Discrimination, Bullying and Harassment Prevention Policy

Section 1 - Purpose

(1) This Policy outlines the rights and responsibilities of the Macquarie University community for the achievement of a diverse, equitable, inclusive and safe campus environment, free from unlawful discrimination, bullying and harassment.

Background

(2) Macquarie University is committed to providing a work and study environment underpinned by values of dignity, respect and inclusion free from all forms of unlawful discrimination, bullying and harassment.

(3) Unlawful discrimination, bullying or harassment has a harmful impact on the University's overall performance, achievements, reputation, and quality of staff, student and visitor experience.

(4) Unlawful discrimination, bullying and harassment will not be tolerated at Macquarie University. We will take all reasonable steps to prevent and actively respond to concerns raised about adverse behaviours.

Scope

(5) The Macquarie University community, including:

a. students (coursework and research);
b. academic and professional staff (including continuing, contract or casual, honorary, visiting and clinical appointments, guest lecturers);
c. sub-contractors working on a campus of Macquarie University;
d. visitors and associates of the University; and
e. people external to the University with whom students or staff interact as part of their study or work (e.g. employers supervising student placements).

(6) This Policy applies to conduct on any Macquarie University campus, including the North Ryde campus (all Sydney Institute of Business and Technology facilities), Sydney City campus and all Macquarie University controlled buildings, facilities, places, and equipment. It extends to any activities, regardless of location, where Macquarie University staff or students are representing the University and includes behaviour via any information and communication technologies.

Section 2 - Policy

(7) Macquarie University:

a. is committed to providing an environment where staff and students are able to work and study free from

unlawful discrimination, bullying and / or harassment;

b. expects members of the University Community to act to create a fair, inclusive and safe University environment, where diversity is valued and unlawful discrimination, bullying, and / or harassment in any form are considered unacceptable;
c. expects members of the University Community to behave in a reasonable and respectful way, and to refrain from and actively prevent (as much as is safe and reasonable) any unlawful discrimination, bullying and / or harassment;
d. will not tolerate any form of unlawful discrimination, bullying and / or harassment;
e. encourages all members of the University Community who feel they have experienced unlawful discrimination, bullying and / or harassment at Macquarie to raise their concerns to an appropriate authority within the University;
f. will assist those affected by unlawful discrimination, bullying and / or harassment and take all reasonable steps to protect them from any further incidents;
g. will support and keep informed all parties affected by matters raised about unlawful discrimination, bullying and / or harassment;
h. will take seriously and deal promptly and effectively with matters raised of unlawful discrimination, bullying and / or harassment from staff and students;
i. will not tolerate the victimisation of a person for raising or being associated with a matter of unlawful discrimination, bullying and / or harassment;
j. will treat vexatious or malicious claims seriously and may refer these for disciplinary action;
k. will provide professional development and educative strategies across the University Community to ensure that members are aware of their rights and responsibilities in relation to the prevention of and effective response to unlawful discrimination, bullying and / or harassment.

Section 3 - Procedure

(8) Nil.

Section 4 - Guidelines

(9) Nil.

Section 5 - Definitions

(10) The following definitions apply for the purpose of this Policy:

a. Adverse behaviour means behaviour which a reasonable person would not consider appropriate. This includes, but is not limited to, unlawful discrimination, harassment, sex based harassment, bullying, victimisation and vilification.
b. Bullying means repeated and unreasonable behaviour by an individual or group directed towards an individual or group where that behaviour creates a risk to health and safety. Bullying does not include reasonable action in the course of management of the University (including management of its research and academic programmes) carried out in a reasonable manner. Bullying includes, but is not limited to, conduct via the internet, email or other electronic means.
c. Harassment means any type of behaviour, explicit or implicit, verbal or non-verbal that is unwelcome, offensive, abusive, belittling or threatening.
d. Offensive means any conduct or language which a reasonable person would regard as insulting or humiliating in

the circumstances.

e. Sexual Harassment means:
    i. making an unwelcome sexual advance, or an unwelcome request for sexual favours, to another person; or
    ii. engaging in other unwelcome conduct of a sexual nature in relation to another person (including making a statement of a sexual nature to, about or, in the presence of another person);

    in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

f. Unlawful Discrimination means less favourable treatment of a person or group on the basis of their:
    i. sex and intersex status;
    ii. pregnancy or potential pregnancy;
    iii. responsibilities as a carer;
    iv. marital or domestic status;
    v. race, colour, nationality, descent or ancestry, and ethnic, ethno-religious or national origin;
    vi. age;
    vii. disability or presumed disability;
    viii. sexual orientation;
    ix. gender identity and gender expression; or
    x. religious or political belief or activity.

    Unlawful Discrimination can be direct or indirect:
        - Direct discrimination is treating, or proposing to treat someone unfairly because of a characteristic (such as race, sex, age, etc), in the same or similar circumstances;
        - Indirect discrimination is imposing or intending to impose a requirement, condition or practice that is the same for everyone but which has an unequal or disproportionate effect on particular individuals or groups.

g. Unreasonable behaviour means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating or threatening.
h. Victimisation means any unfavourable treatment of an individual or group who are directly or indirectly associated with a discrimination, bullying or harassment complaint.
i. Vilification means a form of unlawful discrimination which is a public act or expression that incites hatred against, contempt for, revulsion or severe ridicule of an individual or group on the basis of their personal attributes including race, colour, nationality, descent or ancestry, ethnic-religious origin, national origin, sexuality, transgender status and / or HIV / AIDS status.

Status and Details

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Responsible Executive	Eric Knight Deputy Vice-Chancellor (People and Operations)
Responsible Officer	David Ward Chief People Officer
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