

A06: Bullying, Harassment and Discrimination Prevention Policy

1.0 Purpose

The New Zealand Skills and Education Group is committed to providing a secure, supportive and harmonious environment for all, one which:

- Recognises and values the diversity, potential and contribution of all people
- Is free from all forms of bullying, harassment and discrimination.

NZSEG regards bullying, harassment and discrimination of any kind as unacceptable and acknowledges that it seriously undermines the atmosphere of trust and respect that is essential to a healthy work and study environment.

NZSEG expects that employees and students will not engage in any form of conduct that involves bullying, harassment or discrimination.

2.0 Policy

2.1 Harassment and Discrimination are unlawful under both Employment Relations Act 2000 and the Human Rights Act 1993. Individuals who harass or discriminate, may be legally liable if harassment or discrimination occurs. In addition, many of the things that constitute harassment are also offences or crimes.

2.2 Bullying is unlawful under the Health and Safety in Employment Act 1992 and its amendments which imposes a statutory duty on employers to provide a safe working environment.

2.3 NZSEG will:

2.3.1 Ensure that this policy is implemented through procedures that are timely, fair and equitable to all parties;

2.3.2 Maintain a pro-active approach to the provision of a safe work and study environment;

2.3.3 View all allegations and false allegations of bullying, harassment and discrimination seriously;

2.3.4 Apply processes and have policy and procedures in place that are seen to be fair and impartial and undertake to investigate formal complaints appropriately;

2.3.5 Have an adequate and pro-active support network in place.

2.3.6 Seek to redress issues of bullying, harassment and discrimination and will endeavour to ensure that no detrimental consequences result for the person who was bullied, harassed or discriminated against, nor that any person who has made a complaint of bullying, harassment or discrimination in good faith is victimised.

2.3.7 Take reasonable steps to prevent repetition of proven bullying, harassment or discrimination.

2.3.8 Satisfy its legal obligations under New Zealand human rights, employment and education legislation in respect to harassment.

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3.0 Procedure

- 3.1 New employees will be informed of NZSEG’s policy on bullying, harassment and discrimination and will receive relevant information in the Staff Handbook.
- 3.2 Students will be provided information of NZSEG’s policy on bullying, harassment and discrimination in the Student Handbook.
- 3.3 Student complaints of bullying harassment and discrimination will be dealt with using the procedures described in A09 Student Feedback and Complaints Policy.
- 3.4 Managers will recognise their responsibility to implement this policy and programme by modelling appropriate behaviour, monitoring the workplace and intervening in any potential bullying, harassment or discrimination situation of which they become aware.

4.0 Definitions

Discrimination

Under the Human Rights Act 1993, it is unlawful to discriminate on the following grounds: sex, marital status, religious and ethical belief, colour or race, ethnic or national origins, disability, age, political opinion, employment status, family status, sexual orientation and the presence of health affecting organisms in the body. This includes intentional and unintentional discrimination.

Racial Harassment

Under section 63 of the Human Rights Act 1993 Racial Harassment covers the use of language (whether written or spoken or nonverbal), or visual material, or behaviour that expresses hostility against, or brings into contempt or ridicule, any other person/s on the ground of colour, race or ethnic origins which is hurtful or offensive (whether or not it is conveyed to that person) or has a detrimental effect.

Sexual Harassment

Under section 62 of the Human Rights Act 1993 Sexual harassment covers any unsolicited, unwelcome behaviour or visual material which causes a verbal or physical affront of a sexual nature. It includes actions (spoken, written or gestures) that refer to sexual intercourse or any other form of sexual activity.

Bullying

Repeated, unreasonable behaviour directed toward a person, or a group of people, that creates a risk to the mental or physical health of the person. Bullying can be overt or covert. In order for bullying to be confirmed it requires words and actions to be carried out repeatedly, for the purpose of gaining power or dominance over another person and with the intention of causing the victim to feel humiliated or feel fear, and to undermine the person, and it has a detrimental effect upon that person’s dignity, safety and wellbeing.

5.0 Document Control

5.1 Monitoring and Evaluation:

The Academic Board/Senior Academic Team is responsible for monitoring and evaluating this policy.

Version	Type of Change	AB Reference	Approval Date	Effective from (Day/month/Year)
1	Development of Policy	AB Action Item 54	23 June 2015	23 June 2015
2	Minor Review and Re-format of Policy	Approved by AB	20 October 2015	20 October 2015
3	Inclusion to NZSEG QMS and Policies.	Approved by the Executive Management Team	16 January 2017	31 January 2017