



## **Anti-Bullying Policy**

### **POLICY STATEMENT**

Coowarra is committed to ensure that we provide a play space within our Services where children feel safe and secure in an environment free from bullying behaviour.

Coowarra OOSH is committed to providing a safe workplace for all Staff, including full time, part time, casual, volunteers, and contractors that is free from bullying.

### **Background Information/Definitions**

Bullying is defined as ongoing misuse of power in relationships through repeated verbal, physical and/or social behaviour that causes physical and/or psychological harm. It can involve an individual or a group misusing their power over one or more person. Bullying can happen in person or online, and it can be obvious (overt) or hidden (covert).

- Misusing power over individuals can refer to physical strength, access to embarrassing information, position, popularity etc., to control or harm others.

- Bullying is a deliberate behaviour.
- Online bullying (sometimes referred to as cyberbullying) refers to bullying through internet or mobile devices.
- Bullying of any form or for any reason can have long-term effects on those involved, including bystanders.
- Single incidents, conflicts or fights between equals, whether in person or online, are not defined as bullying.
- Behaviours that do not constitute bullying include:
  - - Mutual arguments and disagreements.
  - - Not liking someone or a single act of social rejection.
  - - One-off acts of meanness or spite.
  - - Isolated incidents of aggression, intimidation or violence.
- Children are often bullied because of a perceived difference. The difference can be related to culture, gender, ability, religion, physical appearance or even being a new child to the Service or School.
- In many cases, bullying occurs without adults being aware of it. Bullying can include physical violence (hitting, shoving), teasing or name-calling, social exclusion or intimidation over a period of time.



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## Bullying amongst children

### PROCEDURES

- Staff should be reminding children to ensure that they follow our Organisation rules of “Be Safe, Be Responsible and Be Respectful”. Remind children that it is their right to have a good time while at the service, however they have a responsibility to be kind and fair to others.
- Under child protection laws Coowarra OOSH has a duty of care to ensure a safe environment for all children. This includes protecting children from harm (both physical and psychological) from other children.
- Staff will be made aware of the warning effects and signs/indicators that a child is the victim of bullying. These can include:
  - Mood swings
  - Refusal to attend the Service
  - Marks and bruises on body
  - Losing interest in previously enjoyed activities (hobbies/sports)
  - Unhappiness or anxiousness which can lead to depression.
  - Becomes withdrawn, lacks confidence
  - Refusal to talk about what is wrong
  - Becomes aggressive themselves
- Staff are to model appropriate behaviours towards other Staff and children, including using appropriate language when dealing with behaviour management issues and assisting children to do the same.
- Children should be encouraged to verbalise their emotions to develop empathy and compassion.
- Encourage children’s friendships and empathy towards the feelings of others.
- Promote positive problem solving strategies and assertiveness amongst the children. Empower them to say “No” or “I don’t like it when you...”as well as knowing when to walk away and get help from a Staff member.
- Foster children’s confidence and reassure that they can approach Staff with any problems they have and that their concerns will be respected.
- Staff are to teach children about their right to be safe, and that they need to tell an adult when they don’t feel safe.
- Staff will discuss bullying regularly with children and when necessary will remind and encourage children to report undesirable behaviour in all forms (verbal, physical, etc) to Staff.



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- Staff are to monitor/observe children's interactions throughout the daily program to identify if bullying behaviours and patterns are evident.
- Staff should also be aware that children may express their concerns in drawings/paintings, in their play or in their conversations.
- If staff suspect possible bullying is occurring they should:
  - Pay closer attention to the suspected victim and their interactions with other children
  - Try and have a discussion with the child; indicating that you are concerned about them and ask questions such as "Do you have any special friends at after school care or vacation care?" "Are there any kids at after school care that you don't like?"
  - Consider talking with the parents of the child to determine if they have similar concerns.
- Children should be empowered to tell the other child that they are being a bully and to stop the behaviour. If the individual or group of children do not stop, children should inform Staff, so that Staff can address the situation.
- If children feel that they are witnessing another child being bullied, they are to inform a trusted staff member.
- If a child is disclosing alleged bullying Staff are to:
  - Reassure and support the victim. Empathise with the child and reassure them that it is not their fault.
  - Empower the child by asking them what they think could be done to help and what can be done to make them feel safe.
  - Tell the child what action you are planning to take, including that you will need to talk to the alleged bully.
  - Try to talk with the alleged bully and any witnesses without allowing them the opportunity to discuss what they may say, and coordinate responses.
  - Parents should be informed that their child has disclosed that they feel that they are being bullied.
- Parents and families are to advise the Coordinator if their child has disclosed that they are being bullied at the Service. Parents and families are not to approach the alleged bully or family of alleged bully themselves.
- Reporting ensures that intervention occurs as early as possible so prompt assistance and support can be provided.
- Coordinators will ensure that reports are responded to quickly, reasonably and within established timelines. Relevant parties should be advised of how long it will likely take to respond to the bully report and should be kept informed of the progress.



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- Confidentiality of all parties involved should be maintained. Details of the matter should only be known to those directly concerned.
- The family of the alleged bully will be informed that the allegation has been made against their child and the behaviours that their child is accused of doing.
- The child who is alleged to have been engaging in bullying behaviour should be treated fairly. They must be provided with the opportunity to address the allegations that have been brought against them.
- Support for all should be made available to all parties involved.
- Written records should be kept by management throughout the process and should document who made the report, when the report was made, who the report was made to, the details, what action had been taken and what further action needs to be taken, and follow up dates.
- The records should also be made of all conversations, meetings and interviews detailing who was present and outcomes of the meetings.
- Staff should first establish if it is bullying behaviour or if it is just a one off incident of unacceptable behaviour or an ongoing mutual disagreement between the children.
- An isolated incident of unacceptable behaviour does not constitute bullying, so this can be addressed with the children involved. Isolated incidents of unacceptable behaviour that is not dealt with appropriately can develop into a pattern of repeated bullying behaviour.
- Staff should follow the steps outlined in ACI Child Behaviour Management Policy to deal with isolated incidents and mutual disagreements.
- If a case of bullying is identified at the Service then the Coordinator should inform Management so that they can provide additional support and assist in the development of strategies to manage the behaviour.
- When dealing with bullying between children Staff should:
  - Make it clear to the child displaying bullying behaviour, that this is not acceptable.
  - Don't force a meeting between the bully and the victim. Forced apologies are not constructive.
  - Encourage the child who is being bullied to report any further occurrences to the Staff.
  - Encourage and support the child who is being bullied to develop other friendships.
  - Ask the child who is bullying for possible reasons for the bullying. Address any issues raised as appropriate.
- It is essential that both the child being bullied and the child displaying bullying behaviours receive support and attention to ensure that their individual needs are being met.
- It is important that the needs of the child who bullies does not overshadow the needs of the child being bullied.
- We will work with families and the school community to ensure that consistency between the strategies used within the school environment and at the Service.



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- We will work with parents/families throughout the entire process, for both parties, to ensure:
  - Adequate support is available
  - Early intervention of unacceptable behaviour should be followed up with the parent.
  - Parents/families have been notified and given the opportunity to discuss the child's behaviour.
  - Parents/families have been referred to other agencies, where necessary.
  - Coordinator has given careful consideration to the issue, with consideration to the needs of both parties involved and the welfare of others at the Service.
  - Clear procedures have been established for the continuing care at the Service.
- If child/ren have been found to display bullying behaviour then they and their parents/family will be required to attend a meeting to discuss the unacceptable behaviour and what the expectations for behaviour are for future behaviour while at the Service are.
  - These will be agreed by parents/family, child and Staff, and signed off on a written behaviour contract.
  - Possible sanctions will be dependent on each individual case, and severity, but may include a warning, temporary exclusion from the environment (e.g: child is not to play with the circle of friends if it is determined that these friends encourage/participate in the bullying), Suspension or exclusion.
- Due to the seriousness and long term effects bullying can have on individuals, Activity Centres Inc views bullying as serious unacceptable behaviour where an individual deliberately attempts to inflict harm to another child. As a result, failure to adhere to the contract/individual agreement will lead to termination of care.
- If at any point throughout the process the family of the child who is a bully refuses to work with the Service to rectify consistent inappropriate behaviour ACI Management have the right to terminate the child's place without having to work through any of the outlined steps in this Policy. We will work with and support families, but cannot address matters of behaviour on our own without the cooperation and partnership of families.

### **Workplace Bullying**

- Workplace bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers that create a risk to health, safety and well-being.
- Repeated behaviour that occurs on an ongoing basis, and may involve a range of behaviours over time.
- Unreasonable behaviour includes behaviours that are victimising, humiliating, intimidating or threatening.



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- Examples of behaviours that may be considered bullying include:
  - Intimidation: verbal abuse or threats, including yelling, screaming or offensive language
  - Excluding or isolating people from workplace activities.
  - Assigning impossible tasks, meaningless tasks unrelated to the job, or giving someone the majority of unpleasant tasks.
  - Undermining responsibility
  - Spreading malicious rumours
  - Online or Cyber bullying
  - Physical abuse

### What is not workplace bullying?

- Reasonable management action taken by management or supervisors to direct the way work is carried out is not workplace bullying.
- Examples of reasonable management actions and practices includes:
  - Setting reasonable performance goals, standards and deadlines with workers and after considering their respective skills and experience
  - Allocating work fairly
  - Fairly rostering and allocating work hours
  - Providing reasonable direction to carry out duties and tasks
  - Maintaining reasonable goals and standards.
  - Deciding not to select a worker for promotion, following fair consideration process.
  - Informing a worker about unsatisfactory work performance in accordance with service policy.
  - Informing a worker about inappropriate behaviour in accordance with service policy.
  - Implementing organisational changes and restructure.
  - Performance management process in accordance with ACI policy
  - Taking disciplinary action, including suspension or terminating employment.
  - Reasonable consideration of organisation needs prior to the approval of leave or training etc.

### **PROCEDURES**

- Coowarra OOSH recognises that under the Work Health and Safety Act we have a primary duty to ensure a safe work environment and that this includes an environment that is free from bullying and harassing behaviours.





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- There is a risk that bullying may affect the emotional, mental and physical health of Staff. This risk is minimised if Staff treat everyone with dignity and respect and creating a positive workplace environment.
- Bullying hampers productivity by creating dysfunction and damaging morale within the work environment. It includes a pattern of behaviour that intimidates, offends, degrades or humiliates another person, including by electronic means such as email, notice boards, blogs and social networking websites.
- Staff should be aware that this policy applies to behaviours that occur:
  - In connection with work, even if it occurs outside normal working hours
  - During work activities, for example when dealing with clients, in all work-related communications including emails
  - At work-related events, for example at conferences and work-related social functions and
  - On social media where Staff interact with colleagues or clients
- Staff will be informed of this policy as part of our orientation process. Management will ensure that Staff review the policy from time to time as a refresher.
- Staff are to follow Code of Professional standards, ACI Professionalism Policy and maintain a respectful and professional relationship with each other at all times.
- All Staff must realise that workplace bullying is considered serious misconduct and will be grounds for disciplinary action up to and including possible termination of employment, dependent on the severity of the unacceptable behaviour.
- Bullying can be directed at a single individual or a group of individuals and be carried out by one or more Staff.
- Bullying can be Downwards (Manager/Supervisor etc. to Staff member), Sideways (Staff to co-worker), or Upwards (Staff to Management/Supervisor).
- If individual differences between Staff arise, these should be dealt with quickly in relation Grievance and Complaints Management Policy.
- While an isolated incident of unacceptable behaviour does not constitute workplace bullying, it should still be reported to your Coordinator, Assistant Manager, Manager or member of the Management committee, so that it can be addressed with the Staff involved. Isolated incidents of unacceptable behaviour that is not dealt with appropriately can develop into a pattern of repeated bullying behaviour.
- Staff members should not raise allegations which are vexatious or without reasonable cause.
- Vexatious means that the main purpose of a claim is to harrass, annoy or embarrass the other party or there is another purpose for the grievance other than the settlement of the issues arising in the claim.



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- Without reasonable cause' means that a claim is made without there being any real reason, basis in fact(s) or purpose. Such claims include allegations that are so obviously untenable that the claim cannot possibly succeed, groundless, and/or insufficiently particularised.
- Where a claim is determined as vexatious or made without reasonable cause, the Staff member who raised the complaint will receive written notice of this decision which will include reasons as to why the complaint was deemed as vexatious and/or lack of reasonable cause.
- Individuals may choose to resolve issues by self-managing the situation. This would involve the individual telling the other Staff that the behaviour is not welcome and asking them to stop.
- If Staff feel that they are experiencing or witnessing workplace bullying, and are not comfortable dealing with the problem themselves, or all attempts to do so have not been successful, you should raise the issue with your Coordinator, the Coordinator or any member of the Management Committee.
- If Staff witness, workplace bullying behaviour aimed towards another Staff Member, they also have a responsibility to bring this matter to Managements attention.
- Reporting ensures that intervention occurs as early as possible so prompt assistance and support can be provided.
- The reporting and investigating of workplace bullying will remain strictly confidential and no repercussions, retaliation or victimisation will occur against the Staff who report legitimate incidents.
- It is important to ensure anyone who reports workplace bullying, and who is a witness of workplace bullying, is not victimised for doing so. The person accused of bullying should also be protected from workplace bullying.
- Management will ensure that reports are responded to quickly, reasonably and within established timelines. Relevant parties should be advised of how long it will likely take to respond to the bullying report and should be kept informed of the progress.
- Management will refer to the following, as a guide, when responding to a workplace bullying claim:
  - Is the behaviour bullying or not? The type of behaviour occurring may need to be determined to develop an appropriate response. Eg: is it an isolated incident, discrimination, Staff personality clash, or ongoing behaviour etc.
  - Does the situation warrant measures to minimise the risk of ongoing harm? Look at if it is necessary for management to implement interim measures to minimise the risk to Staff health and safety. This may involve temporary reassigning tasks, separating the parties involved or granting requested leave.





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- Do we have a clear understanding of the issue? Seek additional information to ensure a clear understanding of who is involved and the behaviours thought to be bullying. Talk with witnesses and gather all known facts.
  - Can the matter be safely resolved between the parties or at a team level? Looking at if it is possible to reach an outcome to ensure the unreasonable and bullying behaviour ceases. A proposed resolution should be discussed with all the relevant parties and the individual who reported the behaviour to check that they are comfortable with it. This could include training, mentoring, or counselling.
  - Should the matter be progressed to formal disciplinary action or termination? Depending on the severity, complexity and risk to Staff health and wellbeing, some matters will require more stringent disciplinary action (eg: transfer or demotion) or termination of employment.
  - Should the process be delayed, for any reason, then all parties should be made aware of the delay, why and advised when the process is expected to resume.
- All reports should be taken seriously and assessed on their merits and facts.
  - Confidentiality of all parties involved should be maintained. Details of the matter should only be known of those directly concerned.
  - The individual who is alleged to have been engaging in bullying behaviour should be treated fairly. They must be provided with the opportunity to address the allegations that have been brought against them.
  - Support for all parties should be made available to all parties involved. All parties should also be provided with the opportunity to have a support person to be present at interviews or meetings e.g. union representative etc.
  - Written records should be kept by Management throughout the process and should document who made the report, when the report was made, who the report was made to, the details, what action had been taken and what further action needs to be taken, and follow up dates.
  - The records should also be made of all conversations, meetings and interviews detailing who was present and outcomes.
  - All parties will be informed of the resolution of the bullying allegations, why this outcome has been reached, and the resolution that has occurred as a result.
  - If bullying behaviour is found to have occurred, the individual found to be exhibiting bullying behaviour, will receive a written warning, outlining the bullying behaviour displayed, the resolution reached, and the consequences of resuming the bullying behaviour in the workplace will be termination of employment.



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- There should be a follow-up review to ensure the well-being of all parties involved and actions put in place to stop the bullying behaviour have been effective.
- If an investigation finds that workplace bullying has not occurred or can't be substantiated, Coowarra OOSH may still take appropriate action to address any workplace issues leading to the bullying report, of all parties involved.
- A staff member who reasonably believes that the outcome of the organisations investigation is not valid can apply to the Fair Work Commission for an anti-bullying order. Refer to –

[http://www.fwc.gov.au/documents/antibullying/Guide\\_antibullying.pdf](http://www.fwc.gov.au/documents/antibullying/Guide_antibullying.pdf)

### Considerations

Education and Care Services National Regulations	National Quality Standard	Other Service policies/documentation
		<ul style="list-style-type: none"> <li>- Parent Handbook</li> <li>- Staff Handbook</li> <li>- Enrolment and Orientation Policy</li> <li>- Providing a Child Safe Environment Policy</li> <li>- UN Convention on Rights Of the child</li> <li>- Children's and Young Persons (Care and Protection) Act 1998</li> <li>- NSW Government's Keep Them Safe: a shared approach to child wellbeing</li> </ul>

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