



# **EAST PRESTON ISLAMIC COLLEGE**

## **RESPECTFUL WORKPLACE POLICY**

October 2025

## Respectful Workplace Policy

### 1. Statement of Context and Purpose

East Preston Islamic College (the **College**) is committed to providing a respectful and safe working environment for all staff.

All staff are entitled to work in an environment that is free from all forms of bullying, unlawful discrimination, sexual harassment, harassment on the ground of sex, vilification, and victimisation, and to not be subjected to a hostile work environment (collectively, **unacceptable behaviours**).

This policy reflects the spirit and intent of Federal and State legislation prohibiting these types of unacceptable behaviours, under which the College may be held vicariously liable for the unlawful behaviour of its employees and agents.

More practically, this policy:

- (a) reflects the College's expectation that staff treat each other – and other members of the school community – with dignity, courtesy and respect;
- (b) reflects the College's acknowledgement that like all toxic behaviours, unacceptable behaviours can have a negative impact on safety and wellbeing, but also culture and productivity;
- (c) reflects that it is the responsibility of everyone who works for the College to ensure their workplace is free from unacceptable behaviour;
- (d) empowers the Principal and College staff to understand their rights, respond appropriately to unacceptable behaviour, and actively foster a respectful and inclusive workplace culture; and
- (e) through its implementation, assists the College with attracting and retaining talented staff, and creating a positive and productive workplace environment.

This policy:

- (a) defines different types of unacceptable behaviours;
- (b) creates expectations for staff regarding acceptable and unacceptable behaviours, and how they should respond to unacceptable behaviour; and
- (c) sets out the process for how staff should respond to unacceptable behaviours, including by raising concerns in accordance with this policy; and
- (d) sets out how the College will respond to concerns about unacceptable behaviours.

In the event of any inconsistency between this policy and another College policy, procedure or code, this policy will prevail to the extent of any inconsistency.

### 2. Relevant Principles

This policy is underpinned by the following principles regarding unacceptable behaviours.

- (a) **Respect** – The utmost respect will be provided to staff and students, including complainants.

- (b) **Serious** – Concerns or complaints are serious and will be treated as such.
- (c) **Prompt** – Concerns or complaints will be dealt with promptly.
- (d) **Impartiality** – The College will act impartially when dealing with concerns or complaints.
- (e) **Confidentiality** – Concerns or complaints will be treated confidentially, in so far as is possible and in accordance with any applicable legislation, provided that maintaining confidentiality does not compromise the College's ability to conduct an investigation or collect information during an investigation.
- (f) **Support** – The College will inform anyone involved in a complaint management process about the support services available at the College, including access to any Employee Assistance Program.
- (g) **Breaching this policy** – Staff found to have breached this policy may face disciplinary action (up to and including termination of employment/engagement).

### 3. Application

This policy applies to all Board members, the Principal, employees, volunteers, contractors, labour hire workers, secondees and other authorised personnel required to perform functions on the College's premises, or at school-organised activities and events (collectively, **staff**).

The policy applies at all times to all staff for the duration of their employment or engagement. The application of this policy is not limited to the College's grounds and operating hours. Indeed, this policy also extends to situations when staff are:

- (a) on school grounds and premises;
- (b) at work (including when working remotely);
- (c) at any school-related activities and events (including speech nights, parent-teacher interviews, camps, and similar activities or events held by or in connection with the College);
- (d) representing the College, including when off-campus or in a digital environment;
- (e) travelling to and from the College, as well as to and from off-site activities or events;
- (f) wearing College logos or uniform (including staff name badges);
- (g) on social media or any online platform;
- (h) upholding the College's or a teacher's legal duty of care owed to students; and
- (i) otherwise engaging in behaviour which in the reasonable opinion of the College may adversely affect student health and safety, student relationships, staff health and safety, staff-student relationships, perceptions regarding a staff member's professionalism, a staff member's relationships with other members of the College community, or the reputation of the College.

### 4. School obligations

Schools have obligations under Federal and State occupational or work health and safety laws to provide a safe working environment that is without health risks, to the extent that is

reasonably practicable. This involves creating a working environment that mitigates both physical safety concerns and psychosocial hazards.

Psychosocial hazards include bullying, harassment, sexual harassment, harassment on the ground of sex, and poor workplace relationships and interactions.

Colleges also have obligations to take reasonable and proportionate steps to prevent unlawful discrimination, sexual harassment, harassment on the ground of sex, victimisation, and other offensive, intimidating or humiliating conduct. These obligations arise under Federal and State equal opportunity laws, including the *Sex Discrimination Act 1984* (Cth) (**SD Act**).

Colleges may be held vicariously liable if an employee or agent engages in unlawful behaviour under these laws. This means that someone who suffers loss or distress due to such unlawful behaviour may make a claim against the College for compensation. To defend that type of claim for vicarious liability, a school must show that it took all reasonable steps to prevent its employees and agents from engaging in these unacceptable behaviours. Reasonable steps may include educating employees of what constitutes unlawful behaviour through policies, and investigating allegations of unacceptable behaviours promptly.

For this reason, it is important that the College treats the risk of unacceptable behaviours seriously, and acts promptly when unacceptable behaviours are brought to the College's attention.

## **5. Staff obligations**

Staff also have a legal duty to take reasonable care of their own health and safety, as well as that of others in the workplace. Staff are also required by law to refrain from engaging in unacceptable behaviours.

In practice, this means that staff are expected to:

- (a) treat others with dignity, courtesy and respect at all times;
- (b) consider how their behaviour may be perceived by others;
- (c) act as upstanders when unacceptable behaviours occur, including by reporting unacceptable behaviours in accordance with this policy;
- (d) demonstrate accountability and insight when concerns are raised about their own behaviours, including by cooperating with the College's processes; and
- (e) refrain from making frivolous or vexatious complaints about unacceptable behaviours.

To ensure the maintenance of a respectful workplace, the College also expects staff to:

- (a) be familiar with this policy;
- (b) be able to identify what is and is not unacceptable behaviour;
- (c) refrain from engaging in unacceptable behaviours;
- (d) ask their supervisor if they are unsure about whether their actions might amount to unacceptable behaviour before taking action; and
- (e) promptly report any concerns that they may have about unacceptable behaviours, in line with this policy.

## 6. Discrimination

Under Federal and State laws, it is unlawful to discriminate against someone in their employment or the provision of services because of a protected attribute.

The SD Act also imposes a positive duty on the College to take reasonable and proportionate measures to eliminate, as far as possible, discrimination on the ground of a person's sex.

### What is discrimination?

Discrimination can be classified as either direct discrimination or indirect discrimination.

Direct discrimination means treating someone with a protected attribute less favourably than a person without that attribute in the same or similar circumstances.

- (a) For example, direct discrimination may occur if the College refused to transfer a suitably qualified teacher to the role of Japanese Teacher because they were not ethnically Japanese, and instead hired a less qualified person with a Japanese ethnic background.
- (b) Direct discrimination may also include making assumptions about what a person with certain personal attributes, such as a disability, is able or unable to do.

Indirect discrimination occurs if a person imposes, or proposes to impose, an unreasonable requirement, rule, condition or practice that has, or is likely to have, the effect of disadvantaging a group of people with a particular attribute.

- (a) For example, a policy which states that only full-time workers will be promoted could indirectly discriminate against people with carer or parental responsibilities.

A protected attribute includes:

gender;	colour;
parental status;	impairment or disability;
family responsibilities;	irrelevant criminal or medical record;
carer responsibilities;	physical features;
pregnancy;	participation in lawful industrial activity;
breastfeeding;	political opinion;
age;	experiencing family and domestic violence; or
race;	association with a person identified by one of the above grounds.
nationality (including social origin and national extraction);	

Examples of conduct that may amount to discrimination include:

- (a) using stereotypes about disabled persons to guide decisions about what an employee is capable of achieving, or what work the employee should be given;

- (b) criticising an employee's commitment to their job because they work flexible hours to care for their children;
- (c) denying promotion opportunities to staff members on the basis of age or gender;
- (d) making offensive jokes or comments about another worker's racial or ethnic background, gender, age, disability or physical appearance; and
- (e) denying further training to employees on the basis of impairment.

## 7. Vilification

Under Federal and State laws, it is unlawful to vilify another person or group of people, or to give permission or assistance in vilifying others.

### What is vilification?

Vilification is behaviour that incites hatred or violence against, serious contempt, revulsion, or severe ridicule, of a person or group of people, or encourages damage to property of such people, because of their race or religion.

This includes behavior that is spoken, written, online or physical.

Behaviour may not be vilification if it is reasonable and done in good faith (such as the publication of a media report concerning racist behaviour).

While comments or jokes about a person's race or religion may not amount to vilification, it could nevertheless be discriminatory (and in any event, disrespectful).

## 8. Sexual Harassment

Under Federal and State laws, it is unlawful to engage in sexual harassment. Sexual harassment can also be serious misconduct warranting summary dismissal under the *Fair Work Regulations 2009* (Cth).

The prohibition against sexual harassment applies to staff, as well as students who are at least 16 years old.

The SD Act also imposes a positive duty on the College to take reasonable and proportionate measures to eliminate, as far as possible, sexual harassment and harassment on the grounds of sex.

### What is sexual harassment?

Sexual harassment occurs where a person:

- (a) makes an unwelcome sexual advance to another person;
- (b) makes an unwelcome request for sexual favours to another person; or
- (c) engages in any other unwelcome conduct of a sexual nature to another person,

in circumstances where a reasonable person would have anticipated that the other person would be offended, humiliated or intimidated.

Examples of sexual harassment may include:

- (a) unwelcome physical contact (e.g., kissing, touching, patting or brushing against a person);

- (b) demands for sexual favours;
- (c) persistent demands for participation in social activities or repeated requests for dates;
- (d) offensive or demeaning comments;
- (e) jokes and innuendo;
- (f) staring;
- (g) sexually explicit conversations;
- (h) indecent exposure;
- (i) gender based insults;
- (j) displaying, sending, emailing or downloading sexual content; and
- (k) questions, remarks or insinuations about a person's sexual activities or private life.

A single act or continuing course of conduct may constitute sexual harassment.

Sexual harassment is not behaviour that is based on mutual attraction, or friendship. If the attraction is consensual, welcome and reciprocated it is not sexual harassment.

Sexual harassment captures only unwanted conduct. However, unwanted conduct of a sexual nature, even if it is intended in a friendly or humorous way, can be sexual harassment.

## **9. Harassment on the ground of sex**

Under the SD Act, it is unlawful to subject another person to harassment on the ground of sex.

### What is considered subjecting someone to harassment on the ground of sex?

A person subjects someone else to harassment on the ground of sex if:

- (a) the person engages in unwelcome conduct of a demeaning nature in relation to the other person by reason of:
  - (i) the sex of the other person;
  - (ii) a characteristic that appertains generally to persons of the sex of the other person (e.g. that women use sanitary items for menstruation); or;
  - (iii) a characteristic that is generally imputed to persons of the sex of the other person (e.g. that women have greater domestic/carer responsibilities than men); and
- (b) the person does so in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the other person would be offended, humiliated or intimidated.

Examples of harassment on the ground of sex may include:

- (a) making disparaging comments about a particular person because of their sex;

- (b) demeaning someone's abilities or interests because of their sex;
- (c) making assumptions about someone's abilities or preferences because of their sex; and
- (d) displaying offensive material that demean persons of a particular sex.

## 10. Bullying

Bullying creates a risk to health and safety in the workplace and has a negative impact on the work environment and can damage the reputation of the College.

Some behaviour, which might constitute bullying, may also amount to a criminal offence (such as physical assault, threats or stalking) and may be reported to the police.

### What is bullying?

Bullying is repeated unreasonable conduct directed at a person or group of people that creates a risk to health and safety. That risk may be to a person's physical or mental health.

Bullying can occur in person, or through other forms of communication (including online communication). Examples of bullying behaviours include:

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| physical violence, aggression or threats;      | discriminatory behaviour;  |
| verbal abuse or offensive language;            | exclusion or isolation;  |
| manipulation;                                  | intimidation;  |
| undermining and discrediting;                  | passive-aggressive behaviour;  |
| initiation rites;                              | gaslighting;   |
| practical jokes;                               | assigning meaningless tasks unrelated to the job;  |
| psychological harassment;                      | deliberately withholding work or information that is vital for effective work performance; |
| teasing, ridicule and belittling remarks;      | unjustified criticism; and   |
| damage to property;                            | negative feedback in public.   |
| victimisation;                                 |  |
| spreading misinformation or malicious rumours; |  |

Bullying may also constitute unlawful discrimination if a person or group of people are targeted because of a protected attribute.

While bullying involves repeated conduct, one-off instances of disrespectful or unreasonable behaviour can nonetheless be misconduct.

### What is not bullying?

Differences of opinion and disagreements are generally not regarded as bullying.

Reasonable management action carried out in a reasonable manner does not constitute bullying. Management is entitled to direct work, issue instructions, provide feedback, and take disciplinary action in a reasonable manner.

Reasonable management action can include:

- (a) engaging in performance management and disciplinary processes;
- (b) reasonably allocating, monitoring and managing work;
- (c) setting reasonable deadlines, goals and standards;
- (d) rostering and allocating working hours;
- (e) making reasonable decisions about promotions, transfers, restructures and other organisational change; and
- (f) providing constructive criticism.

## 11. **Victimisation**

Under Federal and State laws, victimisation in the workplace is unlawful.

### What is victimisation?

Victimisation occurs when a person treats another person unfairly because:

- (a) that person, or someone associated with that person, has made, or intends to make, a complaint about unacceptable behaviours;
- (b) that person is assisting a person in making a complaint about unacceptable behaviours;
- (c) that person is assisting the College in investigating a complaint (for instance, by acting as a witness or giving evidence regarding a complaint); or
- (d) that person has exercised their rights under an equal opportunity or anti-discrimination law.

Examples of what might constitute victimisation include:

- (a) an employee being moved to a position with less responsibilities while their complaint of sexual harassment is being considered;
- (b) an employee being bullied or ostracised by other employees because they have or intend on making a complaint of sexual harassment;
- (c) an employee being denied a development opportunity because they have lodged a complaint; and
- (d) an employee being threatened because they are involved in the investigation of a concern or complaint (for example, as a witness).

## 12. **Hostile Work Environment**

Under the SD Act, it is unlawful to subject another person to a hostile work environment on the grounds of sex.

### What is considered subjecting someone to a hostile work environment?

A person subjects someone else to a hostile work environment if:

- (a) the firstmentioned person engages in conduct at the College;
- (b) the other person is at the College at the same time as or after the conduct occurs; and
- (c) the conduct would reasonably be expected to result in the firstmentioned person's work environment being offensive, intimidating or humiliating to the other person because of:
  - (i) that person's sex;
  - (ii) a typical characteristic of their sex (e.g. that women use sanitary items for menstruation); or
  - (iii) a characteristic that is generally attributed to persons of that sex (e.g. that women have greater domestic/carer responsibilities than men).

Conduct does not need to be directed at a particular person in order to be conduct that creates a hostile work environment.

Examples of conduct that may create a hostile work environment include:

- (a) making disparaging comments about a particular gender or sex;
- (b) sexually crude conversations, innuendo or jokes; and
- (c) sexually suggestive material (e.g. books, magazines, posters and screensavers) in the workplace.

### **13. Raising Concerns about Behaviour**

The College endeavours to resolve any concerns about unacceptable behaviours in a practical, sensitive and timely manner. To this end, the College encourages the early intervention and internal resolution of issues.

Any person who witnesses or experiences unacceptable behaviours has a number of options available to them. Above all, it is important that staff do not ignore concerns about unacceptable behaviours, and simply hope that the concerning behaviour will stop. If a staff member believes that another staff member has breached this policy, the procedure set out below should be followed.

The Employee Assistance Program is also available if staff wish to confidentially discuss concerns about unacceptable behaviours at any stage (whether prior to or during the processes set out below).

#### Informal resolution

Where it is appropriate to do so, staff are encouraged to raise concerns with the other person and resolve the issue directly in a respectful manner. This may be appropriate where both staff members are of similar seniority.

When communicating with the other staff member, whether at a meeting or in writing, the staff member raising the concern should identify the concerning behaviour, explain why it is unacceptable or causing concern, and request that the person cease engaging in this behaviour.

If a person approaches you and suggests that your behaviour has been inappropriate, you should take that comment seriously and attempt to understand that person's point of view. An apology at an early stage may resolve the issue and avoid escalation to a formal complaint. If you are not sure how to respond, or if your apology does not appear to resolve the issue, you should approach a Contact Officer for guidance.

#### Lodging a formal complaint

If a staff member feels that raising a concern directly is not appropriate (for example because the behaviour involves a serious breach of this policy, or because the staff member the subject of the concern is more senior), or if the concerning behaviour continues, the staff member should approach the Contact Officer with a formal complaint.

The Contact Officer is:

- (a) the Senior HR Officer at first instance;
- (b) for concerns relating to the Senior HR Officer, leadership, or executive team, the Deputy Principal or Principal; and
- (c) for concerns relating to the Deputy Principal or Principal, the Chair of the Board.

A formal complaint should, where possible, state in writing:

- (a) the name of the person against whom the complaint is made;
- (b) the nature of the behaviour complained of;
- (c) date(s) and time(s) when the behaviour complained of occurred;
- (d) names of witnesses to any incidence of the behaviour complained of; and
- (e) any action taken by the employee to stop the behaviour complained of.

The Contact Person will listen, clarify the complaint and provide the employee with information about the process that the College will follow to resolve the complaint, which depending upon the circumstances may involve one or more of the following:

- (a) informal discussions;
- (b) mediation;
- (c) an investigation;
- (d) outcomes.

At this point, if any further action is to be taken, the person about whom the complaint is made (the **respondent**) will need to be informed about the complaint. The complaint shall otherwise remain confidential.

Please note that the College has a legal obligation to provide a safe working environment to staff. In some cases, depending on the nature of the concern, the College may need to take further action to discharge this obligation, even if the staff member who made the complaint does not want this to happen.

### Informal discussions

A staff member may ask the Contact Person, or another staff member nominated by the Contact Person, to facilitate an informal discussion between the staff member making the formal complaint and the respondent to resolve the complaint.

This might involve both parties meeting in the presence of the facilitator. Alternatively, it might involve the facilitator meeting with the Respondent and informally conveying the substance of the complaint to the Respondent.

If this process resolves the complaint, no further action will be taken. The informal discussions will be kept confidential by all parties.

### Mediation

The College may decide that mediation is an appropriate response to a formal complaint, either as an outcome or in lieu of an investigation. A staff member may request that a formal complaint be dealt with through a mediation, however, the final decision rests with the College.

Where mediation is considered appropriate, the mediator will be nominated by the College, and may be another employee or someone outside the College.

The parties may agree to each have a support person at mediation.

The purpose of the mediation is to allow each party to hear the other's point of view, and to seek to find a way in which the complaint can be resolved and the parties can rebuild their working relationship.

If the mediation is successful and the complaint is resolved, no further action will be taken.

The mediation process is confidential, and the discussions at the mediation shall be kept confidential by all parties.

### Investigation

In certain circumstances, the College may decide that an investigation is warranted. The purpose of an investigation is two-fold; first to determine what has happened (**findings**), and second to determine what outcomes should follow those findings.

An investigation will usually involve:

- (a) interviewing the subject of the concern and key witnesses or individuals (noting that more than one interview may be required);
- (b) reviewing relevant documents, correspondence and materials of substance;
- (c) taking notes of any interviews (or where appropriate, transcripts of audio recordings of any interviews) during the investigation;
- (d) the relevant decision-maker determining whether, on the balance of probabilities, the concern is substantiated.

Witnesses being interviewed will not be unreasonably refused a support person.

The College's investigation will generally be conducted internally. In certain circumstances, (for example, to ensure procedural fairness to all parties), and at the College's discretion, the College will engage an impartial and independent third party to assist with its investigation.

Following the conclusion of its investigation, the College will indicate the outcomes of the investigation to:

- (a) the person who raised the concern;
- (b) the person subject of that concern (where appropriate);
- (c) any external authorities (e.g., police, or teachers' registration body) to whom a report is required to be made.

It is essential for the integrity of the investigation process that participants do not discuss the allegations or their recollections of events with each other, and that the allegations remain confidential.

### Outcomes

Examples of outcomes include:

- (a) mutually acceptable resolution of the complaint;
- (b) withdrawal of the complaint;
- (c) parties ceasing or modifying their behaviour; or
- (d) disciplinary action such as counselling, a written warning and, in appropriate cases, termination of employment.

The College reserves the right to take action to support a respectful and safe work environment for all staff, even in circumstances where allegations about unacceptable behaviours are not substantiated.

### External reports

If a matter is not resolved, an employee may wish to report the matter to an external body such as WorkSafe, the Victorian Equal Opportunity and Human Rights Commission, the Australian Human Rights Commission or the Fair Work Commission. If an employee makes an external complaint, depending on the circumstances, the College may decide to suspend any internal complaint management process until the external complaint is resolved.

### Vexatious Complaints

Inaccurate, misleading, malicious or false accusations have negative consequences for the person concerned, interpersonal relationships and the morale of the school community.

Where it is found that a complaint has been made in bad faith to cause distress to one or more persons, or as a practical joke, disciplinary measures will be taken.

## **14. Consequences of Breach**

Any employee found to be in breach of the requirements of this policy may be subject to disciplinary action, up to and including termination of employment.

## **15. Application of this policy to contractors and other authorized personnel**

Contractors and other authorised personnel required to perform functions on College premises, or at College-related activities and events, are required to comply with their own legal obligations. In particular, they are required to take care of their own health and safety and the health and safety of others, and refrain from engaging in unacceptable behaviours.

Contractors and other authorised personnel must report concerns about unacceptable behaviour in line with this policy.

Different procedures may apply to contractors, volunteers, labour hire workers, secondees and other members of the school community when dealing with unacceptable behaviors. However, the procedure for raising concerns outlined in this policy can also be used to bring to the College's attention any concerns about the conduct of these individuals.

Nothing in this policy prevents the College from ending a contractor or authorised personnel's engagement with the College in line with the terms of their contract.

## 16. Questions about the Respectful Workplace Policy

If you have any questions about this Policy or require further information, please contact the Senior HR Officer or a member of the HR team.

<b>Revision History</b>			
<b>Constructed / Reviewed by:</b> East Preston Islamic College on advice from Russell Kennedy			<b>Next Review:</b> October 2027 (and every two years thereafter in accordance with East Preston Islamic College's review cycle, or more frequently as required)
<b>Version</b>	<b>Approved by</b>	<b>Approval date</b>	<b>Board Sign Off Date</b>
1	Executive	9 October 2025	

**SCHEDULE**

**Relevant Legislation**

Federal laws

*Fair Work Act 2009*

*Racial Discrimination Act 1975*

*Sex Discrimination Act 1984*

*Disability Discrimination Act 1992*

*Age Discrimination Act 2004*

*Australian Human Rights Commission Act 1986*

Victoria

*Equal Opportunity Act 2010*

*Racial and Religious Tolerance Act 2001*

*Occupational Health and Safety Act 2004*