

Preventing Harassment, Bullying and Discrimination Policy

1.	Purpose	<p>Flowers Design School is committed to providing work, teaching and learning environments that are free from all forms of harassment (including bullying, racial vilification and victimisation) and discrimination.</p> <p>Harassment (including bullying, racial vilification and victimisation) and discrimination will not be tolerated and all stakeholders are required to comply with the behavioural standards outlined within the organisations' Code of Conduct, Statutes and By-laws.</p> <p>FDS will take all reasonable steps to prevent breaches of this Policy including the provision of guidelines and formalised procedures to assist in the prompt and effective resolution of complaints.</p> <p>Specifically this policy aims to:</p> <ul style="list-style-type: none"> • Eliminate harassment (including bullying, racial vilification and victimisation) and discrimination • Ensure all stakeholders are aware of their roles and responsibilities to ensure that FDS provides safe and inclusive work, teaching and learning environments • Provide guidelines and formalised procedures to assist in the prompt resolution of complaints confidentially and effectively • Ensure that FDS complies with its legal responsibilities in accordance with the following Acts: <p>Commonwealth legislation <i>Age Discrimination Act 2004 (Cth)</i> <i>Disability Discrimination Act 1992 (Cth)</i> <i>Equal Opportunity (Commonwealth Authorities) Act 1987 (Cth)</i> <i>Equal Opportunity for Women in the Workplace Act 1999 (Cth)</i> <i>Human Rights and Equal Opportunity Commission Act 1986 (Cth)</i> <i>Racial Discrimination Act 1975 (Cth)</i> <i>Racial Hatred Act 1995 (Cth)</i> <i>Sex Discrimination Act 1984 (Cth)</i> <i>Fair Work Act 2009 (Cth)</i></p> <p>State Legislation <i>Equal Opportunity Act 1984 (WA)</i> <i>Disability Services Act 1993 (WA)</i> <i>Occupational Safety and Health Act 1984 (WA)</i></p>
2.	Scope	<p>The scope of this policy applies to all FDS stakeholders, in particular to FDS team members, students, industry partners and representatives of FDS.</p>
3.	Definition(s)	<p>For the purposes of this policy, unless otherwise stated the following definitions shall apply;</p> <p>Bullying unwelcome and offensive behaviour that intimidates, humiliates and/or undermines a person or group. Bullying, which is a form of workplace harassment, generally involves a persistent pattern of behaviour over a period of</p>

time and may include verbal abuse, physical assault, unjustified criticism, sarcasm, insults, spreading false or malicious rumours about someone, isolating or ignoring a person, putting people under unnecessary pressure with overwork or impossible deadlines, and sabotaging someone's work or their ability to do their job by not providing them with vital information and resources in order to meet determined outcomes. Bullying can be a form of unlawful harassment if it is directed at someone because of one of the grounds covered by anti-discrimination legislation (refer harassment).

Confidentiality information kept in trust and only those people directly involved in the concern or who are involved in resolving a complaint will be provided with information about a complaint. There may be a need to disclose confidential information in circumstances where a matter is considered to involve a criminal action or a breach of the organisation's duty of care and in such cases the information will be divulged only to those who need to know.

Discrimination treating someone unfairly or unequally simply because they belong to a group or category of people. Equal opportunity laws prohibit discrimination on the grounds of sex, marital status, pregnancy, family responsibility, family status, race, religious or political convictions, gender history, impairment, age or sexual orientation. Victimisation is also treated as an unlawful act.

Duty of Care Flowers Design School has a legal responsibility to provide team members and students with safe work, teaching and learning environments that are free from harassment and discrimination. Complaints of a serious nature may therefore need to be referred, in cases involving staff, to the Chief Executive Officer.

FDS Flowers Design School

Harassment unacceptable conduct that consists of unwelcome and uninvited comments or actions that intimidate, offend, humiliate or embarrasses a person or a group of persons. Equal opportunity laws prohibit harassment on the grounds of sex, race and/or disability.

Natural Justice refers to a process that is fair to all parties and free of bias. The principles include the right for an affected person to be heard before any decision, which has the potential to affect them, is made, the right to be informed of allegations made, the right of response, the right to representation and consistency in the organisational approach to issues.

Racial Harassment occurs when a person is threatened, abused, insulted or taunted in relation to their race or by association, descent or nationality, colour, language or ethnic origin, or a racial characteristic. It may include derogatory remarks about people from particular countries or races, disparaging remarks about someone's accent or manner of speaking, mockery of skin colour or appearance, or displays of material prejudicial to a particular race and racial jokes.

Racial Vilification involves the incitement of racial hatred or racial harassment by statements or other public acts.

Sexual Harassment is any verbal or physical sexual conduct that is unwelcome and uninvited that humiliates, intimidates or offends and that in the circumstances, a reasonable person would have anticipated the conduct would have such an effect. It may include kissing, embracing, patting, pinching, touching, leering or gestures, questions about a person's private or sexual life, requests for sexual favours, smutty jokes, phone calls, emails, facsimiles or messages, offensive noises or displays of sexually graphic or suggestive material.

Stakeholders All persons with a vested interest in FDS including but not limited to;

		<p>Students Team Members Professional Associations Employers Government & Regulatory Agencies Contractors / Service providers</p> <p>Victimisation includes any unfavourable treatment of a person as a result of their involvement in a complaint. Unfavourable treatment could include: adverse changes to the work or study environment, denial of access to resources, work opportunities or training, refusing to provide information, ignoring the person, dismissal, refusing to renew a contract of employment, or lower assessment of student work.</p>
4.	Policy Guidelines	<p>Flowers Design School management ensure an environment free of harassment by enforcing this policy.</p> <p>Harassment, bullying, discrimination and victimisation should not be confused with legitimate comment and advice regarding standards of work, workplace behaviour or feedback on student work or performance given appropriately by managers, supervisors, trainers or support teams.</p> <p>In dealing with complaints, the rights of all individuals should be respected and confidentiality maintained.</p> <p>Both the person making the complaint, and the person against whom the complaint is made, will receive information, support and assistance in accordance with the principles of natural justice.</p> <p>Victimisation is unacceptable and will not be tolerated. No person making a complaint, or assisting in the investigation of a complaint, is to be victimised. Victimisation of people making complaints will be treated as seriously as the original behaviour giving rise to the complaint.</p> <p>All FDS team members and students are expected to participate in the complaint resolution process in good faith.</p> <p>All complainants have the right to have their complaint heard in an external forum.</p> <p>Reported complaints will be dealt with as expeditiously as the circumstances of the complaint allow.</p> <p>FDS management provides information and advice on policies and procedures.</p> <p>FDS team members can provide advice and support to complainants and respondents on conciliation of complaints and may undertake internal investigations.</p> <p>FDS management align effective delivery and enforcement of this policy by ensuring;</p> <ul style="list-style-type: none"> • FDS team members and students are given a copy of this policy for ongoing awareness and transparency, in addition practical application at the time of enrolment and course induction will include this policy. • FDS management or nominated persons will conduct a continuous improvement audit to gauge the ongoing effectiveness of this policy and to allow for early identification of any breaches in policy guidelines. • Regular reviews will be maintained periodically. Such reviews and audits do not negate the responsibility which applies to all FDS stakeholders to report any form of harassment. <p>Failure to comply with this policy or a person known to be in direct breach of this policy will be deemed as misconduct and FDS management will take appropriate</p>

		remedial action. This may include disciplinary action or removal from the FDS premises. Management reserve the right to apply the necessary action on a case-by-case basis depending on the individual circumstances of such misconduct.
5.	References	<ul style="list-style-type: none"> a) Student Orientation Form b) Student Handbook c) Team member Handbook d) FDS Organisational Folder / Policy/
6.	Approval	This policy is approved by The Chief Executive Officer of FDS
8.	Approval Dates	<p>The policy was approved on: 01/04/2010</p> <p>The policy takes effect from: 01/10/2009</p> <p>The policy will be reviewed by:01/10/2010</p>
9.	Policy Owner	<p>Matters arising from this policy should be directed to;</p> <p>The Chief Executive Officer of Flowers Design School Ms Jayne Endall Suite 39C City West Centre Plastowe Lane, West Perth 6005 jayne@floristry.com.au Tel: +61 8 9321 022</p>