



4.34 Bullying and Harassment Policy

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Aims

Bermagui Preschool will foster an environment of mutual respect equity and recognition of educator skills and strengths. This will be facilitated through the service philosophy and by adhering to the Early Childhood Code of Ethics and the Code of Conduct Policy. Bermagui Preschool endeavours to define clear expectations and guidelines for educators through clear job descriptions, policies and procedures. Our service will encourage feedback and open communication to create understanding between educators and Preschool stakeholders.

Documented guidelines regarding behaviour and guidance for children help ensure that children, families and educators are provided with a safe environment. They promote acceptable behaviour and outline guidance measures for staff, children and families. This Policy aims to establish ways to work together to create learning communities which are safe, inclusive, conducive to learning, free from harassment and bullying and sensitive and inclusive of the wider community.

Introduction

Creating a workplace with vision and meaningful direction, consistent values and ethics will foster a positive and productive work environment free from harassment. Further, when professional standards guide educator's practices, interactions and relationships, children's learning and development, safety and wellbeing will be effectively supported.

At Bermagui Preschool we believe:

- Children are individuals and have diverse needs
- Everyone has the right to feel valued, safe (psychologically and physically) and happy - children, staff and families
- Children have the right to express their feelings
- Children have the right to be supported to develop the appropriate skills and positive behaviours to manage their feelings
- Nurturing relationships and consistent emotional support helps children to learn the skills and behaviours needed so that they can interact positively with others (Early Years Learning Framework, p.12)
- That the consideration of children's individual needs are crucial to successful learning and the development of positive behaviours
- It is important that families and educators work together to develop common goals for a child in relation to their wellbeing and learning
- Children have the right to be supported by adults (parents and educators) who model appropriate behaviours and ensure consistent limits for behaviour are set
- It is important to note that single incidents of conflict are not regarded as bullying

What is Work Place Bullying?

Workplace Bullying and Harassment is a serious risk to the emotional wellbeing and health of educators, families and children and it needs to be prevented and dealt with if it does occur. Workplace bullying is repeated and unreasonable behaviour directed towards another. It can be carried out in a variety of ways including through verbal or physical abuse, emails, sms, internet chat rooms and social media.

Workplace bullying includes:

- behaving aggressively
- teasing, making fun of your work or you as a person (including your family, culture, background) etc.
- unreasonable work demands
- being put down openly and in front of others
- excluding you or stopping you from working with people or taking part in activities that relates to your work
- playing mind games, ganging up on you, or other types of psychological harassment
- intimidation (making you feel less important and undervalued)
- giving you pointless tasks that have nothing to do with your job
- giving you impossible jobs that can't be done in the given time or with the resources provided
- deliberately changing your work hours or schedule to make it difficult for you
- deliberately holding back information you need for getting your work done properly
- pushing, shoving, tripping, grabbing you in the workplace

Strategies

The Bermagui Preschool philosophy and Code of Conduct will guide educator interactions and practices by providing a vision, a purpose and meaningful direction regarding goals for children and families. It's so important to remember that we work in an industry where we need to work together in a team to provide high quality care and learning to children. All educators come from different cultures, different values and different upbringings and at times we may get too comfortable in our surroundings and become insensitive to those around us. Please take into consideration the educators around you and be aware of your body language, the tone you use, the words you use because you could end up being the bully.

The Approved Provider and/or the Nominated Supervisor will:

- Carry out an induction process for new employees at the commencement of employment. At this time, appropriate behaviours will be reinforced and discussed.
- Familiarise new employees with the Code of Conduct Policy, the Feedback, Grievances and Complaints Policy and the Early Childhood Code of Ethics.
- Inform educators that inappropriate behaviours such as harassment and bullying will not be tolerated.
- Encourage educators to report inappropriate behaviours using the Feedback, Grievances and Complaints Policy.
- Address all inappropriate behaviours.
- Increase educator awareness of appropriate interactions through professional development and training.
- Encourage open discussions through educator team meetings, informal conversations and at performance appraisals to clarify each educator's role within our education and care service.

- Welcome constructive feedback. Educators will be encouraged to express opinions and work collaboratively with the Nominated Supervisor and the Board of Directors to contribute to the success of the service and to facilitate continual improvement.
- Regularly review communication practices within the Preschool to ensure all educators are supported, empowered, and acknowledged for their contributions to the team and the service.
- Treat all educators equitably.

Educators will:

- Be involved in decision making with a clear understanding of their roles and responsibilities as defined in their job descriptions, duty lists, rosters and service policies.
- Be valued for their contributions to Bermagui Preschools program and routines.
- Be encouraged to embrace the uniqueness and diversity of their colleagues. Skills, strengths and opinions of team members will be respected and supported by all educators to create team cohesion based on respect and professionalism.

As educators with a duty of care we promote positive behaviour and interactions by:

- Providing an enriching and engaging program in a safe, equitable, respectful and supportive learning environment. Children's learning is co-constructed through a play-based curriculum that is challenging, rewarding, relevant, inspiring and fun. In this way we promote a sense of belonging, being and becoming and provide opportunities for a quality learning environment.
- Planning experiences which provide opportunities for the development of skills including resilience, agency, entry and exit play skills, appropriate risk-taking, conflict resolution, independence, leadership, respect for others and communication
- Intentional teaching of appropriate behaviours and play skills using 'Say what you see', building on each child's strengths and achievements and providing choices when possible
- Supporting self regulation through care and guidance rather than external control
- Interacting positively, using respectful language, active listening, acknowledging children's needs and feelings and modelling appropriate language and behaviour.
- Demonstrating empathy and sensitivity towards each child
- Involving children in learning about the kindergarten values and what they look like in action, and reviewing behavioural expectations and consequences
- Encouraging open two-way communication with families to ensure that each child's context and needs are understood to better support their needs
- Valuing children as individuals within their family and cultural context
- Ensuring that limits set are reasonable and understood by all children and adults
- Attending current and relevant staff training
- Implementing the 'Keeping Them Safe' Child protection curriculum throughout the year

Educators will respond to inappropriate behaviours by:

- Reminding children of behavioural expectations and limits and the reasons for these
- Supporting children to problem solve and negotiate to find resolutions and to manage and communicate their emotions appropriately and safely. Children's individual needs and stage of development will determine action taken by educators
- Using practices that support children to empathise with others and restore relationships
- Moving children away if they are at risk of being hurt by someone that is upset
- Moving away a child that is upset and is putting others at risk

- Communicating with and involving families at the earliest opportunity to work together positively to assist the child's wellbeing and learning
- Assessing individual children's learning and development and reflecting on and reviewing our planned program and how the active learning environment supports positive behaviours
- Planning, implementing, monitoring and reviewing individual behaviour plans in partnership with families and support services when required
- Being aware of our own limitations and seeking assistance from other professionals in our Preschool when required
- Withdrawing children when they are at risk of hurting themselves or others.
- Ensuring that an adult is present/ supervising all the time.
- Using visual prompts, sensory tools and social stories to support children who are not managing or communicating their emotions

Parents/caregivers will:

- Promote positive behaviour and interactions by sharing the responsibility of implementing this Policy
- Modelling appropriate behaviour in the Preschool environment
- Providing timely and relevant information to educators that may help to explain some behaviours
- Supporting educators to plan for, promote and review their child's interactions and behaviour. A Behaviour Support Plan may be written to outline strategies. Consistent strategies at Preschool and home support children's wellbeing and learning
- Working together with educators to enhance children's sense of belonging.

Children will:

- Feel as though they are valued members of the kindergarten and that their 'voice' is heard
- Be supported to engage in learning about the kindergarten's values and appropriate behaviours
- Be supported to learn and use the 'Stop, Think, Do' approach or other agreement plans
- Learn to express their feelings by talking about them.

What You Can Do If You Are Being Bullied At Work

- Make sure you're informed and aware of this policy. The policy outlines how Bermagui Preschool will prevent and respond to workplace bullying.
- Keep a diary. Documenting everything that happens, including what you've done to try stopping it. This can help if you make a complaint.
- Get information and advice. If the bullying is serious, if the situation has not changed after adhering to the Feedback, Grievances and Complaints Policy, or if there is not anyone you can safely talk to at work you can get outside information and advice.

Approach The Bully

If you feel safe and confident, you can approach the person who is bullying you and tell them that their behaviour is unwanted and not acceptable. They may not realise the effect their behaviour is having on you and your feedback may give them an opportunity to change their behaviour.

If you want to deal with the situation personally:

- do it as soon as possible
- raise your concerns casually in a non-confrontational manner
- don't engage in retaliatory behaviour
- focus on the unwanted behaviour and how it makes you feel rather than the person
- being open to feedback

Report It

Workplace bullying should always be reported to the Nominated Supervisor. If you believe you are experiencing or witnessing workplace bullying, you should report it as early as possible. You can make a workplace bullying report by:

- informing the Nominated Supervisor verbally or in writing.
- informing the Board of Directors in writing if informing the Nominated Supervisor was unsuccessful.
- using other established reporting procedures

If the Nominated Supervisor is the person whose behaviour is concerning you, consider reporting their behaviour in writing to the Board of Directors.

If the workplace bullying behaviour has not stopped, you may be able to make a complaint to an external body such as the Fair Work Commission.

How Your Service Should Help

If you inform the Nominated Supervisor that you are experiencing workplace bullying, or someone has made a report against you, the Nominated Supervisor will:

- respond to the bullying report quickly and reasonably in accordance with the policies and procedures.
- treat all reports seriously
- inform you of the process of how the matter will be dealt with and estimated timeframes
- keep you informed of progress and explain reasons for delays
- advise you of the name and details of a contact person
- maintain confidentiality
- allow all parties to explain their version of events
- remain neutral and impartial towards everyone involved
- advise you of support options available to you, such as counselling
- allow you to have a support person present at interviews and meetings, for example a friend
- keep records, for example of the bullying report, conversations, meetings and interviews
- attempt to resolve the matter, and
- communicate to you the outcome of actions taken and the reasons for decisions made and any right of review if the parties are not satisfied with the outcome.

If the matter is resolved, the Nominated Supervisor will follow-up with you at a later date to check on your health and safety and review whether the actions taken have been effective. Bermagui Preschool may also provide you with ongoing support or advise you of external support services, such as an employee assistance program.

If the Nominated Supervisor decides that a report should be investigated further, it should inform you of the further investigation process. The investigator should be a suitably skilled, neutral person from within the workplace or an external investigator.

What To Do If You Are Accused Of Workplace Bullying

Being accused of bullying behaviour can be upsetting and come as a shock but it is important to be open to feedback from others, and if necessary, be prepared to change your behaviour. Keep the following points in mind:

- Give the complaint serious consideration
- If someone approaches you about your behaviour, try to remain calm and avoid aggravating what is likely to be an already difficult situation.
- Listen carefully to the particular concerns expressed. Discuss how you might work together more effectively.
- The other person is more likely to share their views with you if you choose a neutral space and ask open questions without attempting to justify your behaviour. Even so, the other person may not be comfortable speaking to you.

Seek an Objective Opinion About The Behaviour

If you do not understand the complaint or would like a second opinion about your behaviour, discuss the matter with someone you trust, such as the Nominated Supervisor or a counsellor. Any discussion should be strictly confidential. It is important not to unintentionally escalate the situation by discussing the issue openly.

If you believe you are being unjustly accused, or the complaint is malicious, you should discuss this with the Nominated Supervisor. It may be that an informal discussion between you, the person making the allegation and a third party will solve the problem.

If you have been made aware that your behaviour is considered unreasonable, stop or modify the behaviour and review what you are doing. If, after careful consideration, you believe that your behaviour is reasonable management action, you should discuss this with the Nominated Supervisor. Even in those circumstances, it may be possible to modify future management action to minimise the risk that others might find it unreasonable. If you are found to have continued to bully someone after their objection to your bullying behaviour was made known to you, your persistence, or the fact that you have not modified your behaviour, is likely to be taken into account in disciplinary or other proceedings.

Where To Go For Help?

If you have not being able to resolve the bullying within Bermagui Preschool, there are a number of agencies and organisations that may be able to offer further advice and assistance. You can contact your Work Health and Safety Regulators In your state/territory.

You can also contact Fair Work Commission for an order to stop the workplace bullying, they will assist you to identify if you are eligible to apply for an order.

The Fair Work Commission's anti-bullying jurisdiction is limited to preventing the worker from being bullied at work. The Fair Work Commission cannot issue fines or penalties and cannot award financial compensation. The focus is on resolving the matter and enabling normal working relationships to resume. The Fair Work Commission will make an order if satisfied the worker has been bullied at work by an individual or a group of individuals and there is a risk the worker will continue to be bullied at work.

The Fair Work Commission will take into account:

- internal procedures available to resolve grievances and disputes at the workers' workplace
- final or interim outcomes arising from an investigation carried out by the worker's employer or other body, and
- any other matters the Fair Work Commission considers relevant.

Orders could be based on behaviour such as threats made outside the workplace, if those threats result in the worker being bullied at work, for example threats made by email or telephone.

For Advice:

- Lifeline 13 11 14
- Beyond Blue 1300 224 636

Evaluation

Educators and Management conduct themselves in a professional manner according to the Early Childhood Code of Ethics, the Code of Conduct and legislative guidelines. Inappropriate behaviours including harassment and bullying are not tolerated by educators or management.

Relevant Legislation

Human Rights and Equal Opportunity Commission Act 1986
 Fair Work Act 2009
 NSW Anti-Discrimination Act 1977
 Education and Care National Regulations 2011

Resources & References

The National Quality Standard (2010)
 National Quality Standards/Elements: 4.2, 4.2.1, 4.2.2, 4.2.3, 7.1, 7.1.2, 7.2, 7.3.4
 Being, Belonging and Becoming: The Early Years Framework for Australia (2009).
 Early Childhood Australia's Code of Ethics
 Early Childhood Australia www.earlychildhoodaustralia.org.au
 Australasian Legal information Institute www.austlii.edu.au
 Preventing and Managing Bullying at Work: A Guide for Employers
 Australian Government: Comcare – Bullying Risk Management Tool
<https://www.comcare.gov.au>

- Dealing With Workplace Bullying – Safe Work Australia (2016)
- Workplace bullying: Violence, Harassment and Bullying Fact Sheet – Australian Human Right Commission (2011)
- Workplace Bullying – Reach out
- Lifeline 13 11 14
- Beyond Blue 1300 224 636

Relevant Documentation

Bermagui Preschool Policies
 Complaints and Feedback
 Code of Conduct

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