

Anti-bullying and Harassment Policy



1. Purpose

The purpose of this policy is to prevent instances of bullying, harassment, intimidation or abuse, and to ensure adequate support and recourse should they occur.

It also aims to meet MACSEYE's legal obligations, including those in the *Occupational Health and Safety Act 2004* (Vic). Under these laws, an organisation has a duty to:

- Eliminate or minimise risks to health and safety, including psychosocial risks
- Take reasonable and proportionate measures to prevent workplace bullying and harassment
- Respond appropriately when concerns are raised

To do so, this policy defines specific types of bullying and harassment and provides examples of prohibited behaviour. This assists employees in understanding how to conduct themselves appropriately, as well as how to identify and report concerns.

The internal resolution process outlined in this policy aims to discourage offending and hold offenders responsible. This keeps both MACSEYE staff and the communities they interact with safe and protected from harm.

2. Scope

This policy applies to all individuals who engage with MACSEYE services and the Central Support Office (CSO), including:

- Full-time, part-time, casual, and fixed-term employees
- Management and non-management staff
- Agency and contract workers
- Members of the Board and Committees
- Volunteers and students
- Visitors to any MACSEYE service, including parents and school staff who may interact with the service
- Any other representative of MACSEYE

For the purposes of this policy, the term 'staff' encompasses all of the above.

This policy applies to all MACSEYE locations and extends to all work-related situations, whether occurring on-site, off-site, online, during work-related travel, or at work-related social or networking events.

3. Principles

MACSEYE has zero tolerance for bullying and harassment. Any behaviour that undermines an individual's dignity, health, or wellbeing is unacceptable.

MACSEYE is committed to:

- Enforcing a zero-tolerance approach to bullying and harassment
- Taking all reports seriously

- Responding promptly, fairly, and objectively
- Protecting confidentiality as far as possible
- Preventing victimisation or retaliation
- Supporting all parties involved in a concern or complaint

This policy works in conjunction with the Code of Conduct and other relevant policies, including the Sexual Harassment and Respect at Work Policy, to foster a respectful, inclusive, and safe workplace. With the backing of these policies, MACSEYE staff should be confident in reporting incidents of harassment and bullying and feel assured that their concerns will be dealt with fairly.

MACSEYE recognises that maintaining a safe and respectful workplace requires ongoing education, shared responsibility, and the active commitment of all staff.

4. Policy

4.1 What is bullying?

Bullying is repeated, unreasonable, or inappropriate behaviour (directed at an individual or group) that creates a risk to health and/or safety. Bullying behaviour may be intentional or unintentional – intent is not relevant in determining whether bullying has occurred.

Bullying behaviours can take many different forms, from the obvious bullying (direct) to the more subtle bullying (indirect). The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, could be considered to be workplace bullying.

Direct:

- Verbal insults or abuse, including yelling, name-calling, screaming, or offensive language
- Humiliating a person through gestures, sarcasm, criticism, or insults
- Intimidating physical behaviour
- Making someone the focus of pranks or practical jokes
- Spreading misinformation, rumours or putting people down behind their back
- Interfering with a person's personal property or work equipment
- Personal attacks, threats, intimidation or misuse of power
- Excessive criticism of someone's character or competence

Indirect:

- Undermining work performance by deliberately supplying incorrect information or by withholding vital information
- Deliberate exclusion or isolation from workplace activities
- Excessive supervision or micro-managing without cause
- Unreasonably overloading or underloading a person with work, without support or reason
- Setting tasks that are unreasonably below, or above, a person's skill level
- Deliberately changing work arrangements, such as rosters and leave to inconvenience a particular worker or workers

The above examples do not represent a complete list of bullying behaviours. They are indicative of the type of behaviours that may constitute bullying and are therefore unacceptable. Note that if these behaviours are carried out online or through digital technology, they may be considered as cyberbullying, which falls under the broader category of bullying.

4.2 What is not bullying?

It is also important to understand the bounds of bullying and allow for respectful forms of feedback and management. Examples of behaviour which **do not generally constitute workplace bullying** include:

- One-off instances of insensitivity or rudeness (however, these should not be ignored as they may have the potential to escalate into bullying behaviour)
- Reasonable management activities such as:
 - Conducting performance management processes and providing feedback
 - Informing a workplace participant about unsatisfactory work performance in a constructive way
 - Setting reasonable performance goals, standards and deadlines
 - Rostering and allocating working hours in a fair and reasonable manner, even if it does not meet all employees' preferences
 - Deciding not to select a workplace participant for promotion, following a fair and documented process
 - Informing staff that their behaviour is inappropriate in an objective and confidential manner
 - Implementing organisational changes or restructuring
 - Transferring a workplace participant for legitimate and explained operational reasons
 - Approval or non-approval of leave applications based on operational needs and leave accruals (in line with the Staff Leave Policy)
 - Reminding staff of company policies and expectations

4.3 What is harassment?

Harassment is unwelcome conduct, related to a protected characteristic, that offends, humiliates or intimidates a person and/or creates a hostile, intimidating or unsafe work environment.

Bullying and harassment have many overlaps, however the key difference is that harassment is **connected to a personal attribute protected by law, and does not have to be repeated in nature**.

Protected attributes include (but are not limited to):

- Sex and/or gender
- Sexual orientation
- Race, skin colour, nationality or ethnicity
- Age
- Disability or health condition
- Religion
- Family or carer responsibilities

Harassment may occur as a single incident or as repeated behaviour. Types of harassment include:

Verbal:

- Offensive, insulting, or derogatory comments or jokes about a person or group
- Inappropriate comments about a person's appearance, personal life, or relationships
- Mocking, belittling, or ridiculing a person's abilities

Non-verbal and visual:

- Displaying, sharing, or circulating culturally offensive, sexually explicit, or degrading images or symbols
- Written harassment such as offensive notes, messages, emails, or social media posts

Physical:

- Unwelcome physical contact such as touching, hugging, or blocking someone's movement
- Invasion of personal space in a way that makes someone uncomfortable
- Physical intimidation or menacing behaviour

Social:

- Excluding, isolating, or deliberately ignoring someone due to their identity
- Spreading rumours or gossip intended to harm a person's reputation
- Undermining, sabotaging, or deliberately setting someone up to fail or be humiliated

Sexual:

- Unwelcome sexual advances or requests for sexual favours
- Suggesting employment benefits or consequences in exchange for sexual activity
- Sexual jokes, comments, or stories
- Repeated unwanted invitations or contact of a sexual or romantic nature

Sexual harassment is unlawful. MACSEYE has a **separate Sexual Harassment and Respect at Work Policy**, which addresses in more detail:

- Definitions and examples
- Reporting options
- The organisation's positive duty to prevent sexual harassment

Concerns relating to sexual harassment must be managed in accordance with the above policy.

4.4 What is vilification?

Vilification can occur when a person or persons incites hatred or serious or severe ridicule towards another person or group based on a protected trait. The key difference between Harassment and vilification is that vilification is a **public act that incites serious contempt or severe ridicule**.

Examples include:

- Publishing unfounded claims against a racial group
- Encouraging violence against a religious group
- Creating hate speech flyers

Vilification is unacceptable in any form and is considered to create a hostile work environment. Certain instances of vilification may also constitute a federal hate speech offence.

4.5 Responsibilities

4.5.1 All staff

All staff have a shared responsibility to prevent, identify, and respond to bullying and harassment. Bullying can occur at any level of the organisation, and any employee may be subjected to unacceptable behaviour regardless of role, seniority, status, or age.

Nonetheless, MACSEYE recognises that some groups of staff may be more vulnerable – particularly younger or less experienced employees, who may face additional barriers to recognising, reporting, or challenging inappropriate behaviour. MACSEYE is committed to creating a culture in which all staff feel safe, supported, and empowered to raise concerns without fear of reprisal.

All MACSEYE staff are expected to:

- Treat others with respect, dignity, and professionalism
- Refrain from any behaviour that could reasonably be perceived as bullying or harassment
- Not aid, abet, encourage, or condone bullying or harassment in any form
- Participate in education and training on bullying and harassment
- Remain vigilant to behaviours that may constitute bullying, harassment or other inappropriate conduct
- Report incidents they experience or witness, even if they are not the direct target
- Maintain confidentiality if they are involved in, or aware of, a reported concern or incident

Individuals should not intervene in a manner that places their own safety, or the safety of others, at risk. Staff are encouraged to seek guidance from the People Services team to ensure they are appropriately supported and informed.

4.5.2 Managers

Managers play a critical role in preventing workplace bullying and harassment. In addition to the responsibilities of all staff, managers are expected to:

- Lead by example in promoting respectful, inclusive, and professional behaviour
- Ensure their direct reports are aware of, understand, and comply with this policy
- Act promptly and appropriately if they observe or receive reports of bullying or harassment
- Provide appropriate support to affected employees, while maintaining confidentiality to the greatest extent possible
- Ensure no victimisation or retaliation occurs against a person who raises a concern in good faith, or participates in an investigation
- Escalate matters to People Services in accordance with established procedures

Managers must not attempt to manage serious or complex matters in isolation and are required to seek guidance from People Services to ensure concerns are addressed consistently, lawfully, and fairly.

4.5.3 MACSEYE

MACSEYE will provide regular training to employees and managers to prevent bullying and harassment. Training will focus on:

- Recognising, preventing, and responding to bullying and harassment
- Understanding reporting channels, roles and responsibilities
- Fostering a respectful, inclusive, and safe workplace

4.6 Reporting and consequences

4.6.1 Types of reports

Staff who experience or witness bullying, harassment, or other unacceptable conduct may report concerns through a range of channels, dependent on the circumstances, their levels of distress, and the severity of the matter.

An informal complaint may be raised verbally or provided as a brief written description, often to a manager or other senior staff member. The informal complaint procedure is generally appropriate for less serious concerns.

Behaviour reported informally does not always result in formal disciplinary action – its severity will be assessed, and an appropriate outcome will be decided. Where appropriate and safe to do so, a manager or People Services representative may raise the concern directly with the individual/s involved, or a formal investigation may be initiated

A formal complaint must be submitted in writing to a manager or the People Services team and should include, where possible, details such as the date, time, location, individuals involved, and any supporting evidence or witnesses. All formal complaints, regardless of where they are initially submitted, must be escalated to People Services for assessment and will generally be managed in accordance with the Internal Grievances Policy, including consideration of whether a formal investigation is required.

4.6.2 Investigation

Taking into account the nature and severity of the allegation, a suitable discovery or investigation process will be undertaken in accordance with the Internal Grievance Policy, Discipline Policy, Code of Conduct, mandatory reporting requirements, and applicable legal obligations.

Thorough collection of evidence will be undertaken by an impartial internal representative (or, where necessary, an external investigator). All evidence, findings, and decisions will be documented and stored securely in line with privacy and recordkeeping requirements. Appropriate details on the matter will be communicated clearly to the complainant and/or respondent, as deemed necessary and safe by the investigator.

4.6.3 Consequences

Any person who breaches this policy by engaging in bullying or harassment will be held accountable for their actions. The possible outcomes of an investigation will depend on the nature of the complaint. MACSEYE will take appropriate and proportionate disciplinary action, up to and including termination of employment, such as:

- Mediation
- Providing training to assist in addressing the problems underpinning the situation
- Monitoring to ensure that there are no further issues
- Requiring an apology or an undertaking that certain behaviour stop
- Formal warnings
- Changing work arrangements
- Suspension
- Termination
- Referral to legal authorities

During proceedings, interim measures may be implemented to protect individuals and the integrity of the process. These may include roster or duty changes, temporary suspension, restricted access, or non-contact directives. Legal recourse may also be taken, including lodging a complaint with the Australian Human Rights Commission, WorkSafe, Victorian Civil and Administrative Tribunal or the Fair Work Commission. Certain forms of harassment or vilification may also constitute criminal offences. In such cases, MACSEYE may be legally required to refer the matter to Victoria Police or other relevant authorities.

Any inappropriate conduct enacted in front of children may constitute reportable conduct and warrant legal ramifications.

Individuals may be personally liable if they engage in sexual harassment and related unlawful behaviour, and a legal claim is made. In some circumstances, MACSEYE may also be held vicariously liable for the actions of its employees. However, this liability does not apply where the organisation has taken reasonable steps to educate staff about their obligations to prevent such conduct.

4.6.4 Appeals

If the complainant or respondent is dissatisfied with the outcome of a disciplinary proceeding, they may lodge an appeal in writing with the People Services team within 10 working days of being notified of the outcome of the initial investigation.

Appeals will be considered in accordance with the principles of natural justice and procedural fairness, including the right to be heard, the right to an impartial decision-maker, and decision-making based on relevant and reliable information.

An appeal must clearly outline the grounds for appeal, which may include:

- A material procedural error in how the matter was managed or investigated
- New and relevant information that was not reasonably available at the time of the original decision
- A reasonable concern regarding bias, conflict of interest, or denial of procedural fairness

The appeal will be reviewed by a designated senior manager who was not involved in the original matter or investigation. The review will focus on the appeal grounds raised and will not ordinarily involve a full re-investigation unless necessary to ensure a fair and just outcome.

4.7 Confidentiality

All reports and investigations will be handled with the highest level of confidentiality and procedural fairness obligations. Information will be disclosed only to those who have a legitimate need to know in order to assess, manage, or resolve the matter, or where required by law.

While it is recognised that complainants, respondents, or witnesses may need to seek emotional or professional support, they are encouraged not to discuss matters with other staff. Support should instead be sought through the Employee Assistance Program (EAP) or trusted external support services to help protect the integrity of the process and the privacy of all parties involved.

4.8 No retaliation or victimisation

MACSEYE strictly prohibits victimisation or retaliation against any person who makes a report or complaint of bullying or harassment in good faith, or who participates in, or supports another person to participate in an investigation. Any conduct that subjects a person to detriment, disadvantage or adverse treatment because they have made, or intend to make, a complaint or report, or have assisted in the complaint process, will be treated as a serious breach of this policy.

Where a complaint is found to have been made deliberately falsely, or in bad faith, including where allegations are knowingly fabricated or made without reasonable basis, disciplinary action may be taken. This does not apply to complaints made in good faith that are not substantiated. In serious cases, individuals who make malicious or knowingly false allegations may also be exposed to legal consequences, including potential defamation claims.

5. Roles and Responsibilities

Role	Responsibilities
Director – People Services	Ensuring implementation and compliance with this policy
HR Business Partners	Receiving reports and managing investigations

Managers	Fulfilling the managerial duties listed in this policy
All staff	Complying with this policy, including all behavioural and reporting requirements

6. Child Safety

MACSEYE policies and practices prioritise the safety and wellbeing of children, who are central to everything we do. We recognise a child safe organisation is a dynamic and ongoing process of learning, monitoring and review. When all levels of the organisation work together to protect children from harm, children are safer, valued, and more likely to thrive in their educational learning.

We recognise that the safety of staff and the children in their care is inherently intertwined and are committed to protecting both groups simultaneously. Children who witness respectful interactions between adults benefit and learn from positive modelling. The Child Safe Standards particularly relevant to this policy are:

Child Safe Standards	
Standard 2	2.2 A child safe culture is championed and modelled at all levels of the organisation from the top down and bottom up. 2.4 A Code of Conduct provides guidelines for staff and volunteers on expected behavioural standards and responsibilities
Standard 11	11.1 Policies and procedures address all Child Safe Standards. 11.4 Leaders champion and model compliance with policies and procedures

7. Related documents

MACSEYE Policies:

- Code of Conduct
- Disciplinary Policy
- Internal Grievance Policy
- Sexual Harassment and Respect at Work Policy

Resources:

- [Australian Human Rights Commission: Respect@Work website](#)
- [Victorian Equal Opportunity & Human Rights Commission website](#)
- [WorkSafe website](#)

8. Legislative requirements

- *Occupational Health and Safety Act 2004* (Vic)
- *Occupational Health and Safety Regulations 2017* (Vic)
- *Fair Work Act 2009* (Cth)
- *Sex Discrimination Act 1984* (Cth)

- *Equal Opportunity Act 2010* (Vic)
- *Australian Human Rights Commission Act 1986* (Cth)

9. Definitions

Hostile Work Environment: an environment created by sexual behaviour or sex - based hostility that pervades a workplace, consistent with recent amendments.

MACSEYE: Melbourne Archdiocese Catholic Schools Early Years Educations Ltd.

MACSEYE service: an education and/or care service which is owned, operated and governed by MACSEYE.

Managers: staff who have direct reports or lead a function within MACSEYE

Unreasonable behaviour: means behaviour that a reasonable person, having regard to all the circumstances, would view as unreasonable in the circumstances and may result in that person feeling victimised, humiliated, undermined or threatened by that behaviour.

Workplace: for the purposes of this policy, the workplace may include any location or circumstance where an employee is undertaking work -related activities. This may include the office, school or usual location of the employee's work, work -related travel or official work- related event outside the office/school, or outside normal working hours, online or via social media.

10. Policy information

Policy information			
Policy title:	Anti-Bullying and Harassment Policy	Version:	1.0
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Approving authority:	Managing Director	Approval date:	17/02/2026
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Version control		
Version	Date	Changes
0.1	02/02/2026	Policy drafted and feedback sought Policy reflects current organisation and regulatory requirements
0.2	5/02/2026	Draft policy provided to the Managing Director for approval
1.0	17/02/2026	Policy approved by Managing Director