

# Responding to Bullying at MB&DG

## 1.The purpose of the policy is

To ensure that all forms of bullying are not tolerated and that any incidence of bullying is handled in a professional and timely manner.

## 2.Policy Statement

The Mildura Ballet & Dance Guild Inc. rejects all forms of bullying.

No student, employee, parent, caregiver or community member should experience bullying within the learning, working or social environments of the Mildura Ballet & Dance Guild Inc.

Bullying is defined as repeated verbal, physical or social psychological behaviour that is harmful and involves the misuse of power by an individual or group towards another individual or group. Bullying can involve humiliation, domination, intimidation, victimisation and all forms of harassment including but not limited to that based on sex, race, disability, homosexuality or transgender. Bullying of any form or for any reason can have long-term effects on those involved including bystanders.

Types of bullying:

*Verbal:* name calling, teasing, abuse, putdowns, sarcasm, insults, threats

*Physical:* hitting, pushing, kicking, scratching, tripping, spitting

*Social:* ignoring, excluding, ostracising, alienating, making inappropriate gestures and remarks

*Psychological:* spreading rumours, dirty looks, hiding or damaging possessions, malicious SMS, email messages and all other forms of social media, inappropriate use of cameras, phones, photos and DVD's

*Cyber-bullying:* bullying through the use of technology or any electronic communication, which shall include but is not limited to

electronic mail, internet communications, instant messaging, posting on social networking sites, or facsimile communications. Cyber-bullying includes creating a web page or blog in which the creator assumes the identity of another person, the knowing impersonation of another person as the author of posted content or messages, or the distribution by electronic means or communication of messages that meets the definition of bullying above, whether distributed directly or creating a posting that may be accessed by one or more persons.

Conflict or fights between equals or single incidents are not defined as bullying, the management of general complaints or grievances are not included in this policy.

## **1. Principles**

### Responsibilities of teachers and committee members

The prevention of all inappropriate behaviours including bullying requires teachers and committee members to:

- be aware of, identify and prevent bullying at the Mildura Ballet & Dance Guild Inc. where ever possible,
- exhibit zero tolerance for inappropriate behaviour regardless of whether a complaint is received about that behaviour,
- if a staff or committee member become aware of bullying through informal channels such as a conversation, phone call, or from third party comments further action should be taken following the guidelines of the MB&DG Managing Bullying Procedure
- encourage all staff, students and Guild members to behave in accordance with the principles of equal opportunity and anti discrimination,
- provide leadership and role modelling in relation to appropriate and professional behaviour,
- respond promptly, sensitively and confidentially to all situations where inappropriate behaviour is exhibited or alleged to have occurred

## **4. Procedure for Managing Bullying**

### Informal Process

If bullying is observed taking place among students in the classroom, the teacher will address the issue at that level, immediately and directly. While addressing the issue, the teacher will seek to protect the victim while exercising natural justice for the alleged bully. The teacher will attempt to halt any bullying behaviour and where appropriate elicit an apology from the bully.

If the bullying continues or is occurring outside the classroom, a written statement will be taken to the Complaints Officer, who will organise to interview on separate occasions the alleged bully and the victim, with their parent and either a teacher or another committee member in attendance.

This initial interview will be considered an 'informal interview and is to determine fact and allow both parties involved to express concerns. At this stage the confidentiality of parties can be maintained if requested. If confidentiality is requested by the victim, the victim needs to be informed that the situation can be investigated informally but cannot be escalated to a formal procedure unless factual information or evidence can be provided.

The information gathered at these interviews will then be considered by the Complaints Officer and the following may occur:

- a) the Complaints Officer may deem that there is not enough factual information or evidence to support escalating the claims to a 'formal investigation'. In this situation the Complaints Officer would contact both parties and inform them that the Mildura Ballet & Dance Guild Inc. do not intend to take proceedings any further.
- b) The Complaints Officer may determine that there is significant evidence and/or factual information and the formal process for managing bullying will be activated:

### Formal Process

The Complaints Officer needs to inform both parties that a formal process has now been activated and both parties need to be provided with details of the complaint (eg: who is involved, when and where alleged bullying took place, nature of the bullying etc.)

The Complaints Officer needs to establish a small group of committee/staff members that do not have a personal association with the parties involved. In the case where this is not deemed possible the MB&DG committee may need to consider involving a third party to help mediate the situation MB&DG committee may need to consider involving a third party to help mediate the situation (as per the Guild's Constitution).

The mediator must be

- (a) a person chosen by agreement between the parties; or
- (b) in the absence of agreement
  - (i) in the case of a dispute between a member and another member, a person appointed by the committee of the Guild; or

(ii) in the case of a dispute between a member and the Guild, a person who is a mediator appointed or employed by the Dispute Settlement Centre of Victoria (Department of Justice).

A member of the Guild can be a mediator.

The mediator cannot be a member who is a party to the dispute.

Both parties have the opportunity to respond to the notification of a formal process and a further interview may be required/ requested by any party involved.

The mediator, in conducting the mediation, must

- (a) give the parties to the mediation process every opportunity to be heard; and
- (b) allow due consideration by all parties of any written statement submitted by any party; and
- (c) ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.

The mediator must not determine the dispute.

If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

Both parties have the opportunity to respond to this notification and a further interview may be required/ requested by any party involved.

To determine the seriousness of the situation the nature and severity of the alleged bullying needs to be evaluated by the complaints officer and the working party:

- 1) Is this a provoked or spontaneous episode or is there evidence the episode was planned or pre-meditated?
- 2) Has the alleged bully been involved in allegations of bullying prior to this episode?
- 3) What impact has the offense had on the victim, other students, staff, the MB&DG community and the MB&DG reputation?

Based on this assessment the working party then need to formulate an action plan that may include:

- Suspension/expulsion from classes
- Limitation of participation in certain activities (exams/concerts)
- A behaviour modification agreement that will be monitored by the teacher and followed up by the Complaints Officer
- Counselling or peer support organised for the students/parents involved

## **5. Definitions**

*Members* - Students, Parents and Carers, Staff of The Guild

## 6. Legislation and other references

### 6.1 Legislation

- Associations Incorporations Act 1981

### 6.2 Documents

This Policy is implemented in conjunction with the following documents:

- Relieving Teachers and Refund Policy Report

### 6.3 Risk Assessment

*Please tick the corporate risk(s) that this policy is addressing.*

<b>Risk Category</b>	<input checked="" type="checkbox"/>	<b>Risk Category</b>	<input checked="" type="checkbox"/>
Asset Management		Financial Sustainability	
Committees	<input checked="" type="checkbox"/>	Human Resource Management	<input checked="" type="checkbox"/>
Compliance – Legal & Regulatory	<input checked="" type="checkbox"/>	Leadership & Organisational Culture	
Contract Management		Occupational Health & Safety	<input checked="" type="checkbox"/>
Contract Tendering & Procurement		Organisational Risk Management	<input checked="" type="checkbox"/>
Management & Operations	<input checked="" type="checkbox"/>	Project Management	
Environmental Sustainability		Public Image and Reputation	<input checked="" type="checkbox"/>