BULLYING, DISCRIMINATION AND HARASSMENT POLICY

Our Service is committed to creating a safe, respectful and inclusive workplace free from bullying, discrimination and harassment. All staff are expected to demonstrate professional and ethical conduct and contribute to a positive workplace culture.

NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 4: STAFFING ARRANGEMENTS		
4.2	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.
QUALITY AREA 7: GOVERNANCE AND LEADERSHIP		
7.1.2	Management systems	Systems are in place to manage risk and enable the effective management and operation of a quality service that is child safe.

EDUCATION AND CARE SERVICES NATIONAL LAW AND REGULATIONS	
S. 2A	Paramount consideration—safety, rights and best interests of children
S. 3A	Paramount consideration
168	Education and care services must have policies and procedures
170	Policies and procedures to be followed
171	Policies and procedures to be kept available

LEGISLATION

Age Discrimination Act 2004	*Racial Discrimination Act 1975*
Disability Discrimination Act 1992	*Sex Discrimination Act 1984*
Fair Work Act 2009	

RELATED POLICIES

Code of Conduct Policy Cyber Safety Policy Dealing with Complaints Policy Family Communication Policy Health and Safety Policy Interactions with Children, Family and Staff Policy	Multicultural Policy Performance Management Policy Privacy and Confidentiality Policy Respect for Children Policy Staffing Arrangements Policy Student, Volunteer and Visitors Policy Work Health and Safety Policy

PURPOSE

We are committed to providing a safe and equitable workplace for all staff and educators. Bullying, discrimination and harassment will not be tolerated under any circumstances. This policy has been developed to ensure all educators, staff, families and visitors to our Service understand expected standards of behaviour.

SCOPE

This policy applies to families, staff, educators, management, approved provider, nominated supervisor, students, volunteers and visitors of the Service.

IMPLEMENTATION

Our Service is committed to ensuring that the safety, rights and best interests of children are the paramount consideration in all decisions and actions. We recognise that maintaining a safe, respectful and professional workplace supports educators to work effectively together and provide children with safe, high-quality education and care.

As part of this commitment, our Service will adhere to the Early Childhood Code of Ethics, Fair Work requirements, and the Service statement of philosophy, and will promote workplace safety and wellbeing. This includes promoting respectful workplace behaviours outside of working hours. Our Service recognises the Right to Disconnect provisions under the Fair Work Act 2009 and will ensure that any necessary communication outside of work hours is reasonable with respect to the time staff spend away from work.

DEFINITIONS

For additional definitions and key terms used within this policy, refer to *Key Terms – Policies and Procedures*.

Workplace bullying occurs when a person or group of people repeatedly behaves unreasonably towards

a worker or a group of workers, creating a risk to health, safety and wellbeing. It may involve any of the following behaviours:

- aggressive or intimidating conduct
- abusive or offensive language
- making belittling or humiliating comments
- spreading malicious rumours
- teasing, practical jokes or initiations
- deliberately excluding someone from work-related events
- having unreasonable work expectations
- displaying offensive material
- pressuring someone to behave in an inappropriate manner.

Workplace bullying does not include management action carried out in a reasonable manner, including:

  - making decisions about poor performance
  - taking disciplinary action
  - directing and controlling the way work is to be carried out.

Discrimination occurs when a person is treated less favourably or differently than others because of a particular personal characteristic, such as their race, gender, age, disability, religion, culture, or sexual orientation, or because they belong to a particular group.

Harassment involves unwelcome behaviour that intimidates, offends, or humiliates a person, creating a hostile environment.

Online abuse in the workplace refers to bullying, harassment or other abusive behaviours that occur through digital platforms, devices or online communication. This type of behaviour may also be described as tech-based abuse, and can happen through messaging, email, social media and other online tools.

Positive duty requires organisations and businesses to take 'reasonable and proportionate measures' to eliminate, as far as possible: discrimination on the grounds of sex in a work context; sexual harassment in connection with work; sexual harassment in connection with work; sex-based harassment in connection with work; conduct creating a workplace environment that is hostile on the grounds of sex; related acts of victimisation.

Psychosocial hazards at work refer to aspects of work-related conditions or factors that could cause potential psychological or social harm to employees. Stress, fatigue, bullying, violence, aggression,

harassment and burnout can be examples of potential psychosocial hazards, which can cause harm to employees' physical and mental health, negatively impacting their overall wellbeing.

Racism is behaviour, attitudes, practices or policies that discriminate against, exclude, harass or unfairly treat a person or group because of their race, colour, ethnicity, descent, or national or ethnic origin.

Sexual harassment includes an unwelcome sexual advance, an unwelcome request for sexual favours, or other unwelcome conduct of a sexual nature.

THE APPROVED PROVIDER/MANAGEMENT/NOMINATED SUPERVISOR WILL ENSURE:

Governance and Compliance

- that obligations under the Education and Care Services National Law and National Regulations are met
- the *Bullying, Discrimination and Harassment Policy*, and all related policies are reviewed annually
- a thorough induction process for new employees is conducted at the commencement of their employment
- educators, staff, students, visitors and volunteers understand and adhere to this policy and relevant procedures and are advised on how and where the policy can be accessed
- all staff understand the Service's *Code of Conduct Policy*, *Dealing with Complaints Policy* and are familiar with the Early Childhood Code of Ethics
- all staff and educators are provided with professional development on appropriate workplace interactions
- all staff and educators understand their roles and responsibilities outlined in their position descriptions, team meetings, performance appraisals and management expectations
- compliance with all relevant discrimination laws and related legislation is communicated to all employees
- that proactive measures are taken to identify and manage psychological and psychosocial hazards and risks within the work environment through risk assessments in line with work, health and safety (WHS) legislation and our Service policies and procedures.

Workplace Expectations and Conduct

- promote a safe and positive workplace culture by supporting teamwork, collaborative practice and team building opportunities
- to model respectful, ethical and professional behaviour at all times

- all staff and educators are treated fairly and respectfully
- all staff and educators are encouraged to embrace the uniqueness and diversity of their colleagues
- all staff and educators are informed that inappropriate behaviour, including bullying, harassment, including sexual harassment and racism, will not be tolerated, and will be advised of potential consequences of this behaviour
- zero-tolerance approach towards inappropriate behaviour
- online abuse is not acceptable and will be managed in the same way as in-person bullying, discrimination and harassment
- communication practices are reviewed frequently to ensure best practice
- contact with staff and educators outside of working hours is limited to what is deemed reasonable and necessary in line with the Right to Disconnect provisions under the Fair Work Act 2009

Response and Reporting

- inappropriate behaviour is addressed as per related procedures and in a timely manner
- a clear process is in place regarding raising complaints and grievances related to bullying, discrimination and harassment
- complaints and grievances are treated seriously and acted on promptly
- staff, educators, students, volunteers and families are protected from victimisation when making or participating in a complaint
- confidentiality is maintained throughout the complaint and investigation process
- clear reporting and escalation procedures are in place for concerns relating to bullying, discrimination and harassment, including external reporting options where appropriate (see *Bullying, Discrimination and Harassment Procedure* for more details)
- regular performance discussions and supervision are used to reinforce expectations, support professional standards and address concerns early
- all meetings and actions relating to complaints or concerns are documented accurately, objectively and promptly.

EDUCATORS WILL:

- be involved in decision-making with a clear understanding of their roles and responsibilities, as outlined in their position description
- ensure all professional communication, including online and digital communication, is respectful and appropriate
- embrace the uniqueness and diversity of their colleagues

- respect the skills, strengths and opinions of all educators to support team cohesion and professionalism
- comply with all relevant discrimination laws and other related legislation
- take responsibility for their own actions in the workplace
- follow the Service's *Bullying, Discrimination and Harassment Procedure* and raise matters of concern to management
- report any incidents of bullying, discrimination or harassment, including sexual harassment experienced or witnessed
- provide management with relevant information regarding the perceived bullying, discrimination and harassment and understand that procedural fairness may require the substance of the complaint to be shared with the respondent during any investigation to allow for fair management and rectification
- maintain confidentiality and not discuss or disclose information relating to bullying, discrimination, or harassment allegations
- evaluate the effectiveness of strategies implemented to prevent and address bullying, discrimination and harassment
- uphold a zero-tolerance approach towards inappropriate behaviour
- take reasonable care of their own wellbeing and seek support from management or appropriate services when required
- maintain appropriate boundaries in online and digital communication, including outside of working hours where it relates to the workplace
- discuss any contact outside of working hours that they consider unreasonable or disruptive with management
- assist in identifying and reducing psychological and psychosocial hazards and risks within the work environment through participation in risk assessments, reporting concerns, and contributing to a safe workplace culture.

CONTINUOUS IMPROVEMENT/REFLECTION

Our *Bullying, Discrimination and Harassment Policy* will be evaluated and reviewed on an annual basis or earlier if there are changes to legislation, ACECQA guidance or any incident related to our policy. Feedback will be requested from children, families, staff, educators and management. All families will be notified 14 days before any policy change that may have a significant impact on the provision of education and care to any child enrolled at the Service or the family's ability to utilise the Service.

RELATED RESOURCES

Bullying, Discrimination and Harassment Procedure Bullying, Discrimination and Harassment Risk Assessment	Code of Conduct Staff Acknowledgement Complaints/Grievance Investigation Guide and Form Complaints/Grievance Procedure

SOURCES

Australian Children's Education & Care Quality Authority. (2026). *Guide to the National Quality Framework*
Australian Human Rights Commission. (n.d.). *Sex and gender rights*.
Early Childhood Australia Code of Ethics. (2016).
Education and Care Services National Law Act 2010
Education and Care Services National Regulations 2011
Fair Work Act 2009 (Cth).
Fair Work Ombudsman. (n.d.). *Bullying in the workplace*.
Fair Work Ombudsman. (n.d.). *Managing performance and warnings*.
Fair Work Ombudsman. (n.d.). *Related government sites*. *(state and territory anti-discrimination)*.
Fair Work Ombudsman. (n.d.). *Right to disconnect*.
Fair Work Ombudsman. (n.d.). *Workplace sexual harassment*.
Law Council of Australia. (n.d.). *Bullying and harassment in the workplace*.
Safe Work Australia. (n.d.). *Bullying*.
eSafety Commissioner. (n.d.). Online abuse in the workplace – employer information.
Work Health and Safety Act 2011 (Cth).

REVIEW

POLICY REVIEWED BY	[NAME] Amy Flockhart	[POSITION] office admin	[DATE] 04/08/2026
POLICY REVIEWED	AUGUST 2026	NEXT REVIEW DATE	AUGUST 2027
VERSION NUMBER	V11.08.26		
MODIFICATIONS	• annual policy review • strengthened alignment with workplace culture and expectations • added online abuse and racism sections • introduced subheadings • improved clarity, structure and consistency • added paramount consideration into policy • updated sources as required		
PREVIOUS MODIFICATIONS			
AUGUST 2025	• annual policy review • legislation and sources checked and updated as required		