

LATROBE COLLEGE OF ART AND DESIGN

Policy

Harassment, Bullying, Discrimination and Vilification Policy (Including Sexual Harassment, Racial and Religious Vilification and Antisemitism)

Related Standards

- ESOS National Code 2018 – Standard 6 Student Support Services
- Standards for RTOs 2025 – Standard 2 Student Support and Wellbeing / Standard 4 Governance
- VET Student Loans Rules 2016 – Provider Obligations and Student Protection

1. Purpose

Latrobe College of Art and Design (LCAD) is committed to providing a safe, respectful and inclusive learning and working environment free from harassment, bullying, discrimination and vilification.

LCAD does not tolerate behaviour that humiliates, intimidates, threatens or incites hatred toward individuals or groups on the basis of personal attributes, including race, religion, ethnicity, nationality, gender, sexual orientation, disability or other protected characteristics.

This includes racism, religious vilification and antisemitism in any college activity, campus environment, online learning space or work-related setting.

Complaints may be addressed through informal conciliation or formal disciplinary procedures. Where behaviour may constitute a criminal offence, individuals may be advised to contact police.

2. Scope

This policy applies to:

- students
- staff
- contractors
- visitors
- agents and partners

The policy applies to conduct occurring:

- on campus
- during classes or college activities
- during placements, excursions or college events
- in online or digital learning environments
- in any activity reasonably connected with the college.

3. Definitions

3.1 Sexual Harassment

Sexual harassment is any unwelcome behaviour of a sexual nature where a reasonable person would anticipate the behaviour may offend, humiliate or intimidate another person.

Examples may include:

- unwelcome sexual comments or jokes
- persistent unwanted invitations
- displaying offensive sexual material
- unwelcome touching
- sexual messages or images
- pressure or coercion for sexual activity.

Mutual attraction or consensual interaction does not constitute sexual harassment.

3.2 Harassment

Harassment is unwelcome behaviour that offends, humiliates or intimidates another person.

Harassment may relate to personal attributes including:

- age
- disability
- race
- religious belief
- gender identity
- sexual orientation
- pregnancy or parental status
- marital status
- political belief
- physical features
- association with a person with any of the above attributes.

Examples include:

- offensive comments
- intrusive questioning
- threats or intimidation
- abusive messages
- damage to property
- physical aggression.

Some forms of harassment may also constitute criminal offences.

3.3 Discrimination

Discrimination occurs when a person is treated less favourably or disadvantaged because of a personal attribute protected by law.

Direct Discrimination

Direct discrimination occurs when someone is treated less favourably because of an attribute.

Indirect Discrimination

Indirect discrimination occurs when a rule or requirement disadvantages people with a particular attribute and is not reasonable.

3.4 Bullying

Bullying is repeated and unreasonable behaviour directed toward a person or group that creates a risk to health, safety or wellbeing.

Bullying may occur between:

- staff members
- students
- staff and students
- other individuals interacting with the college.

Examples include:

- verbal abuse or sarcasm
- intimidation or threats
- exclusion or isolation
- repeated criticism
- misuse of authority
- withholding information required for work or study.

3.5 Racial and Religious Vilification (Including Antisemitism)

Racial or religious vilification is behaviour that incites hatred, serious contempt or severe ridicule toward a person or group because of their race, ethnicity, nationality or religion.

Vilification may occur through:

- abusive or offensive language
- stereotypes or ridicule
- threats or intimidation
- harassment of individuals because of their religion or ethnicity
- distributing offensive material.

Antisemitism refers to hostility, discrimination or harassment directed toward Jewish people, Judaism or Jewish institutions.

Examples may include antisemitic stereotypes, harassment of Jewish students or staff, or targeting individuals because they are Jewish.

Such behaviour is unacceptable within the college community.

4. Roles and Responsibilities

4.1 College Responsibilities

LCAD has a responsibility to:

- provide a safe and respectful environment
- implement policies addressing harassment and discrimination
- investigate complaints promptly and fairly
- support individuals affected by inappropriate behaviour
- take disciplinary action where breaches occur.

4.2 Staff and Student Obligations

All staff and students must:

- treat others with dignity and respect

- refrain from behaviour that constitutes harassment, discrimination, bullying or vilification
- cooperate with college policies and procedures
- report incidents where appropriate.

4.3 Responsibilities of Managers and Supervisors

Managers and supervisors must:

- promote awareness of this policy
- ensure appropriate behaviour within their areas
- respond to complaints appropriately
- support resolution processes where required.

5. Practical Placements

Where students undertake placements or external activities connected with the college, the college will provide appropriate support.

Any incidents of harassment, discrimination or vilification occurring during placement should be reported to the Student Services Support Officer or relevant coordinator.

6. Complaint Procedures

Any staff member or student who believes they have experienced harassment, bullying, discrimination or vilification may seek resolution through the following options:

1. addressing the matter directly with the other party where appropriate
2. discussing the issue with a coordinator or Student Services Support Officer
3. submitting a formal complaint through the Complaints and Appeals Policy.

Formal complaints may be submitted in writing to the college administration.

7. Informal Resolution

Where appropriate, complaints may be addressed through conciliation.

Conciliation is an informal process facilitated by a neutral person to help both parties reach a mutually acceptable outcome.

The aim of conciliation is to:

- resolve misunderstandings
- ensure inappropriate behaviour does not continue
- restore respectful working or learning relationships.

Conciliation does not determine guilt or impose penalties.

8. Formal Investigation

Formal procedures may occur where:

- informal resolution is unsuccessful
- the matter is serious
- either party requests formal investigation.

The college will investigate the complaint and determine whether disciplinary action is required under staff or student conduct procedures.

Possible outcomes may include warnings, behavioural conditions, suspension, termination or other disciplinary measures.

9. Confidentiality

All complaints will be handled confidentially where possible.

Information will only be disclosed to individuals involved in resolving the matter or where required by law.

Records of complaints will be securely maintained in accordance with college records management practices.

10. External Complaints

Individuals may also seek assistance from external agencies where appropriate.

This may include relevant human rights or anti-discrimination bodies.

11. Monitoring and Review

The college will monitor the operation of this policy and review it periodically to ensure it remains effective and consistent with legislative and regulatory requirements.