



ANTI-DISCRIMINATION AND FREEDOM FROM BULLYING POLICY

1.0 PURPOSE OF THE POLICY

Brazilian Soccer Academy has a legal and moral responsibility to ensure that staff, members and parents are not subjected to behaviors or practices that may constitute bullying, discrimination or harassment.

The Anti-Discrimination and Freedom from Bullying and Harassment policy confirms Brazilian Soccer Academy's commitment to eliminating behavior that does not conform to the academy's acceptable behavior standards, and aims to promote the principles of professional, responsible and respectful behavior to ensure a productive workplace and learning environment.

2.0 POLICY SCOPE AND APPLICATION

This policy applies to all Brazilian Soccer Academy staff, volunteers, members and parents.

3.0 DEFINITIONS:

Terms and definitions identified below are specific to these procedures and are critical to its effectiveness:

Bullying is repeated and unreasonable behavior directed towards an individual or a group that creates a risk to health and safety.

Bullying also includes Workplace Bullying, which is repeated and unreasonable behavior directed towards a worker or a group of workers that creates a risk to health and safety. Bullying, including workplace bullying, does not include reasonable management action that is carried out in a reasonable manner.

It is possible for a person to be bullied, harassed and discriminated against at the same time.

Detailed below are examples of behaviors, whether intentional or unintentional, that may be regarded as bullying or workplace bullying if they are repeated, unreasonable and creates a risk to health and

safety. This is not an exhaustive list – however, it does outline some of the more common types of behaviors. Examples include:

- Abusive, insulting or offensive language or comments
- Unjustified criticism or complaints
- Deliberately excluding someone from workplace or study-related activities
- Withholding information that is vital for effective work or study performance
- Setting unreasonable timelines or constantly changing deadlines
- Setting tasks that are unreasonably below or beyond a person's skill level
- Denying access to information, supervision, consultation or resources to the detriment of a worker or student
- Spreading misinformation or malicious rumors
- Changing work arrangements to deliberately inconvenience a particular worker or workers.

Workplace bullying is not a simple abuse of power from supervisors to subordinate employees: for example, staff or members can bully their supervisors, and bullying can occur between members of an ostensibly equal group. Bullying, including workplace bullying, can be carried out in a variety of ways including through email and text messaging or social media channels.

Discrimination, as defined in the Anti-Discrimination Act 1991 (Qld), means to treat an individual less favorably because of an attribute listed in that Act, or to impose unreasonable terms or conditions for which individuals with a particular attribute are unable to comply. Attributes include:

- parental status
- pregnancy
- breastfeeding
- religious belief or activity
- political belief or activity
- relationship status
- sex
- lawful sexual activity
- gender identity
- sexuality
- age
- race, nationality or ethnic origin
- disability or impairment
- trade union activity
- family responsibilities
- association with, or relation to, a person identified on the basis of any of the above

Discrimination can be either direct or indirect. Direct discrimination takes place when an individual is disadvantaged or treated less favorably than another person. Indirect discrimination happens when a practice or policy appears to be fair because it treats everyone the same way but actually disadvantages people from a particular group.

Harassment is any form of behavior that is unwelcome, unsolicited, unreciprocated and usually (but not always) repeated. It is behavior that is likely to offend, humiliate or intimidate. Harassment can be based on any of the attributes listed under the definition of discrimination and for example can include sexual, disability, racial, sexuality or gender based harassment.

Repeated behavior refers to the persistent nature of the behavior and can involve a range of behaviors over time.

Reasonable management action means management action taken to direct and control the way programs are being carried out. It is expected that staff will at times have to discuss inadequacies of performance with other staff, and may have to instruct them in more effective ways of performing their duties. These acts do not constitute workplace bullying. Similarly, providing guidance, conducting performance counselling, commencing unsatisfactory performance procedures or misconduct procedures does not in itself constitute workplace bullying. It is appropriate and expected that both managers and supervisors will offer constructive and legitimate advice and comment as part of their role in a way that does not demean or humiliate. Examples of reasonable management actions include:

- Setting reasonable performance goals, standards and deadlines
- Roistering and allocating working hours in accordance with the USC Enterprise Agreement
- Implementing organization change or restructuring
- Deciding not to select a staff member for promotion or appointment where a reasonable process is followed
- Taking disciplinary action, including suspension or terminating employment.

Sexual harassment means any unsolicited, unwelcome and unreciprocated behavior, act or conduct of a sexual nature that offends, humiliates or intimidates other persons. It can be a single incident or a persistent pattern and can range from subtle behavior to explicit demands for sexual activity or criminal assault. Sexual harassment includes but is not limited to the following examples:

- inappropriate jokes or comments with sexual connotations
- the display of offensive material
- stares and leers or offensive hand or body gestures
- comments and questions about another person's sexual conduct and/or private relationships
- persistent unwelcome invitations
- requests for sexual favour
- offensive written, telephone or email communication, or any other electronic means of communication
- unnecessary close physical proximity including persistently following a person
- unwelcome physical contact such as brushing against or touching a person
- denigrating comments regarding a person's gender or sexual preference
- negative behaviors, e.g., intimidation or exclusions related to the sex of the recipient

Unreasonable behavior means behavior that a reasonable person, having considered the circumstances, would see as unreasonable, including behavior that is victimizing, humiliating, intimidating or threatening.

Victimization means treating someone unfairly because they have made, or intend to make, a bullying, discrimination or harassment complaint. This also includes those who have supported another person in making a complaint. Victimization of any person involved in a complaint is unacceptable and may constitute a breach of the Staff Code of Conduct – Governing Policy.

Worker has the meaning as defined in the Work Health and Safety Act 2011 (Qld).

Workplace conflict means perceived or real differences of opinion and disagreements. Workplace conflict is not generally considered to be workplace bullying as people can have differences and disagreements in the workplace without engaging in repeated, unreasonable behavior that creates a risk to health and safety.

4.0 PRINCIPLES

4.1 Brazilian Soccer Academy is committed to fostering the right of individuals to be free from bullying, discrimination and harassment, while engaged in activities undertaken as part of their employment or other association with the University of the Sunshine Coast.

4.2 Brazilian Soccer Academy will not tolerate bullying, discrimination or harassment under any circumstances and will take all reasonable steps to eliminate behaviors or action of, or by, workers, players, visitors, parents and anyone involved in its programs.

4.3 Bullying, discrimination and harassment may:

- Lead to increased absenteeism, reduced coaches productivity and motivation
- Adversely affect the health and wellbeing of staff, players and parents
- Create a distressing, intimidating, offensive or hostile environment
- Result in the resignation of skilled and experience coaches as well as players
- Adversely affect a person's access to and/or participation in programs
- Adversely reflect on the University's reputation.

4.6 Brazilian Soccer Academy will use educative approaches for the prevention of bullying, discrimination and harassment, ensuring staff know their rights and responsibilities, and to encourage the reporting of behavior that breaches this policy.

4.7 Staff management have a responsibility to ensure this policy is adhered to, and to take appropriate action in circumstances where they become aware of existing or possible bullying, discrimination or harassment.

4.8 Should a complaint of alleged bullying, discrimination or harassment arise, Brazilian Soccer Academy will take timely and appropriate action.

4.9 The principles of natural justice apply and will guide the application of this policy and associated policies, procedures and guidelines. This means that before a decision is taken about them, respondents to a complaint have the right to:

- a. be informed about the nature and content of the issue;
- b. be heard; and
- c. have an unbiased decision maker.

4.10 The complaint resolution process is carried out in good faith.

4.11 If bullying, harassing or discriminatory behavior involves violence, for example physical assault or the threat of physical assault, it should be reported to the police.