

(Revised September 2025)

## **Policy Statement:**

All employees have the basic right to work in a place where they are valued, respected and appreciated by their colleagues, supervisors and employers. Workplace harassment and bullying can be detrimental to the ongoing health, well-being and sense of safety for educators. The following guidelines shall be implemented by Mueller College Outside school Hours Care (OSHC) to ensure workplace bullying and harassment is not tolerated and that appropriate procedures for managing reports of bullying and harassment are in place.

## **Background:**

In accordance with the *Education and Care Services National Regulations* and the *Fair Work Act 2009*, the Service is committed to providing a safe, supportive, and respectful workplace for all staff. Every employee has the right to work in an environment free from bullying, harassment, discrimination, and violence. This policy ensures that all educators, volunteers, and management staff uphold the dignity and wellbeing of every person and that all concerns are addressed promptly, confidentially, and fairly. The Service recognises that workplace bullying, and harassment can cause significant emotional, psychological, and physical harm. It is therefore a serious breach of both workplace policy and legal obligations.

## **Important terms:**

<b>Children and young people</b>	Refers to the children and young people present in the care environment.
<b>Educator</b>	Refers to the staff employed by the Service to provide care for children and young people attending.
<b>Parent/guardian</b>	Refers to the primary carer/s of the child or young person attending the Service.
<b>Family</b>	Refers to the group of people, including the primary carer, who engage daily with the child or young person in the home environment.
<b>Management committee</b>	A panel of advisors who oversee the operations of the Service. The Approved provider and Nominated Supervisor are also on the committee.
<b>Approved Provider</b>	The organisation that holds Service approval and ensures all safety and emergency management requirements are met.
<b>Nominated Supervisor</b>	The person responsible for daily Service operations and ensuring that this policy is implemented.
<b>Bullying</b>	Repeated unreasonable behaviour directed towards a worker or group of workers that creates a risk to health and safety.
<b>Harassment</b>	Unwelcome conduct that humiliates, offends, or intimidates a person based on personal characteristics such as gender, race, age, disability, or religion.
<b>Sexual harassment</b>	Any unwelcome sexual advance, request for sexual favours, or conduct of a sexual nature that makes a person feel offended, humiliated, or intimidated.
<b>Discrimination</b>	Unfavourable treatment of a person because of a protected attribute such as race, gender, age, disability, sexual orientation, religion, or marital status. This may include excluding someone from opportunities, unequal pay, or unfair work allocation.

## **Legislation:**

### **National Quality Standard (NQS)**

Quality Area **4: Staffing arrangements**

**7: Governance and Leadership**

<b>4.2</b>	Professionalism	Management, educators and staff are collaborative, respectful and ethical.
4.2.1	Professional collaboration	Management, educators and staff work with mutual respect and collaboratively, and challenge and learn from each other, recognising each other's strengths and skills.
4.2.2	Professional standards	Professional standards guide practice, interactions and relationships.
<b>7.1</b>	Governance	<b>Governance supports the operation of a quality service.</b>
7.1.2	Management Systems	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.1.3	Roles and responsibilities	Roles and responsibilities are clearly defined, and understood, and support effective decision making and operation of the service.

<b>7.2</b>	<b>Leadership</b>	<b>Effective leadership builds and promotes a positive organisational culture and professional learning community.</b>
7.2.1	Continuous improvement	Systems are in place to manage risk and enable the effective management and operation of a quality service.
7.2.3	Development of professionals	Educators, co-ordinators and staff members' performance is regularly evaluated and individual plans are in place to support learning and development.

## Education and Care Services National Regulations

168 (2,o)	Requires policies and procedures for dealing with complaints
173 (2,b)	Requires an approved provider to make the name and telephone number of the person to whom complaints may be addressed clearly visible at the service.
176 (2,b)	Requires an approved provider to notify the relevant regulatory authority in writing, within 24 hours of the complaint alleging that a serious incident has occurred or is occurring while a child is being educated and cared for by a service, or that the National Law and/or National Regulations have been contravened.

## Education and Care Services National Law

174 (2,b)	An approved provider must notify the regulatory authority of a complaint that alleges a serious incident has occurred or is occurring while a child is being educated and cared for by a service, or that the National Law and/or National Regulations have been contravened.
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## Principles:

Our Service is committed to fostering a workplace culture built on respect, inclusion, safety, and professionalism. We believe that every educator, child, young person, and family has the right to participate in an environment free from bullying, harassment, and discrimination. The principles guiding this policy are grounded in fairness, equity, and dignity for all individuals. We value open communication, collaboration, and accountability, recognising that a supportive and respectful work environment allows educators to provide the highest quality of care for children and young people. The Service upholds zero tolerance for any form of bullying, harassment, or discriminatory behaviour and is dedicated to addressing all concerns promptly, confidentially, and with compassion. These principles reflect our commitment to ethical practice, compliance with legislative requirements, and the wellbeing of every person within our OSHC community.

## **What Constitutes Bullying, Harassment or Discrimination?**

Bullying, harassment, and discrimination can occur in many forms — verbal, physical, written, or psychological — and may include:

- Verbal abuse, shouting, name-calling, or sarcasm.
- Spreading rumours or malicious gossip.
- Deliberately excluding or isolating someone from workplace activities.
- Unjustified criticism, humiliation, or excessive supervision.
- Threatening or intimidating behaviour.
- Unwelcome jokes or comments about personal attributes such as gender, race, disability, sexual orientation, or religion.
- Unwanted physical contact, sexual advances, or inappropriate messages.
- Repeated unreasonable demands, impossible deadlines, or denial of legitimate leave requests.
- Denying opportunities, altering duties, or withholding information based on a person's protected characteristics.
- Treating an employee unfairly because they made or supported a complaint.

Bullying, harassment, or discrimination does not include reasonable management action carried out in a fair and respectful manner (e.g. feedback, performance management, or workload direction consistent with the employee's role). Please see the Mueller College

OSHC Harassment Prevention Plan for more information on the topic of harassment prevention.

## **Commitment to Safety and Respect**

The Service takes all allegations of bullying, harassment, or discrimination seriously and will act promptly to investigate and resolve issues. Any staff member found to have engaged in such behaviour will face disciplinary action, which may include warnings, mandatory retraining, or termination of employment. All employees share responsibility for ensuring that the Service remains a safe, respectful, and inclusive workplace for everyone.

## **Procedure:**

### **Educators will:**

- Treat all colleagues, families, children and young people with respect, courtesy, and professionalism at all times.
- Familiarise themselves with this policy and the Staff Grievance Policy outlined in the staff handbook.
- Report any incidents of bullying, harassment, or discrimination immediately to the Nominated Supervisor.
- Maintain confidentiality during all grievance and investigation processes.
- Keep written records of concerning incidents, including:
  - Date, time, and place of occurrence
  - Names of those involved or present
  - What occurred and any contributing circumstances.
- Refrain from engaging in or condoning any form of bullying, gossip, exclusion, discrimination, or disrespectful behaviour.
- Support peers and new staff by contributing to a positive, inclusive workplace culture.

### **Lead Educators will:**

- Promote a positive team environment through clear communication, fairness, and support.
- Address minor interpersonal issues early to prevent escalation.
- Monitor the emotional wellbeing of team members and report any concerns about potential harassment, bullying, or discrimination to the Nominated Supervisor.
- Ensure that all conversations regarding sensitive matters take place privately, away from children and young people, families, or other educators.
- Model appropriate conduct and inclusivity in the workplace.

### **Nominated Supervisor and Approved Provider will:**

- Take all reports of bullying, harassment, or discrimination seriously and confidentially.
- Ensure that the Grievance Procedure is followed in all cases, including:
  - Recording all complaints and discussions in writing.
  - Arranging meetings with individuals involved to discuss issues respectfully.
  - Seeking professional or legal advice from the employer association as required.
  - Referring matters to the Management Committee when necessary.

- If the alleged incident involves the Nominated Supervisor, ensure that reports go directly to the Management Committee.
- Report any incidents involving physical assault immediately to the Queensland Police Service.
- Access professional dispute resolution or mediation services as required, based on advice.
- Share the 'Workplace Harassment & Bullying Policy and Procedure' with all employees, volunteers and practicum students upon their induction and ensure that copies of the policy and procedures are readily accessible to nominated supervisors, co-ordinators, educators and staff, and available for inspection.
- All Service policy will be reviewed annually through consultation with all stakeholders or sooner should there be identified changes or updates to legislative requirement.
- Additional professional development will be provided as needed and during review processes.
- Ensure staff are aware of available support resources, including counselling or employee assistance programs (if applicable).
- Provide annual refresher training for all staff on:
  - Workplace harassment and discrimination
  - Child protection
  - Positive communication and conflict resolution.

**See also:**

- Mueller OSHC Staff Grievance Policy & Procedure
- Mueller OSHC Code of Conduct Policy & Procedure
- Mueller OSHC Child Safe Code of Conduct Policy & Procedure
- Mueller OSHC Staff Performance Monitoring and Training Policy & Procedure
- Mueller OSHC Workplace Harassment Prevention Plan
- Mueller OSHC Staff Handbook

**REFERENCES:**

- Education and Care Services National Law Act 2010, Current as at October 2024
- Education and Care Services National Regulations, Current as at September 2025
- Education and Care Services National Law Act (QLD) 2011, Current as at September 2025
- Child Protection Act 1999 (Current as at 20 September 2025)
- Guide to the National Quality Framework, Revised September 2025
- My Time, Our Place – Framework for School Age Care in Australia – Produced by the Australian Government Department of Education, Employment and Workplace Relations for the Council of Australian Governments. Ver2.0, Revised 2022
- National Quality Standard, Revised 1 February 2018
- Guide to the National Quality Standard, Revised May 2022
- The Code of Ethics - Early Childhood Australia Inc. (2025 update)
- Child Care Act 2002 (Current as at 1 February 2010)
- Commission for Children and Young People and Child Guardian Act 2000
- Prevention of Workplace Harassment Advisory Standard 2004
- Queensland Anti-Discrimination Act, 1991 (current as at June 2017)
- Children's Services Award 2012



# WORKPLACE HARASSMENT AND BULLYING POLICY & PROCEDURE

## REVIEW

POLICY REVIEWED BY:	Rachel Rose	OSHC Director	12/09/25
POLICY REVIEWED	SEPT 2025	NEXT REVIEW DATE	JAN 2026
VERSION NUMBER	V2.2		
MODIFICATIONS	<ul style="list-style-type: none"><li>• Include prevention plan</li><li>• New legislation</li></ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS		PAST REVIEW DATE
	<ul style="list-style-type: none"><li>• Updated references</li><li>• Addition of review table</li></ul>		JAN 2025