



POLICY 15: BULLYING POLICY

1. INTRODUCTION

U3A Mornington (U3AM) believes that bullying is a threat to the health and wellbeing of its members and volunteers. Accordingly, U3AM is fully committed to eliminating, as far as is possible, all forms of bullying in its operating environment and relationships, through a culture of openness, support, and accountability.

2. PURPOSE

The purpose of this document is to affirm that U3AM does not tolerate any form of bullying in its operating environment and relationships and to set out the process which is to be followed should any instances of bullying be reported.

3. SCOPE

This policy applies to our member tutors, honorary/guest tutors and volunteers (hereafter referred to as volunteers) and to our members.

Bullying that directly inflicts physical pain or harm amounts to assault and will not be dealt with under this policy. (Refer to clause 7.7).

4. DEFINITIONS

4.1 Bullying is repeated, unreasonable behaviour directed towards a person or group of persons that creates a risk to health and safety. It includes behaviour that could be expected to intimidate, offend, degrade, humiliate, undermine or threaten.

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4.2 Repeated behaviour refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

4.3 Unreasonable behaviour is behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

4.4 Examples of behaviour, whether intentional or unintentional, that may be considered to be bullying if they are repeated, unreasonable and create a risk to health and safety include but are not limited to:

- Verbal abuse
- Abusive, insulting or offensive language or comments
- Unjustified criticism or complaints
- Deliberately excluding or isolating another person/s
- Humiliation through sarcasm, or belittling someone's opinions
- Constant criticism or insults
- Spreading misinformation or malicious rumours
- Displaying written or pictorial material which may degrade or offend

4.5 Bullying can occur between two or more members and/or volunteers.

4.6 There will be occasional differences of opinion, conflicts and problems. Only when the treatment of another person is repeated, unreasonable, offensive or harmful does bullying exist.

4.7 Formerly accepted behaviour may be found to be bullying when it continues after a request from the complainant for the behaviour to stop, or at the point it becomes intimidating, offensive or humiliating.

4.8 Bullying can be carried out in a variety of ways including in person, through email, text or social media channels under the auspices of U3AM.

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- 4.9 Reasonable supervisory action is not considered to be bullying if it is carried out lawfully and in a reasonable manner in the circumstances. Examples of reasonable supervisory action include but are not limited to:
- Setting reasonable performance goals, standards and deadlines.
 - Informing a volunteer about unsatisfactory work performance in an honest, fair and constructive way.
 - Advising a member or volunteer if they are in breach of a policy or the Rules of Association of U3AM.

5. POLICY

- 5.1 This policy deals with repeated, unreasonable behaviour that constitutes bullying.
- 5.2 U3AM has a duty of care to provide a safe environment and accepts and acts on its duty of care. Any allegations of bullying that are reported to the Committee of Management (Committee) will be investigated promptly, thoroughly, and fairly.
- 5.3 Bullying complaints will be handled in a confidential and procedurally fair manner. Where confidentiality cannot be guaranteed, this will be clearly communicated to the relevant parties.
- 5.4 All parties will be treated with respect.
- 5.5 The person against whom the allegation is made has the right to natural justice – that is, the right to know what is alleged against them, the right to put their case in reply, and the right for any decision to be made by an impartial decision-maker.

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6. RESPONSIBILITIES

6.1 It is the obligation and responsibility of every person to ensure that U3AM is free from bullying.

6.2 U3AM's Committee of Management (Committee) is responsible for developing, implementing, reviewing and publishing this policy.

6.3 It is the responsibility of the Committee to ensure that:

- They understand and are committed to the right of all members and volunteers to attend U3AM activities and venues without fear of being bullied in any way.
- All reasonable steps are taken to eliminate bullying, so far as is reasonably practicable.
- All members and volunteers are made aware of their obligations and responsibilities to foster a U3AM environment that is free from bullying.
- They foster an environment that discourages bullying and set an example by their own conduct.
- All complaints are treated promptly, seriously and confidentially.
- They take corrective/immediate and appropriate action when they become aware of any bullying or offensive action.
- Guidance and education are provided where requested and/or appropriate, to cases and subsequent to decisions relating to bullying.
- Ongoing support and guidance is provided in relation to the prevention of bullying.
- Any reported allegations of bullying are promptly, thoroughly, and fairly investigated.

6.4 All members and volunteers have an entitlement to:

- Be in a safe and healthy environment and to be treated with dignity and respect.
- Make a complaint in respect of any bullying behaviour.

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- 6.5 It is the responsibility of all members and volunteers to ensure that:
- They understand and are committed to the rights and entitlements of all members and volunteers to attend U3AM premises and activities without fear of bullying.
 - They help foster an environment that discourages bullying.
 - They do not promote or engage in bullying.
 - That they take reasonable care that their acts or omissions do not adversely affect the health and safety of other people.
 - They co-operate and comply with this policy and any other relevant policy.
- 6.6 The Secretary is responsible for:
- Receiving and responding to enquiries about this policy
 - Receiving complaints about bullying and for bringing a complaint to the immediate attention of the President.
- 6.7 The President, or his/her delegate, is responsible for interviewing and supporting a complainant.
- 6.8 The President is responsible for ensuring that a bullying complaint is handled in accordance with U3AM's *Grievance and Dispute Resolution Policy*.

7. PROCEDURE

- 7.1 If a member or volunteer feels comfortable in doing so, it is preferable to raise the issue with the person directly, with a view to resolving the issue by discussion.

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7.2 If the behaviour continues, or if the member or volunteer feels unable to speak to the person(s) directly, and if they believe that they are the subject of bullying, then they should take firm, positive and prompt action. Where appropriate, the perceived bully/bullies should be made aware that their behaviour is offensive, unwelcome and unacceptable, and that it needs to stop immediately.

7.3 Where the behaviour continues, or the person who feels bullied feels unable to speak directly to the perceived bully, they should report the matter to the Secretary at secretary@u3amornington.org.au. The Secretary will notify the President immediately.

7.4 The President or delegate will provide support to the complainant and ascertain the nature of the complaint and the wishes of the complainant. The complainant may opt to have the matter dealt with by formal investigation or by less formal means.

7.5 Complaints about a Committee Member should be referred to the President. Complaints about the President should be referred to the Vice President or the Secretary.

7.6 The complaint will be handled in accordance with U3AM's *Grievance & Dispute Resolution Policy*.

7.7 Procedures for Dealing with Criminal Conduct

Some forms of severe bullying, for example, physical attack or obscene phone calls, may constitute criminal conduct. While U3AM is committed to treating most complaints about bullying at an organisational level as far as is possible, potentially criminal conduct is not suited to internal resolution and should be handled by the criminal justice system. Complainants will be advised of the option of police support or intervention. It is not the obligation or duty of U3AM to report such matters to Victoria Police on behalf of the complainant.

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8. RELATED POLICIES

01: Code of Conduct Policy

02: Privacy Policy

05: Grievance & Dispute Resolution Policy

06: Risk Management Policy

08: Anti-Discrimination Policy

14: Sexual Harassment Policy

9. REFERENCES

U3AM Network Victoria

Institute of Community Directors, Australia (Policy Bank)

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