

Harassment, Bullying and Discrimination Policy



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PO Box 1253
Noosa Heads
QLD 4561

ABN 56 101 826 779

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1 . Scope

This policy applies to all members of the Iyengar Yoga Association (IYA).

2 . Member Rights and Responsibilities in Relation to Discrimination and Harassment

All members of the IYA are entitled to practice Iyengar yoga free from harassment, bullying, and discrimination. All teachers are similarly entitled to teach Iyengar yoga free from harassment bullying, and discrimination.

Harassment includes sexual harassment.

Any person is entitled to raise issues or to make an enquiry or complaint to the Ethical and Trademarks Committee (ETC) about the conduct of a member of the IYA - including in relation to a breach of this policy - without being victimised.

All members of the IYA must:

- follow the standards of behaviour outlined in this policy;
- offer support to other members who experience harassment, bullying, and discrimination; and
- treat other members with dignity, courtesy and respect including in accordance with this policy.

3 . Unacceptable Conduct

Harassment, bullying, and discrimination is considered by the IYA to be unacceptable conduct and will not be tolerated.

Members of the IYA, who are not teachers and who are found to have engaged in such conduct may be subject to a range of outcomes including suspension from the IYA and expulsion from the IYA.

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Members of the IYA, who are teachers (including trainee teachers) and who are found to have engaged in such conduct will be in breach of the Teachers Code of Conduct. These teachers may be sanctioned by the Ethics & Trademarks Committee (ETC) in accordance with the Complaints Handling Procedure.

Where appropriate, a person who complains about harassment, bullying, and/or discrimination by a member of the IYA (including a teacher) will also be invited to obtain legal advice about their options under Commonwealth and State laws that forbid such conduct.

3.1 Discrimination

Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law, such as sex, age, race or disability.

Discrimination can occur:

Directly, when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic (see the list below).

Indirectly, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging a person with a personal characteristic (see the list below).

Protected personal characteristics include:

- a disability, disease or injury;
- parental status or status as a carer;
- race, colour, descent, national origin, or ethnic background;

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- age, whether young or old, or because of age in general;
- sex;
- industrial activity, including being a member of an industrial organisation like a trade union or taking part in industrial activity, or deciding not to join a union;
- religious belief;
- pregnancy and breastfeeding;
- sexual orientation, intersex status or gender identity, including gay, lesbian, bisexual, transsexual, transgender and heterosexual;
- marital status, whether married, divorced, unmarried or in a de facto relationship or same sex relationship;
- political opinion or belief;
- social origin;
- medical record;
- an association with someone who has, or is assumed to have, one of these characteristics, such as being the parent of a child with a disability.

Discrimination is unacceptable to the IYA and may also be in breach of Australian Commonwealth and State laws.

A teacher does, however, have the right not to teach anyone whom they feel unqualified to teach by reason of their level of training, skills and experience.

3.2 Bullying

Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal,

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physical and/or social misbehaviour that intends to cause physical or psychological harm.

Bullying can take many forms, including by verbal and electronic communication.

Behaviours that may constitute bullying include:

- demeaning language;
- aggressive or intimidating conduct;
- isolation and exclusion;
- inappropriate blaming or humiliating comments;
- ongoing unconstructive criticism; and
- spreading malicious rumours;

Bullying is unacceptable to the IYA and may also be in breach of Australian Commonwealth and State laws.

3.3 Sexual Harassment

Sexual harassment is a specific and serious form of harassment. It is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, spoken or written.

It can include:

- comments about a person's private life or their appearance;
- sexually suggestive behaviour, such as leering or staring;
- brushing up against someone, touching without consent, fondling or hugging;

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- sexually suggestive comments or jokes;
- a sexual advance or a request for sexual favours;
- sending sexually explicit emails or text messages;
- ‘grooming’ behaviour, which means behaving in a way towards another that lays the groundwork for inappropriate sexual contact.
- behaviour that may also be considered an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Just because someone does not object to inappropriate behaviour at the time does not mean that the person is consenting to that behaviour.

A single incident is enough to constitute sexual harassment. It does not have to be repeated.

3.4 Victimization

Victimization in this context is where a member of the IYA threatens, harasses, intimidates or abuses another person because that person made a complaint about the member’s conduct, including to the ETC.

It is also victimisation for a member to threaten, harass, intimidate or abuse another person (such as a witness) who may be involved in the investigation of a complaint by the ETC.

Victimization is unacceptable to the IYA and may also be in breach of Australian Commonwealth and State laws.

4. More Information

Any query about this policy should be directed to the ETC via ethics_cm@iyengaryoga.asn.au.

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5. Adoption of Policy

This policy was adopted by IYA on 14 February 2019.

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