



# Cyber Bullying Policy

## Scope & Purpose

This policy applies to all members of Russo Business School Community.

This policy aims to promote positive, protective and supportive behaviours and to eliminate all forms of Cyber Bullying in the learning and workplace environment.

Policy Objectives:

- To emphasise to all students and staff that no form of Cyber Bullying is acceptable.
- To proactively educate staff and students on the signs and evidence of Cyber Bullying and the responsibility individuals have in reporting circumstances to appropriate personnel.
- To ensure Cyber Bullying reported incidents, follow processes to support the victim and provide natural justice to the alleged offender.

Russo Business School has a duty of care to protect all from Cyber Bullying and failure to 'take reasonable care' could amount to charges of negligence being laid and sustained.

## Definitions and Abbreviations

**Bullying** is repeated and unreasonable behaviour directed towards a person or group of people that creates a risk to health and safety:

- **Repeated** behaviour is behaviour which occurs more than once and may involve a range of behaviours over time.
- **Unreasonable** behaviour is behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

The following behaviours do not constitute bullying:

- A single incident of unreasonable behaviour. (However, single or one-off incidents of unreasonable conduct can also cause a risk to health and safety, may breach other University policies and could constitute misconduct.)
- Low level conflict defined as interpersonal conflict or disagreement which is not sufficient to constitute bullying. People can and will disagree with each other.

Reasonable direction and expectations of staff, including as part of performance management procedures.

**Complaint** is a consequence of dissatisfaction with an aspect of a student's studies, student life, the institution or the institution's environment.

**Complainant** is a person lodging a complaint.

**Cyber Bullying** consists of covert, psychological bullying using technology platforms and devices as a means of victimising others. Offenders use the internet or mobile technologies such as email, social media, chat rooms and discussion groups, messaging, web pages or SMS, with the intent of harming another person or persons.

Cyber Bullying activities include repeated messages, negative messaging, sexual and racist harassment, denigration, impersonation, trickery, exclusion and cyber stalking.

**Discrimination** has the same meaning as contained in the Anti-Discrimination Act 1991 (Qld), Age Discrimination Act 2004 (Cth), Disability Discrimination Act 1992 (Cth), Racial Discrimination Act 1975 (Cth), and Sex Discrimination Act 1984 (Cth).

Discrimination, including direct and indirect discrimination, occurs when a person is treated less favourably or harassed in certain areas of life including their employment because of a personal characteristic or attribute, whether real or imputed, including the setting of a requirement, condition or practice that is unreasonable and that people with a particular characteristic cannot meet.

The grounds for which a complaint may be made under this policy include discrimination and harassment based on one or more of the following characteristics:

- Sex or gender
- Relationship status, pregnancy, breastfeeding, parental status and family responsibility
- Sexuality or gender identity
- Disability or impairment
- Race, accent, colour, national or ethnic origin, nationality, ethnicity, descent or ancestry, or immigration
- Age
- Religious or political belief or activity
- Trade union activity
- Lawful sexual activity, or
- Personal association with or relation to any person who is identified on the basis of any of the above attributes.

Discrimination can be on the basis of direct or indirect discrimination:

- Direct discrimination on the basis of an attribute happens if a person treats, or proposes to treat, a person with an attribute less favourably than another person without the attribute is or would be treated in circumstances that are the same or not materially different.
- Indirect discrimination on the basis of an attribute happens if a person imposes, or proposes to impose, a term:
  - With which a person with an attribute does not or is not able to comply, and
  - With which a higher proportion of people without the attribute comply or are able to comply, and
  - That is not reasonable.

**Duty of care** requires all Staff, Affiliates and Students to take reasonable care in order to avoid reasonably foreseeable harm that may arise. The safety and wellbeing of Staff, Affiliates, Students and visitors is the first priority in any situation.

**Harassment** occurs when a person, or a group of people, is intimidated, insulted or humiliated because of one or more characteristics, or from working in a hostile or intimidating environment that makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances. Harassment can arise as the result of a single incident as well as repeated incidents (for example, hazing). See further definition of Sexual Harassment below.

## Policy

Russo Business School (RBS) is committed to ensuring the safety and wellbeing of all students and staff, so they can learn and work in an environment that is free from discrimination, harassment and Cyber Bullying. RBS requires all stakeholder in its community to be professional and respectful when using computing systems to communicate with others.

RBS will take a broad approach to dealing with Cyber Bullying no matter where the student learns or staff member works.

RBS will have in place, proactive strategies to: educate and support students and staff to cope, be assertive, enhance social skills, and counselling to adjust poor behaviours:

- RBS confirms that it does not condone use of its computing services and systems in a way that may be considered offensive, defamatory, obscene or harassing, including, but not limited to, sexual images, jokes and comments, racial or gender-specific slurs, comments, images or jokes, or any other comments, jokes, or images that would be expected to offend someone based on their physical or mental disability, age, religion, marital status, sexual orientation, political beliefs, veteran status, national origin or ancestry, or any other category protected by national or international, federal, regional, provincial, state or local laws.
- RBS may block access to any inappropriate content. If staff or students find themselves connected accidentally to a website that contains sexually explicit or offensive content, they must disconnect from that website immediately, whether or not RBS has blocked access to that content.
- In particular no student shall access, view, possess, control, acquire, supply, display, depict or otherwise deal with any material which is capable of being classified as child pornography.
- A breach of this subsection is considered to be gross misconduct and will trigger disciplinary action that may result in dismissal.
- RBS's Cyber Security policy will be provided to students at orientation and in their student handbook and to new staff on induction and accessible via the intranet.
- The RBS leadership team will investigate and document all complaints providing support and counselling to victims and alleged offenders.
- RBS will raise student awareness of Cyber Bullying and provide opportunities for group discussions and peer support.
- Professional development will be provided to all staff, ensuring they have the skills to address classroom behaviours and situations.
- Where it is determined that an investigation of situations where there is evidence of libel, slander harassment of any other person in violation of the RBS Student Code of Conduct Policy the individual would be subject to formal disciplinary processes.
- Where disciplinary action is required, RBS will follow its Critical Incident policy.
- Both bullies and victims will be offered counselling and support

All Staff are responsible for:

- Providing and maintaining the workplace is free from Cyber Bullying
- Ensuring all Cyber Bullying procedures are implemented within their area of responsibility
- Actively promoting and being involved in those procedures
- Actively support victims of Cyber Bullying
- Ensure alleged offenders are treated under the principals of natural justice
- Providing the resources and education to students and staff to meet SRI's commitment
- Completing and retaining records and reporting on incidents

## Related legislation and standards to be read in conjunction with

[Educational Services for Overseas Students Act 2000 \(ESOS Act\)](#)  
[Higher Education Standards Framework \(Threshold Standards\) 2021](#)  
[Higher Education Support Act 2003 \(HESA\)](#)  
[Information Privacy Act 2019 \(QLD\)](#)  
[National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)  
[Privacy Act 1988](#)  
[Privacy Amendment \(Enhancing Privacy Protection\) Act 2012](#)  
[Tertiary Education Quality and Standards Agency Act 2011 \(TEQSA Act 2011\)](#)

## Related documents to be read in conjunction with

### **Policies**

[Sarina Russo Group Electronic Use Policy](#)  
[Sarina Russo Group Policies, and Standards related to Information Security](#)  
[Sarina Russo Group Info Byte Series](#)  
*RBS Student Code of Conduct*  
*RBS Staff Code of Conduct*  
*RBS Critical Incident Policy and Procedure*  
*RBS Privacy Policy*  
*RBS Student Complaints & Appeals Policy and Procedure*

## Delegation

Delegated Authority - Position	Delegated Authority - Name	Delegation
Learning and Teaching Committee		As per Terms of Reference
Risk Management and Compliance Committee		As per Terms of Reference
Dean, Academic Operations	Dr Ashley Orth	As per Accountability Statement
Academic Manager – Diploma Programs	Jennifer AH-Fock	As per Accountability Statement
Student Services	Shirley Jones	As per Accountability Statement
Chief Information Security Officer (CISO)	Miguel Flores Rubio	As per Accountability Statement

**Version control**

Policy & Procedure Version No	Policy & Procedure Sponsor	Approval Authority	Date of Approval	Date for next review
1/2022	Chief Executive Officer	Board of Directors	14/06/2022	14/06/2024