Bullying, Harassment and Discrimination Policy

Section 1 - Preamble

(1) Charles Darwin University ('the University', 'CDU') is committed to providing a safe and healthy workplace and study environment that is free from harassment, bullying, and discrimination. The University has a legal responsibility to provide a safe environment for work and study in accordance with the Fair Work Act 2009 (Cth), the Work, Health and Safety (National Uniform Legislation) Act 2011, and associated legislation and regulations.

(2) The demonstration of appropriate workplace behaviour, reporting and proactively managing instances of inappropriate behaviour is a demonstration of our values of courage, kindness, openness, innovation, and leadership. Together we can create a workplace that inspires our best efforts every day.

Section 2 - Purpose

(3) This policy outlines the principles applied by the University to maintain a workplace and study environment where everyone is treated with dignity and respect and an environment that is free from harassment, bullying and discrimination.

(4) This policy should be read in conjunction with the University's Sexual Exploitation, Abuse and Harassment Prevention Policy and the Equity, Diversity and Inclusion Policy.

Section 3 - Scope

(5) The policy applies to all members of the University community on the University campus, in University online and social media environments, or at any place where work-related activities are performed, including events and social functions.

Section 4 - Policy

(6) The University recognises that all members of the University community have the right to work and study in an environment that is free from discrimination, harassment and bullying.

(7) Staff and students are expected to display appropriate standards of behaviour and to respect the rights and differences of others in accordance with the Code of Conduct – Staff and Code of Conduct - Students.

(8) The University does not tolerate harassment, bullying and discrimination under any circumstances and considers this to be inappropriate behaviour.

(9) The University encourages the early reporting of any allegations of bullying, harassment or unlawful discrimination and will treat all incidents seriously. The University will:

a. undertake regular awareness-raising activities;
b. promote avenues for seeking advice, support, and submitting complaints;

c. manage complaints in a timely, sensitive, and fair manner, and in accordance with principles of natural justice;
d. ensure confidentiality is maintained in accordance with the relevant complaints procedure;
e. take disciplinary action in accordance with the relevant disciplinary procedure in the case of serious or persistent harassment or bullying; and
f. not tolerate vexatious complaints or victimisation as a result of a complaint.

(10) To prevent discrimination, bullying, and harassment, the University will ensure that:

a. all members of the University community are informed of this policy and expected standards of behaviour outlined in the relevant Codes of Conduct;
b. all members of the University community are aware of their responsibilities to prevent bullying, harassment, and unlawful discrimination from occurring in the workplace and university environment;
c. reasonable management action is taken in a reasonable and timely manner.

Section 5 - Non-Compliance

(11) Non-compliance with Governance Documents is considered a breach of the Code of Conduct – Staff or the Code of Conduct – Students, as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the Charles Darwin University and Union Enterprise Agreement 2022 and the Code of Conduct – Students.

(12) Complaints may be raised in accordance with the Complaints and Grievance Policy and Procedure - Employees and Complaints Policy - Students.

(13) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the Fraud and Corruption Control Policy and Whistleblower Reporting (Improper Conduct) Procedure.

Status and Details

Status	Historic
Effective Date	12th September 2022
Review Date	12th September 2023
Approval Authority	Vice-Chancellor
Approval Date	10th September 2022
Expiry Date	7th May 2024
Responsible Executive	Peta Preo Director People and Culture
Implementation Officer	Peta Preo Director People and Culture
Enquiries Contact	Peta Preo Director People and Culture

Glossary Terms and Definitions

"Bullying" - Bullying is when people repeatedly and intentionally use words or actions against someone or a group of people to cause distress and risk to their wellbeing. These actions are usually done by people who have more influence or power over someone else, or who want to make someone else feel less powerful or helpless. Bullying is not the same as conflict between people (like having a fight) or disliking someone, even though people might bully each other because of conflict or dislike.

"Discrimination" - Where a person or group of people are treated unfairly on the grounds of an attribute. This includes but is not limited to: race; language, including signed language; sex; gender identity; sexual orientation; sex characteristics; age; relationship status; accommodation status; employment status; employment in sex work or engaging in sex work including past employment in sex work or engagement in sex work; pregnancy; carer responsibilities; breastfeeding; disability; HIV/Hepatitis status; subjected to domestic violence; trade union or employer association activity; religious or spiritual belief or activity; political opinion, affiliation or activity; irrelevant medical record; irrelevant criminal record; physical appearance, health or medical status or ability; the person's details being published under section 66M of the Fines and Penalties (Recovery) Act 2001 (NT); and Association with a person who has, or is believed to have, any of these attributes.

"Harassment" - Behaviour that is unwelcome, for example, making a person feel intimidated, insulted or humiliated. Harassment is often unsolicited and repeated, and usually unreciprocated. Sexual harassment is included in this definition and is a particularly serious form of harassment. It involves conduct, including the use of work and remarks, of a sexual nature.

"University community" - Officials and individuals carrying out University business. This includes, but is not limited to, all employees, researchers, peer reviewers, adjuncts, students, volunteers, consultants, agents and contractors.