



CAULFIELD PRIMARY SCHOOL

RESPECT AND RESPONSIBILITY POLICY

POLICY NO. 3.10

Rationale

Caulfield Primary School recognises that it is the right of every member of the school community to perform their day to day activities without being subjected to any form of bullying, harassment, or negative discrimination. Equally, it is the obligation and responsibility of every member of the school community to ensure that Caulfield Primary School is an environment free from bullying, harassment or negative discrimination.

Caulfield Primary School is fully committed to ensuring that all members of the school community are treated in a manner which is respectful of difference and which recognises the equal rights of all members of the community to participate freely in school activities.

The purpose of this document is to outline Caulfield Primary School's position on acceptable behaviour and the expectation that all students, staff, parents and visitors to the school will comply with this position. This policy outlines Caulfield Primary School's approach to encouraging respectful and responsible behaviour within the school community at all times, as well as the actions to be followed in cases of breaches of this policy, including incidences of bullying including cyber-bullying, sexual harassment and/or sexual, racial, gender-based and other negative forms of discrimination.

Definitions

Respect - Having regard for yourself and others, lawful and just authority and diversity within Australian society and accepting the right of others to hold different or opposing views. A respectful person:

- Upholds high standards of conduct in learning and teaching
- Interacts with civility and justice
- Values the worth and work of others
- Shows respect for oneself through an active and honest involvement in the learning process
- Appreciates Australia's history and multicultural society

Responsibility - Being accountable for your individual and community's actions towards yourself, others and the environment. A responsible person:

- Upholds the expectations of the school and community in terms of their learning, behaviour and attitude
- Develops social cohesion and rejects violence, harassment and negative forms of discrimination
- Supports a peaceful resolution of conflict
- Performs duties safely, honestly and to the best of their ability
- Is familiar with and complies with all mandatory reporting legislation when required.

Sexual harassment – The Victorian Equal Opportunity Act 2010 refers in Part 6 section 92 (1) to sexual harassment if a person (a) makes 'an unwelcome sexual advance, or an unwelcome request

for sexual favours, to the other person; or (b) engages in any other unwelcome conduct of a sexual nature in relation to the other person –' In (2) 'unwelcome conduct of a sexual nature' includes (a) subjecting a person to any act of physical intimacy; (b) making, orally or in writing, any remark or statement with sexual connotations to a person or about a person in his or her presence; (c) making any gesture, action or comment of a sexual nature in a person's presence.'

The test of sexual harassment is taken as being 'in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated.' Under the law, the burden of proof is on the respondent to prove that they weren't guilty of the offence (rather than the complainant). Intent is also not relevant under the law and the offence can be a single incident.

Behaviour that is based on mutual attraction, friendship and respect is not sexual harassment.

Discrimination - occurs when a person (or a group of people) is singled out for worse treatment, compared to others in similar circumstances. Discrimination on the basis of one or more of the following attributes or assumed attributes is illegal in Victoria:

- age
- carer status, family responsibilities, parental status
- disability (including physical, sensory and intellectual disability, work related injury, medical conditions, mental, psychological and learning disabilities)
- employment activity
- gender identity, lawful sexual activity, sexual orientation
- industrial activity
- marital status
- physical features
- political belief or activity
- pregnancy, breastfeeding
- race (including colour, nationality, ethnicity and ethnic origin)
- religious belief or activity
- sex
- personal association with someone who has, or is assumed to have, one of these personal characteristics.

Bullying/ cyber-bullying - Bullying is repeated verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Cyberbullying refers to bullying through information and communication technologies.

Bullying can involve humiliation, domination, intimidation, victimisation and all forms of ongoing harassment. Bullying behaviour can be:

- **verbal** eg name calling, teasing, abuse, putdowns, sarcasm, insults, threats
- **physical** eg hitting, punching, kicking, scratching, tripping, spitting
- **social** eg ignoring, excluding, ostracising, alienating, making inappropriate gestures
- **psychological** eg spreading rumours, dirty looks, hiding or damaging possessions, malicious SMS and email messages, inappropriate use of camera phones.

Conflict or fights between equals and single incidents are not defined as bullying. Bullying behaviour is not:

- children not getting along well
- a situation of mutual conflict
- single episodes of nastiness or random acts of aggression or intimidation.

Policy

The Respect and Responsibility Policy applies to all people participating in the school community, including staff, parents, visiting adults, and students. Policies specifically addressing rules governing student behaviour in relation to the values of Respect and Responsibility are to be found in the Student Code of Conduct.

- Caulfield Primary School will not tolerate discriminatory, offensive or illegal behaviour under any circumstances. Responsibility lies with every staff member, parent, visitor and volunteer to ensure that such behaviour does not occur at school, or in any school-related contexts, including school playgrounds and buildings, school camps, excursions, school social events, online spaces and the school as a workplace.
- No member of the school community, including staff, parents, visitors, volunteers and students should subject any other member of the school community to any form of unwelcome, discriminatory, offensive or illegal behaviour, including physical behaviour, speech behaviour or behaviour in an online space.
- A breach of this policy will result in disciplinary action. Depending upon the severity of the case, consequences may include apology, counselling, referral to DEECD Southern region, or referral to police
- Caulfield Primary School strongly encourages anyone who feels they have been subjected to discriminatory, offensive, or illegal behaviour to take immediate action, preferably by making it clear that such behaviour is unwelcome and offensive; alternatively, or in addition, they may follow the procedures described below for reporting the behaviour.
- Any reports of discriminatory, offensive or illegal behaviour will be treated seriously and promptly with sensitivity. Such reports will be treated as completely confidential up to the point where a formal or informal complaint is lodged against a particular person, at which point that person must be notified under the rules of natural justice.
- Where a complaint involves a student or potential student of the school, the initial report should be made to the class teacher, yard duty teacher or Principal as appropriate. Where a student is subject of complaint and/or is the complainant the Principal or class teacher notify the student's parents.
- Where a complaint is lodged by a parent, the parent is advised to follow the procedures outlined in the Caulfield Primary School Parent Complaint Policy. Where the complaint involves a child not that of the parent, then the parents of that child should be contacted about the complaint and the school's response.
- Where a complaint involves a member of staff, the Principal shall determine the appropriate disciplinary and/or restorative practices in accordance with DEECD guidelines. Where the Principal is involved in the complaint (whether as complainant or accused), DEECD Southern Region must be immediately informed.
- Where a complaint involves contractors, visitors or volunteers to the school, the matter must be referred immediately to the Principal.
- The complainant has the right to a safe environment, protection and support during any complaint investigation process.
- The alleged harasser also has the right to have support or representation during any investigation, as well as the right to respond fully to any formal allegations made. There will be no presumptions of guilt and no determination made until a full investigation has been completed.

- This policy must be read in conjunction with the Caulfield Primary School Student Engagement Policy and the student code of conduct.

Conflict Resolution

Where conflict arises between adults in the school community that does not concern a potentially illegal act, the school Principal will seek a peaceful resolution of the dispute, first through internal negotiation and conferencing with the parties, and if there is no resolution, in accordance with the mediation of disputes process set out under Victorian mediation legislation.

Transparency

In keeping with transparency, school records for a student can be made available to the parent or guardian of that student on written request.

Date of approval: 2015	Date of review: 2018
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