



[MannixCollege]

## **DISCRIMINATION, HARASSMENT, HAZING, BULLYING AND INTIMIDATION POLICY**

The College acknowledges its responsibility to ensure that Staff and residents are made aware of what constitutes unacceptable behaviour within the College and that all staff and students are aware of their responsibility for ensuring the maintenance of proper standards of conduct within the College.

The College has adopted a policy that makes clear we have a zero tolerance for discrimination, harassment, bullying, hazing or intimidation of any kind.

*NB - The lists of examples below is not exhaustive and meant only as a guide. If you feel discriminated against, harassed, bullied, intimidated or hazed do not hesitate to speak out, regardless of whether your experience is included in the below lists.*

1. Mannix College respects the right of its members (residents and staff) to hold, vigorously defend, and express their ideas and opinions in an atmosphere of mutual respect, understanding, and sensitivity. Not every act that might be offensive to an individual or a group will necessarily be considered discriminatory or harassing. However, the right to free expression does not excuse engaging in discrimination or discriminatory harassment. The College has defined discrimination, harassment, bullying and hazing in the following way:

**Discrimination** occurs when one party intentionally or unintentionally treats a group or individual differently on the basis of ethnicity, gender, disability, age, personal appearance, sexual preference, religious beliefs or political beliefs without a legitimate, or justifiable reason so as to interfere with or limit the ability of that individual or group from participating in or benefitting from the services, activities or privileges afforded to members of the residential community.

A discriminatory act is one that treats a person less favourably than another because of one of the following attributes, and may result in heavy penalties:

- Sex
- Relationship status
- Pregnancy
- Parental status
- Breastfeeding
- Age
- Race
- Impairment
- Religious belief or activity
- Political belief or activity
- Trade union activity
- Lawful sexual activity
- Gender identity
- Sexuality
- Family responsibilities

**Harassment** refers to behaviour towards an individual or group of individuals that may or may not be based on the attributes listed above, and could be defined as "less favourable treatment of a person by another or others which may be considered unreasonable or inappropriate practice. It includes behaviour that intimidates, offends, degrades or humiliates in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct. It covers a range of unwelcome, unsolicited and non-reciprocated

behaviour. This may constitute deliberate or unintentional communication, verbal or otherwise, or physical contact of a sexual nature.

Mannix students do not accept the influence of alcohol or drugs as a mitigating factor in harassing behaviour.

Some practical examples of these behaviours have been defined as follows:

- Offensive posters;
- Chauvinistic comments;
- Offensive and/or libellous emails or social media posts;
- The influence of pack mentality;
- Rumours and malicious gossip
- Peer pressure;
- Making fun of someone because of their race, disability, age
- Exploiting people in an intoxicated state;
- Excluding behaviour;
- Comments about weight or personal appearance;
- Insensitivity towards cultural differences
- Defamatory statements and making false accusations

**Sexual harassment** covers a range of unwelcome, unsolicited and non-reciprocated behaviour. This may constitute deliberate or unintentional communication, verbal or otherwise, or physical contact of a sexual nature. It extends from unwelcome actions such as gestures and the display of offensive pictures, comments of a sexual nature, and implied or explicit demands for sexual activities, to physical contact such as patting or pinching, through to more hostile conduct. In general, sexual harassment does not arise in the context of a mutual attraction and flirtation based upon choice and consent.

Examples:

- Displaying any pornography (soft core or hard core), or any sexual or naked pictures anywhere where any other person can see them
- Naked display of sexual parts of your own or someone else's body
- Indecent or sexual assault (e.g. from simple touching of the parts of the body)
- Sexual or suggestive remarks
- Sexually inappropriate behaviour;
- Making fun of someone because of their sex, sexuality, and so on
- Unwanted sexual propositions
- Repeated, unwelcome invitations to go out with someone
- Spreading sexual rumours about someone
- Obscene or sexist, anti-gay (and so on) language, telephone calls, letters, faxes, email messages, or illustrations in any publication, creation of offensive websites.
- Any inappropriate publication such as offensive emails, graphics and text messages.

**Bullying** implies intent and is the repeated unreasonable treatment of an individual or group. It has been defined in a number of ways including the following: Bullying may include behaviour that can intimidate, degrade and humiliate another person, sometimes in front of other people or alone. It may include abuse of power, isolation, alienation, or be the result of conflicts of opinion or personality. It can include inappropriate comments about personal appearance, physical or verbal abuse.

Bullying is harassment which is directed at an individual person or group of people; and is offensive, intimidating, humiliating or threatening; and is unwelcome and unsolicited; and a reasonable person would consider it to be offensive, intimidating, humiliating or threatening for the individual person or group of people.

Examples:

- Physical violence, pushing or shoving
- Imitating someone's accent or disability
- Repeated, unwelcome questions about someone else's personal life
- Damaging a person's personal property
- Continually ignoring or dismissing someone's contribution in a meeting or discussion
- Staring and glaring at a person.

**Hazing** is a form of harassment common to "initiation" rites and has been associated with University Residential Colleges.

Hazing is defined as any mental or physical requirement placed on any person or group of persons which could cause discomfort, pain, fright, disgrace, injury or which is personally degrading or which violates any Commonwealth, State or Local Government statute or any university policy.

Hazing in any form is unacceptable, and any Mannix resident who is found to be involved is liable to severe penalties, up to and including termination of residency. If University authorities become aware of hazing, they may also invoke such penalties as loss of credit, suspension or exclusion from the university.

Any initiation or similarly coercive practice is absolutely forbidden; 'tradition' or past practice is not an acceptable excuse or ameliorating factor. If you attempt to conduct, or participate in, any kind of initiation rite of any sort, including any act of humiliation or bastardisation, you will incur disciplinary action. If you are the victim of this kind of behaviour you should contact the Principal or Deputy Principal immediately.

Singing songs or chants which denigrate, are abusive, use obscene language or are sexist, contravenes state and federal laws, and is forbidden both at the College and at collegiate events. Participation in such chants is grounds for disciplinary action.

**Racism and Racial Vilification:** Racism is the expression of attitudes, or behaviours, based on an assumption of the superiority of one race or group of persons of colour, ethnic origin, or culture, over another. Racism may also be expressed by what is not done as well as what is done. Racial vilification is a public act done in whole or in part because of the race, colour, nationality or ethnic origin of a person or group which reasonably likely in all the circumstances to offend, insult, humiliate or intimidate that person or group.

Racial harassment can involve:

- Non-verbal threats, verbal remarks or non-verbal contact relating to race.
- jokes or comments denigrating a racial group;
- displays of racist graphic material including posters, pinups, cartoons, graffiti or messages left on notice boards, desks or common areas or on computer screens;
- race-based insults, taunts, teasing or name-calling; offensive phone calls or letters;
- threatening violence against an individual or group because of their race;
- racist gestures made in public; mimicking a person's accent;
- people wearing racist symbols (such as badges) or clothing with racist slogans in public;
- Offensive e-mail messages or computer screensavers.

**Sexual Assault** is a legal term used to describe a range of sexual offences, from showing indecent images to another person, to kissing or touching them, as well as penetration of the person's body

with a body part or object. 'Sexual assault' is often called other names like: sexual abuse, rape, indecent behaviour, indecent assault, sexual molestation, incest, child sexual abuse, child sexual assault, touching, 'feeling up', sexual harassment. The legal term for all these kinds of offences is 'sexual assault'. The College and Monash University is committed to Respect. Now. Always. - Ending sexual assault and harassment on campus.

Sexual Assault Crisis Line Victoria: +61 1800 806 292

RESPECT NOW ALWAYS <https://www.monash.edu/about/respect-now-always>

REPORTING: <https://www.monash.edu/safer-community/problem-behaviour/reporting>

2. Mannix College administration and student leaders (Resident Advisors and MCSS Committee) are committed to:
  - Demonstrating by leadership and by immediate action, a responsibility to prevent incidents of harassment and discrimination;
  - Communicating the principles of this policy and upholding its spirit and intent;
  - Taking all steps to put a stop to any harassment or discrimination of which they are aware, regardless of whether a complaint has been filed;
  - Taking all complaints of harassment and discrimination seriously, promptly and diligently, college administration will investigate any alleged incidents;
  - Taking prompt action to resolve complaints and taking corrective action;
  - Encouraging participation in education and training programs;
  - Supporting appropriate disciplinary action
  - Modelling the respectful behaviour expected of all residents of Mannix College;
  - Fostering an environment of inclusion, in which students feel comfortable approaching student leaders as well as other residents about harassment issues;
  - Working together as a team to uphold these commitments and principles as a unified leadership body.
  
3. Mannix College administration and student leaders embrace and celebrate the rich traditions and culture of their College, however they believe that the defence of "tradition" is not an excuse for discriminatory or harassing behaviour. It is not the culture of Mannix College to discriminate against others, and it stands contrary to our Catholic heritage.
  
4. All members of the Mannix College community share the responsibility to create a College environment that is free from harassment and discrimination. All members are responsible for understanding what constitutes harassing and/or discriminatory behaviour and conducting themselves in accordance with the spirit and intent of this policy. Monash University and Mannix College are committed to ensuring that staff and students are treated with integrity and respect, recognising all members of Monash University has the right to work study and live in an environment free from discrimination, harassment and bullying. Discrimination, harassment and bullying behaviour will not be tolerated under any circumstances. Mannix College and Monash University will take action against any staff member, agent or student who is found to have breached this policy.

#### **Dealing with discrimination and harassment, Hazing, Bullying and Intimidation:**

A complaint in accordance with the procedures below should be made as soon as practicable. These procedures apply only if the complainant and respondent were, at the time of the alleged offence, enrolled College residents, Resident Advisors or Mannix staff or if the behaviour complained of took place between a resident of College and a visitor on the College campus.

The College takes a serious stance in regard to issues of discrimination, harassment, sexual harassment, bullying, hazing, intimidation and sexual assault. If you believe you are the victim these acts you should:

- Contact your Resident Advisor/Senior Resident Advisor - All Resident Advisors and the Senior Resident Advisor at Mannix College act as student contacts. In most cases, they will be the first contact for anyone who feels that they might have problem. The student contact role would support the resident to clarify their concerns and understand the College's and Universities processes for dealing with such concerns.
- Go directly to the Assistant Deputy Principal, Deputy Principal or Principal for advice as soon as possible. These people all have an obligation to treat all complaints seriously and to deal with them expeditiously while giving regard to due process and natural justice to all parties involved.

If you believe you are the victim of any behaviour contrary to this Policy (sexual or otherwise) you should take action. Doing nothing will not resolve the problem, and putting off action because of fear of reprisals or getting someone into trouble is not in your own best interests.

The College may seek the advice and assistance of both Monash University Services and community services. University support services include (e.g. Safer Communities Unit, Security, Health Services,, MSA, Counselling etc.) and non- University support services include (e.g. SECASA, Police, Headspace, Lifeline etc.). If you feel you have not been properly supported, contact the Principal.

**Monash contact numbers and links:**

Safer Communities Unit 9905 1599  
<https://www.monash.edu/safer-community>

Monash Security 990 53333 or 9902 7777  
<https://www.monash.edu/students/support/safety-security/home>

Counselling and Health Services: 9905 3175  
<https://www.monash.edu/health/counselling>  
<https://www.monash.edu/health/medical-services>

Victims of discrimination and harassment and those who are the subject of a complaint should be assured that they will be protected, that confidentiality will be respected and that the College is there to provide support. Discrimination or harassment of any form will not be tolerated and offenders may be suspended or excluded from the College. This policy and its procedures apply as well to behaviour between residents of College and visitors within the College buildings or environs or on official College activities.

Policy dated December 2018.