



S4 Bullying, Discrimination, Harassment and Hazing Policy

1. VISION AND VALUES OF DUCHESNE COLLEGE

Vision

At Duchesne College (the **College**) we are committed to living our vision and values to inspire personal growth within an inclusive, socially aware community that is impelled to act against actions in contravention of College Values.

Values

All students are required to be aware of and act consistently with the College's values as set out in the Statement of Values and Philosophy.

2. SCOPE

This policy is applicable to all College students (including both residents and associate members of the College, being those individuals who are not permanent residents, but have been granted access to College facilities) (**Students**). The policy is also applicable to visitors.

This policy applies to any conduct amounting to Bullying, Discrimination, Harassment or Hazing (as those terms are defined in Schedule 1), that:

- a) Occurs on, or in connection to, College grounds including:
 - a. the College's physical campus and digital platforms; or
 - b. at a facility associated or affiliated with the College, such as student clubs or ICC events and activities;
- b) Takes place at or in connection to any College related function, conference or event or as part of deployment on College business or where a person is a representative of the College (such as student placements, secondments and exchanges);
- c) Involves any form of contact or communication, whether initiated in person, by phone, social networking or media, email, SMS communication or any other means; and
- d) Occurs in connection with the enrolment status of a Student at the College or in connection with another college or university club or student group.

Matters that are sexual in nature may also be dealt with in accordance with College's Sexual Misconduct Policy.

3. INTRODUCTION AND PURPOSE

Introduction

The Students of the College, and members of the College Community more widely, have the right to live, study and participate in College life in an environment that is free from Bullying, Discrimination, Harassment or Hazing.

Purpose

The purpose of this policy is to support the College in constructing a positive living and learning environment, and enforce its zero tolerance towards Bullying, Discrimination, Harassment or Hazing (as those terms are defined in Schedule 1) of any kind.

The College respects the rights of its community members to express their ideas and opinions in an atmosphere of mutual respect, understanding and sensitivity. The College acknowledges that not every Student will get along all the time. However, everyone has the right to live and study in the College and not to be subjected to regular Bullying, Discrimination, Harassment or Hazing.

4. COLLEGE'S RESPONSIBILITIES

The College will make Students aware of this Policy and that Students are aware of their responsibility for ensuring the maintenance of proper standards of conduct within the College and the consequences if this Policy is not adhered to.

The College will take swift, proportionate and decisive action where any Student conducts themselves in a manner which breaches this policy, including if necessary, taking action as outlined in part 3 of its Statement of Values and Philosophy.

The College will respond to any reliable complaint of Bullying, Discrimination, Harassment or Hazing in accordance with the provisions of the College's Grievance Management Policy.

5. EXPECTED BEHAVIOUR

Students are expected to:

- Comply with State and Federal discrimination, bullying and harassment laws;
- Treat others with dignity and respect;
- Act in accordance with the College's values and philosophy;
- Promote and encourage a living environment which is free from harassment, bullying, discrimination and hazing;
- Comply with the requirements of all policies and procedures created by the University of Queensland and other universities if applicable;
- Engage in conduct that supports a safe and inclusive environment;
- Report conduct which is contrary to the College's values and philosophy and a breach of College policies and procedures.

- Offer support to anyone who is being bullied, harassed or subject to hazing and let them know where they can get help; and
- Co-operate and maintain confidentiality in respect to an incident or investigation under this Policy.

Students and visitors will be in breach of this policy, if they:

- Engage in behaviour which is discriminatory against another person on their basis of a protected attribute;
- Engage in behaviours which amounts to vilification;
- Engage in bullying behaviour that is:
 - repeated; and
 - unreasonable; and
 - which creates a risk to health and safety.

Behaviour is unreasonable if a reasonable person considers it is offensive, intimidating, humiliating or threatening.

Bullying includes but is not limited to behaviours such as gossiping, disparaging, mocking, ignoring or excluding others, spreading of false and malicious rumors and/or displaying or promoting material whether in print, electronic or otherwise which creates a risk to health and safety;

- Using offensive language or behaviour which is discriminatory, harassing or amounts to bullying.
- Participating in, planning or knowingly allowing a hazing activity to occur. The mere fact that a person has consented, expressly or impliedly, or expressed willingness to participate in a hazing activity is not relevant and will not displace the terms of this policy. Equally, the fact that an activity forms part or a "tradition" or past practice is not a defence under this policy.
- Victimise someone who has made a complaint or is under investigation for an alleged breach of this policy.

6. REPORTING

Reports to the College

The College will support any Student who, in good faith, reports, witnesses or experiences Bullying, Discrimination, Harassment or Hazing.

Where a Student witnesses or experiences Bullying, Discrimination, Harassment or Hazing, within the scope of this policy, they should as soon as possible:

- a) remove themselves from bullying, harassment, or discrimination risk wherever possible;
- b) seek support from a trusted friend, Resident Leader, Student Club Executive or Staff Member of the College;
- c) report the incident to the Head of College or the Deputy Head of College as soon as practicable.

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Reports to External Agencies

Nothing in this policy prevents a person who has witnessed or experienced Bullying, Discrimination, Harassment or Hazing from reporting such conduct to an external agency and/or the police.

Should a Student wish to make an external report, the College may offer to support the Student, and will provide information as required by law, or as deemed appropriate.

Options for reporting Discrimination, Harassment and Bullying behaviours externally include (but are not limited to):

- a. [Ombudsman Queensland](#)
- b. [Queensland Human Rights Commission](#)
- c. [Australian Human Rights Commission](#)
- d. [Tertiary Education and Quality Standards Agency \(TEQSA\)](#).

The Queensland Police Service (**QPS**) is the appropriate agency for reporting behaviours that may be criminal in nature.

7. MANAGEMENT OF INFORMATION

Information relating to complaints or reports under this policy will be recorded and kept confidential by the College, except insofar as is necessary to take any action permitted by this procedure or otherwise comply with the law.

8. VICTIMISATION

The College will not tolerate Victimisation of any Complainant involved in any report under this policy. Any person who engages in Victimisation may face disciplinary action, up to and including the termination of residency.

9. CONSEQUENCES FOR BREACHES OF THIS POLICY

Appropriate disciplinary action will be taken against anyone who is found to have breached this policy in accordance with the College's Statement of Values and Philosophy.

SCHEDULE 1

DEFINITIONS

This policy adopts the following definitions:

Attribute	<p>any of the following attributes:</p> <ul style="list-style-type: none">• sex• relationship status• pregnancy, or potential pregnancy• parental status• breastfeeding• age• race, including colour, national extraction, nationality, national or ethnic origin and immigration status• disability or impairment• religious belief or religious activity• political belief or activity• trade union activity• lawful sexual activity• gender identity• sexuality• intersex status• social origin• family or carer's responsibilities• association with, or relation to, a person identified on the basis of any of the above attributes, <p>or such other attribute as amended from time to time in accordance with State and Federal anti-discrimination legislation.</p>
Bullying	<p>Examples of Bullying</p> <p>Bullying may be subtle or overt and can include, but is not limited to, the following forms of behaviour:</p> <ul style="list-style-type: none">• Abusive, threatening or offensive language or shouting;• Repeated unreasonable criticism often about petty or insignificant matters;• Deliberate exclusion, isolation or alienation of a student;• Allocation of humiliating or demeaning tasks, or sabotaging a person's work;• Spreading gossip or false and malicious rumours with an intent to cause harm to a person;• Sarcasm or ridicule;• Hurtful name calling or insulting jokes;• Threatening gestures or actual violence;• Inappropriate comments about personal appearance;

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	<ul style="list-style-type: none"> • Damaging a person's personal property; • Continually ignoring or dismissing someone's contribution in a discussion; • Staring and glaring at a person; • Imitating someone's accent or disability; • Repeated, unwelcome questions about someone else's personal life; • Electronic harassment such as through email or SMS; or • Hazing or bastardisation (such as harmful or humiliating initiation rituals).
Complainant	is a person who makes a report under this policy on their own behalf. It also includes a person on whose behalf a report is made.
Discrimination	Discrimination occurs when one party intentionally or unintentionally treats a person less favourably or proposes to treat a person less favourably on the basis of an Attribute when compared with another person without the Attribute. Discrimination can be directly or indirectly.
Harassment	<p>Occurs where a person engages in uninvited or unwelcome behaviour, ordinarily of a repetitive nature, towards an individual or group of individuals that intimidates or humiliates in circumstances where a reasonable person would have anticipated the possibility that the other person would be humiliated or intimidated by the conduct.</p> <p>Harassment can include (but are not limited to) behaviours such as:</p> <ul style="list-style-type: none"> • telling insulting jokes about particular racial groups or genders; • asking intrusive questions about someone's personal life; or • making derogatory comments or taunts about someone's race. <p>It does not matter if the person who committed the act intended, or did not intend, to upset or cause offence to the other person.</p> <p>A single action can be enough to amount to harassment.</p>
Hazing	<p>Hazing is a form of harassment similar to 'initiation' rites and has been associated with University residential colleges.</p> <p>Hazing is any, typically coercive, activity involving a mental or physical requirement placed on any person or group of persons which is reasonably likely to cause physical harm, discomfort, pain, fear, disgrace, injury or which is personally degrading, even if no physical harm, discomfort, pain, fear, disgrace, injury or personal degradation in fact occurs.</p>

	Hazing also includes any action which violates any Commonwealth, State or Local Government statute or any university policy.
Vilification	Is a public act done to incite hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of the race, religion, sexuality or gender identity of the person or members of the group which is reasonably likely to offend, insult, humiliate or intimidate that person or group.
Victimisation	happens if a person does an act, or threatens to do an act against a Complainant, or another person associated with the Complainant, including a witness that is to the detrimental to another person.

RELATED LEGISLATION AND DOCUMENTS

Relevant Legislation	Human Rights Act 2019 (Qld) Racial Discrimination Act 1975 (Cth) Sex Discrimination Act 1984 (Cth) Anti-Discrimination Act 1991 (Qld) Australian Human Rights Commission Act 1986 (Cth)
Related Duchesne College Policy Documents	Duchesne College Community Living Handbook Duchesne College Grievance Management Policy and Procedures Duchesne College Sexual Misconduct Policy Duchesne College Sexual Misconduct Procedures Duchesne College Student Code of Conduct
Related UQ Policies	The University of Queensland Prevention of Discrimination, Harassment and Bullying Behaviours.

FEEDBACK

College staff, residents, associates, and parents/guardians may provide feedback or inquiries about this policy by emailing: manager@duchesne.uq.edu.au

APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Policy Approval Authority	College Council
Last Updated	December 2022
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Review Date	1 March 2024
Policy Administrator	Head of College and Chief Executive