



# Queensland Girls Primary Independent Schools

## Andrews Cup Association

### SPORTS EVENT HARASSMENT and BULLYING POLICY

**Individual member schools will have a well-documented Event Harassment and Bullying Policy. This Andrews Cup policy is designed to work in conjunction with the policies and procedures of member schools. The following expectations of the Association have been provided in order to fulfil its obligation as an Association to its members.**

The Queensland Girls Primary Independent Schools Andrews Cup Association: QGPISACA is committed to its events being free from harassment and bullying.

*Note: from here on the Association will be referred to as QGPISACA*

#### **PREAMBLE**

The QGPISACA considers harassment and bullying unacceptable forms of behaviour that will not be tolerated under any circumstances. QGPISACA is committed to taking all reasonable steps to achieve a sporting environment free of intimidation, bullying and harassment.

QGPISACA has a proper concern where harassment may occur at one of its organised, endorsed sporting events or activities which:

- creates an intimidating, hostile or offensive environment;
- adversely affects an individual's performance at the event or thereafter; or
- reflects adversely on the integrity and standing of QGPISACA.

QGPISACA is committed to taking all steps to prevent and resolve (when reported) incidents of harassment and bullying.

Every member of the QGPISACA community is required to support this policy. This policy provides details regarding:

1. the definition of harassment, bullying and sexual harassment.
2. strategies which QGPISACA will utilise to address complaints and protect complainants.
3. how complaints will be dealt with; and
4. the right to take action to the Anti-Discrimination Commission Queensland.

Legal References Legislation which is relevant to this policy includes the Anti-Discrimination Act 1992 (Qld) and Sex Discrimination Act 1984 (Cth).

#### **1 DEFINITIONS**

Harassment is any unwelcome behaviour which does, or is likely to, offend, humiliate or intimidate another person.

Bullying is a form of harassment which is repeated, unreasonable behaviour that demeans, intimidates, victimises, threatens or humiliates people, either as individuals or as a group.

Harassment and bullying may take many forms, including:

- Physical: including fighting, pushing, unnecessary and unwelcome physical contact, aggressive behaviour, teasing or practical jokes;
- Verbal: including name calling, offensive language or unwelcome comments;
- Non-verbal: including inappropriate mimicking, suggestive looks or leers, moving or taking items of property.

Harassment and bullying can create an intimidating, hostile and offensive environment. It is distressing and can affect the recipient's mental and physical wellbeing. It is therefore an important health and safety issue.

Sexual harassment is any unwelcome sexual attention. Sexual harassment is defined widely to include:

- Unsolicited acts of physical intimacy;
- Unsolicited demand or request for sexual favours;
- Remarks with sexual connotations;
- Offensive comments on physical appearance, dress or private life;
- Lewd jokes;
- Wolf whistling; or
- Any unwelcome conduct of a sexual nature.

Sexual harassment is unacceptable behaviour and is a breach of the fundamental right of a student, parent, spectator, convener, umpire, referee, official or employee of The Queensland Girls Primary Independent Schools Andrews Cup Association: QGPISACA or participating school to participate and interact in a physically and psychologically safe environment and to be treated fairly and with respect.

Further, under the Sex Discrimination Act 1994 (Cth), sexual harassment may constitute a serious form of sex discrimination. It is demeaning and threatens and undermines the individual concerned.

## **2 STRATEGIES AND PROCEDURES TO IMPLEMENT POLICY**

### **2.1 Recognising sexual harassment**

Sexual harassment is any form of sexual attention that is unwelcome. As stated above, some examples of sexual harassment include: unwelcome touching, patting, pinching, deliberately brushing against someone, comments about a person's body, remarks with sexual

connotations, smutty jokes, requests for sexual favours, leering or the display of offensive material.

Sexual harassment can occur between students, parents, spectators, conveners, contractors, umpires, referees, officials, and employees. Sexual harassment can be a single incident, or it may occur as an ongoing course of behaviour. The key point is that it is unwelcome.

### **2.1.1 Sexual Harassment Allegations involving Children/ Students**

It is the policy of QGPISACA in relation to allegations that a child has been sexually harassed whilst at a QGPISACA organised, endorsed or sponsored sporting event, that:

- (a) Any reasonable suspicion held by or notified to an employee of a member school that sexual misconduct or abuse has taken place is to be reported to The Head of Primary of the member schools and the police or the Department of Communities, Child Safety and Disability Services, along with notification that a report has been lodged (subject to (e) below), regardless of when the misconduct is alleged to have taken place;
- (b) The overriding concern in relation to allegations of sexual harassment is the protection of the child/ student;
- (c) Reports of sexual harassment are to be dealt with by the QGPISACA President in the first instance.
- (d) The QGPISACA requires member schools to offer to any of its students who are victims of sexual harassment a long-term, supportive environment (including the provision of assistance for counselling);
- (e) The identity of anyone mentioned or involved in reports of sexual harassment is only to be disclosed to persons authorised by law to receive those reports;
- (f) The President or a delegate from QGPISACA is responsible for making any statements to the media, and all efforts will be made to ensure that media coverage should not affect the education of any student;
- (g) The specific child protection measures set forth in QGPISACA Child Protection policy and Child and Youth Risk Management Strategy
- (h) The member schools agree to comply with the decision of the QGPISACA Management Committee, including: -
  - i. suspension or barring of a student from participation in QGPISACA organised, endorsed or sponsored sporting events;
  - ii. exclusion or barring a parent, spectator, convener, umpire, referee, official or employee from attending QGPISACA organised, endorsed sporting events or activities; and

## **2.2 Recognising other forms of Harassment and Bullying.**

- (a) Reports of harassment or bullying are to be dealt with by QGPISACA Management Committee;
- (b) The President or a delegate from the QGPISACA Management Committee is responsible for making any statements to the media, and all efforts will be made to ensure that media coverage should not affect the education of any student; and
- (c) The member schools agree to comply with the decision of the QGPISACA Management Committee, including: -
  - i. suspension or barring of a student from participation in a QGPISACA organised, endorsed sporting events;
  - ii. exclusion or barring a parent, spectator, convener, umpire, referee, official or employee from attending QGPISACA organised, endorsed or sporting events and activities; and

## **3. QGPISACA ACTION**

- 3.1 When a report of any alleged harassment or bullying at a QGPISACA event has been received by a member school, it should be referred immediately to the QGPISACA President.

If the report of the harassment or bullying is received directly to the QGPISACA, the member school's Head of Primary shall also be informed by the Executive Officer.

- 3.2 Notification of the alleged incident should include:
- a written report
  - where possible, reports from witnesses
- 3.3 If harassment or bullying has been found to have occurred, appropriate action will be taken to:
- i. endeavour to protect the victim from further harassment,
  - ii. advise the offender (in the case of a QGPISACA staff member) and/ or the member school (in the case of member school staff) or students that such behaviour is unacceptable
  - iii. ensure that the relevant member school arranges or facilitates the counselling of the offender to help him/her to understand the implications of their actions before any consideration is given to the lifting of any exclusion imposed on the offender under 2.1.1(h) or 2.2 (c),
  - iv. advise the offender of the likely consequences if harassment or bullying continues, and
  - v. in appropriate cases, request that the relevant member school discipline the offender under their own internal guidelines for harassment or bullying or refer the matter to the police, and
  - vi. in appropriate cases, put in place necessary counselling or require the relevant member school to arrange for necessary counselling for the offender and / or victim

- vii. Consequences for misconduct will be determined by the QGPISACA Management Committee and recommended to the Head of Primary at the relevant school.

For example: For students, disciplinary action may result in suspension or exclusion from a QGPISACA activities.

For a QGPISACA staff member, disciplinary action may lead to termination of their employment.

For member schools, their membership may be reconsidered by QGPISACA, if a history of unaddressed harassment at a QGPISACA sporting events develops.

QGPISACA will take all reasonable steps to avoid a harassment or bullying victim or witness being further victimised.

Any person who submits a harassment or bullying complaint, which after investigation is determined on reasonable grounds to have been maliciously or falsely made, shall be dealt with under this policy as if that person was an offender who had committed an act of harassment or bullying.

#### **4. REFERRAL TO ANTI DISCRIMINATION COMMISSION QUEENSLAND**

- 4.1 Any person who has been subject to discrimination, sexual harassment, victimisation or other behaviour prohibited by the Anti-Discrimination Act 1991 (Qld) may make a complaint to the Anti-Discrimination Commission Queensland (Commission).
- 4.2 If the person is a child, a parent or guardian may make a complaint on behalf of the child.
- 4.3 The contact details for the Commission can be found via its website located at [www.adcq.qld.gov.au](http://www.adcq.qld.gov.au) and are also listed below:

Telephone: 1300 130 670 (Toll free) TTY: 1300 130 680

Facsimile: 07 3247 0960

Email: [enquiries@adcq.qld.gov.au](mailto:enquiries@adcq.qld.gov.au)

Brisbane street address: Level 17 53 Albert Street BRISBANE QLD 4000

Office hours: 9am to 5pm Monday to Friday

Brisbane postal address: City East Post Shop PO Box 15565 CITY EAST QLD 4002

