying posters, magazines or screen-savers of a sexual nature; sending sexually explicit emails or text messages; inappropriate advances on social networking sites; accessing sexually explicit internet sites; requests for sex or repeated unwanted requests to go out on dates; behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications. Sexual Harassment is not interaction, flirtation or friendship which is mutual or consensual.

Sexual Offence

Any criminal offence of a sexual nature under the criminal law, including the Criminal Code 1899 (Qld) and the Summary Offences Act 2005 (Qld).

Student

A person who is enrolled in a UniSQ Upskill Course or who is admitted to an Award Program or Non-Award Program offered by the

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University and is: currently enrolled in one or more Courses or study units; or not currently enrolled but is on an approved Leave of Absence or whose admission has not been cancelled.

Trauma-informed

A response to Discrimination, Bullying, Harassment, Sexual Misconduct or assault that recognises the impact of trauma and prioritises the physical, psychological and emotional safety of all the parties associated with a disclosure or report.

University

The term 'University' or 'UniSQ' means the University of Southern Queensland.

University Community

Means all Students and Employees of the University, persons officially associated with the University, former Students and alumni at the University, as well as invitees, visitors and guests.

University Members

Persons who include: Employees of the University whose conditions of employment are covered by the UniSQ Enterprise Agreement whether full time or fractional, continuing, fixed-term or casual, including senior Employees whose conditions of employment are covered by a written agreement or contract with the University; members of the University Council and University Committees; visiting, honorary and adjunct appointees; volunteers who contribute to University activities or who act on behalf of the University; and individuals who are granted access to University facilities or who are engaged in providing services to the University, such as contractors or consultants, where applicable.

Victimisation

Any unfavourable treatment, or threats of unfavourable treatment against a person as a result of their actual or intended involvement in a complaint. Such involvement might include making a complaint or supplying information or producing documents to someone making a complaint. Unfavourable treatment may include adverse changes to their study or work environment, denial of access to resources, opportunities or training, ignoring the person or giving a lower assessment of Student work.

Vilification

	The public incitement of hatred, serious contempt or severe ridicule of a person on the basis of the race, religion, sexuality or gender identify of a person or members of a group. It can take several forms including hate-speech, graffiti, websites and the distribution of propaganda or other forms of offensive literature. Vilification includes threatening physical harm to a person or their property or inciting others to threaten physical harm to a person or to their property. Vilification is an offence against the Anti-Discrimination Act 1991 .
	Definitions that relate to this policy only
	Gender-based Violence Gender-based Violence is any form of physical or non-physical violence, harassment, abuse or threats, based on gender, that results in, or is likely to result in, harm, coercion, control, fear or deprivation of liberty or autonomy. Gender-based Violence includes but is not limited to: • sexual harassment; • sexual violence; • family and intimate partner violence; • technology-facilitated abuse (such as sharing intimate images without consent); • stalking and harassment; • coercive control (i.e., abusive patterns of behaviours to exert power and dominance over time, that create fear and deny a person liberty and autonomy); and • modern slavery or human trafficking. Gender-based Violence may occur as a single incident, as multiple incidents, or as a pattern of behaviour over time. Gender-based Violence can also occur alongside other forms of discrimination, abuse or violence, such as racism or ableism.
Keywords	
Record No	21/429PL

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