



BULLYING, CYBER-BULLYING AND HARASSMENT PREVENTION POLICY

Melba College is committed to providing a safe and respectful learning environment where bullying will not be tolerated.

PURPOSE

The purpose of this policy is to:

- explain the definition of bullying so that there is shared understanding amongst all members of the Melba College community
- make clear that no form of bullying at Melba College will be tolerated
- outline the strategies and programs in place at Melba College to build a positive school culture and prevent bullying behaviour
- ask that everyone in our school community be alert to signs and evidence of bullying behaviour, and accept responsibility to report bullying behaviour to school staff
- ensure that all reported incidents of bullying are appropriately investigated and addressed
- ensure that support is provided to students who may be affected by bullying behaviour (including targets, bystanders and students engaging in bullying behaviour)
- seek parental and peer group support in addressing and preventing bullying behaviour at Melba College.

When responding to bullying behaviour, Melba College aims to:

- be proportionate, consistent and responsive
- find a constructive solution for everyone
- stop the bullying from happening again
- restore the relationships between the students involved.

Melba College acknowledges that school staff owe a duty of care to students to take reasonable steps to reduce the risk of reasonably foreseeable harm, which can include harm that may be caused by bullying behaviour.

SCOPE

This policy addresses how Melba College aims to prevent, address and respond to student bullying behaviour. Melba College recognises that there are many other types of inappropriate student behaviours that do not meet the definition of bullying which are also unacceptable at our school. These other inappropriate behaviours will be managed in accordance with our 'Student Code of Conduct', 'Student Wellbeing and Engagement Policy' and 'Inclusion and Diversity Policy'.

This policy applies to all school activities, including camps and excursions.

POLICY

Definitions of Bullying

In 2018 the Education Council of the Council of Australian Governments endorsed the following definition of bullying for use by all Australian schools:

Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening.

Bullying can happen in person or online, via various digital platforms and devices and it can be obvious (overt) or hidden (covert). Bullying behaviour is repeated, or has the potential to be repeated, over time (for example, through sharing of digital records)

Bullying of any form or for any reason can have immediate, medium and 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.

Bullying has three main features:

- It involves a misuse of power in a relationship
- It is ongoing and repeated, and
- It involves behaviours that can cause harm.

Bullying can be:

- *direct* physical bullying – e.g. hitting, tripping, and pushing or damaging property.
- *direct* verbal bullying – e.g. name calling, insults, homophobic or racist remarks, verbal abuse.
- *indirect* bullying – e.g. spreading rumours, playing nasty jokes to embarrass and humiliate, mimicking, encouraging others to socially exclude a person and/or damaging a person's social reputation or social acceptance.

Bullying can also involve such things as

- grabbing, aggressive staring, hitting, pinching kicking, pushing and shoving.
- publicly excluding a person from your group
- taking or breaking a person's property
- knocking a person's books or belongings out of their hands or off their desk
- teasing a person because of their looks

Cyberbullying is direct or indirect bullying behaviours using digital technology. For example via a mobile device, computers, chat rooms, email, social media, etc. It can be verbal, written and include images, video and/or audio.

Examples of cyberbullying behaviour are:

- teasing and being made fun of
- spreading of rumours online
- sending unwanted messages
- defamation.

Being involved in online spaces – either at home or at school - requires students to behave responsibly. This includes:

- the language you use and the things you say
- how you treat others
- respecting people's property (eg copyright)
- visiting appropriate sites.

Behaving safely online means:

- protecting your own privacy and personal information selecting appropriate spaces to work and contribute
- protecting the privacy of others (this can be sharing personal information or images)

- being proactive in letting someone know if there is something is 'not quite right'. At home this would be a parent or carer, at school a teacher.

Cyberbullying can happen to anyone and the bully can act anonymously if they want. People can also be bullied online by groups of people such as class groups or collective members of an online community.

All instances of cyberbullying perpetrated by Melba College enrolled students towards other Melba College enrolled students will be dealt with by Melba College staff as a Melba College issue no matter where the cyberbullying occurred.

Harassment is any verbal, physical or sexual conduct (including gestures) which is uninvited, unwelcome or offensive to a person. Harassment is language or actions that are demeaning, offensive or intimidating to a person. It can take many forms, including sexual harassment and disability harassment. Further information about these two forms of harassment, including definitions, is set out in our Inclusion and Diversity Policy.

Harassment of any kind will not be tolerated at Melba College and may have serious consequences for students engaging in this behaviour. Melba College will use its Student Wellbeing and Engagement Policy to guide a response to students demonstrating harassing behaviour, unless the behaviour also constitutes bullying, in which case the behaviour will be managed in accordance with this Bullying Prevention Policy.

The effects of harassment or bullying include

- poor health – anxiety, depression
- lower self esteem
- reduced study performance
- missed classes, social withdrawal
- reduced career prospects

Harassment can be subtle or explicit and can involve such things as:

- Offensive staring and leering.
- Unwanted comments about physical appearance and sexual preference.
- Racist or smutty comments or jokes.
- Questions about another's sexual activity.
- Persistent comments about a person's private life or family.
- Physical contact e.g. purposely brushing up against another's body.
- Offensive name calling.
- Grabbing, aggressive hitting, pinching and shoving etc.
- Unwelcome patting, touching, embracing.
- Repeated requests for dates, especially after refusal.
- Offensive gestures, jokes, comments, letters, phone calls or e-mail.
- Sexually and/or racially provocative remarks.
- Displays of sexually graphic material– pornography.
- Requests for sexual favours. Extreme forms of sexual harassment may lead to criminal prosecution.

If a student sees another person being harassed or bullied they should tell the person that you witnessed the incident and advise them to report it to a staff member. Furthermore, if students or staff of Melba College see a person harassing another person, it is appropriate to let them know that their behaviour is unacceptable.

Bystanders who do nothing to stop bullying or harassment may be contributing to the problem by providing an audience for the bully

All persons have a legal right to protection from harassment under the Commonwealth Sex Discrimination Act and the Victorian Equal Opportunity Act.

OTHER DISTRESSING AND INAPPROPRIATE BEHAVIOURS

Many distressing and inappropriate behaviours may not constitute bullying even though they are unpleasant. Students who are involved in or who witness any distressing and inappropriate behaviours should report their concerns to school staff and our school will follow the 'Student Code of Conduct', 'Student Wellbeing and Engagement Policy' and 'Inclusion and Diversity Policy'.

Mutual conflict involves an argument or disagreement between people with no imbalance of power. In incidents of mutual conflict, generally, both parties are upset and usually both want a resolution to the issue. Unresolved mutual conflict can develop into bullying if one of the parties targets the other repeatedly in retaliation.

Social rejection or dislike is not bullying unless it involves deliberate and repeated attempts to cause distress, exclude or create dislike by others.

Single-episode acts of nastiness or physical aggression are not the same as bullying. However, single episodes of nastiness or physical aggression are not acceptable behaviours at our school and may have serious consequences for students engaging in this behaviour. Melba College will use its 'Student Wellbeing and Engagement Policy' to guide a response to single episodes of nastiness or physical aggression.

BULLYING PREVENTION

Melba College has a number of programs and strategies in place to build a positive and inclusive school culture. We strive to foster a school culture that prevents bullying behaviour by modelling and encouraging behaviour that demonstrates acceptance, kindness and respect.

Bullying prevention at Melba College is proactive and is supported by research that indicates that a whole school, multifaceted approach is the most effect way to prevent and address bullying. At our school:

- We have a positive school environment that provides safety, security and support for students and promotes positive relationships and wellbeing.
- We strive to build strong partnerships between the school, families and the broader community that means all members work together to ensure the safety of students.
- Teachers are encouraged to incorporate classroom management strategies that discourage bullying and promote positive behaviour.
- A range of year level incursions and programs are planned for each year to raise awareness about bullying and its impacts.
- In the classroom, our social and emotional learning curriculum teaches students what constitutes bullying and how to respond to bullying behaviour assertively. This promotes resilience, assertiveness, conflict resolution and problem solving.
- The Peer Support Program and the Peer Mediation program encourage positive relationships between students in different year levels. We seek to empower students to be confident communicators and to resolve conflict in a non-aggressive and constructive way.
- Students are encouraged to look out for each other and to talk to teachers and older peers about any bullying they have experienced or witnessed.
- Melba College will participate in the National Day of Action against Bullying and Violence.

For further information about our engagement and wellbeing initiatives, please see our 'Student Engagement and Wellbeing Policy'.

INCIDENT RESPONSE AND REPORTING CONCERNS TO MELBA COLLEGE

Bullying complaints will be taken seriously and responded to sensitively at our school.

Students who may be experiencing bullying behaviour, or students who have witnessed bullying behaviour, are encouraged to report their concerns to school staff as soon as possible.

Our ability to effectively reduce and eliminate bullying behaviour is greatly affected by students and/or parents and carers reporting concerning behaviour as soon as possible, so that the responses implemented by Melba College are timely and appropriate in the circumstances.

We encourage students to speak to a teacher, the Year Level Coordinator, the Sub School Leader or a Principal. However, students are welcome to discuss their concerns with any trusted member of staff including wellbeing staff, College social worker or College Chaplin.

Parents or carers who develop concerns that their child is involved in, or has witnessed bullying behaviour at Melba College should contact the Student Wellbeing Coordinator or Assistant Principal Student Engagement and Wellbeing, by phone on 9955 5700 or by email directed to melba.sc@edumail.vic.gov.au.

INVESTIGATIONS

When notified of alleged bullying behaviour, school staff are required to:

1. record the details of the allegations on Compass incident report, with the
2. relevant Year Level Coordinator, the Student Wellbeing Team, Assistant Principal or Principal.

The Year Level Coordinator is responsible for investigating allegations of bullying in a timely and sensitive manner. To appropriately investigate an allegation of bullying, the Year Level Coordinator may:

- speak to the those involved in the allegations, including the target/s, the students allegedly engaging in bullying behaviour/s and any witnesses to the incidents
- speak to the parents of the students involved [all parties involved]
- speak to the teachers of the students involved
- take detailed notes of all discussions for future reference
- obtain written statements from all or any of the above.

All communications with the Year Level Coordinator in the course of investigating an allegation of bullying will be managed sensitively. Investigations will be completed as quickly as possible to allow for the behaviours to be addressed in a timely manner.

The objective of completing a thorough investigation into the circumstances of alleged bullying behaviour is to determine the nature of the conduct and the students involved. A thorough understanding of the alleged bullying will inform staff about how to most effectively implement an appropriate response to that behaviour.

Serious bullying, including serious cyberbullying, is a criminal offence and may be referred to Victoria Police. For more information, see: [Brodie's Law](#).

Brodie's Law was introduced after the tragic suicide of a young woman, Brodie Panlock, who was subjected to relentless bullying in her workplace. Victoria's anti-bullying legislation, known as Brodie's Law, commenced in June 2011 and made serious bullying a crime punishable by up to 10 years in jail.

Brodie's Law makes serious bullying a criminal offence by extending the application of the stalking provisions in the *Crimes Act 1958* to include behaviour that involves serious bullying. The offence of stalking, and therefore conduct that amounts to serious bullying, carries a maximum penalty of 10 years imprisonment.

Brodie's Law applies to all forms of serious bullying, including physical bullying, psychological bullying, verbal bullying and cyberbullying.

Brodie's Law applies to bullying occurring anywhere in the community, such as workplaces, **schools**, sporting clubs and on the internet including email or social networking sites such as Facebook and Twitter.

RESPONSES TO BULLYING BEHAVIOURS

When the Year Level Coordinator has sufficient information to understand the circumstances of the alleged bullying and the students involved, a number of strategies may be implemented to address the behaviour and

support affected students in consultation with Student Wellbeing Team, Assistant Principal Student Engagement and Wellbeing, the Principal and also Department of Education and Training specialist staff if required.

There are a number of factors that will be considered when determining the most appropriate response to the behaviour. When making a decision about how to respond to bullying behaviour, Melba College will consider:

- the age and maturity of the students involved
- the severity and frequency of the bullying, and the impact it has had on the target student
- whether the student/s engaging in bullying behaviour have displayed similar behaviour before
- whether the bullying took place in a group or one-to-one context
- whether the students engaging in bullying behaviour demonstrates insight or remorse for their behaviour
- the alleged motive of the behaviour, including any element of provocation.

The Year Level Coordinator or Assistant Principal Student Engagement and Wellbeing may implement all, or some of the following responses to bullying behaviours:

- Offer counselling support to the target student or students, including referral to the Student Wellbeing Team or external provider.
- Offer counselling support to the students engaging in bullying behaviour, including referral to the Student Wellbeing Team.
- Offer counselling support to affected students, including witnesses and/or friends of the target student, including referral to the Student Wellbeing Team.
- Facilitate a restorative practice meeting with all or some of the students involved. The objective of restorative practice is to repair relationships that have been damaged by bringing about a sense of remorse and restorative action on the part of the person who has bullied someone and forgiveness by the person who has been bullied.
- Facilitate a mediation between some or all of the students involved to help to encourage students to take responsibility for their behaviour and explore underlying reasons for conflict or grievance. Mediation is only suitable if all students are involved voluntarily and demonstrate a willingness to engage in the mediation process.
- Facilitate a process using the Support Group Method, involving the target student(s), the students engaging in bullying behaviour and a group of students who are likely to be supportive of the target(s).
- Implement a Method of Shared Concern process with all students involved in the bullying.
- Facilitate a Student Support Group meeting and/or Behaviour Support Plan for affected students.
- Prepare an Individual Education Plan, Individual Behaviour Plan or Student Contract restricting contact between target and students engaging in bullying behaviour.
- Provide discussion and/or mentoring for different social and emotional learning competencies of the students involved, including affected students with an older Student Mentor/s, resilience programs or other support programs.
- Monitor the behaviour of the students involved for an appropriate time and take follow up action if necessary.
- Implement year group targeted strategies to reinforce positive behaviours
- Implement disciplinary consequences for the students engaging in bullying behaviour, which may include removal of privileges, detention, suspension and/or expulsion consistent with our Student Engagement and Wellbeing policy, the Ministerial Order on Suspensions and Expulsions and any other relevant Department policy.

Melba College understands the importance of monitoring and following up on the progress of students who have been involved in or affected by bullying behaviour. Where appropriate, school staff will also endeavour to provide parents and carers with updates on the management of bullying incidents.

Year Level Coordinators are responsible for maintaining up to date records of the investigation of and responses to bullying behaviour.

FURTHER INFORMATION AND RESOURCES

This policy should be read in conjunction with the following school policies:

- Philosophy, Values and Implementation
- Student Wellbeing and Engagement Policy
- Parent Complaints Policy
- Duty of Care Policy
- Inclusion and Diversity Policy

The following websites and resources provide useful information on prevention and responding to bullying, as well as supporting students who have been the target of bullying behaviours:

- [Bully Stoppers](#)
- [Kids Helpline](#)
- [Lifeline](#)
- [Bullying. No way!](#)
- [Student Wellbeing Hub](#)
- [Office of the eSafety Commissioner](#)
- [Australian Student Wellbeing Framework](#)

EVALUATION

This policy will be reviewed on an annual basis, or earlier as required, following analysis of school data on reported incidents of, and responses to bullying to ensure that the policy remains up to date, practical and effective.

Data will be collected through:

- discussion and consultation with students and parent/carers
- regular student bullying surveys
- regular staff surveys
- [Bully Stoppers Data Collection](#) tool
- assessment of other school-based data, including the number of reported incidents of bullying in each year group and the effectiveness of the responses implemented
- Attitudes to School Survey
- [Parent Opinion Survey](#)

Proposed amendments to this policy will be discussed with and include consultation with student representative groups, parents groups and school council.

Policy Reviewed by School Council	Person Responsible for Policy	Next School Council Review
2019	Assistant Principal - Accountabilities	2022