

ACAM Bullying and Harassment Policy

**POLICY NUMBER/
REFERENCE:** 10-250723

POLICY TITLE: ACAM Bullying and Harassment Policy

POLICY STATEMENT:

ACAM CPD Home membership is available to non-exempt medical practitioners in Australia at www.acam.org.au. It is not limited to members and fellows of ACAM but is open to those whose academic and clinical practice are aligned with the Australasian College of Aesthetic Medicine.

Objective

ACAM CPD Home aims to prevent prospective subscribers, members, fellows, and course merchant provides and their representatives from experiencing any form of discrimination, harassment, bullying or victimisation in their engagements with us.

DEFINITIONS:

Background

ACAM CPD Home is committed to fairness and equity whilst providing our prospective subscribers, member, fellows, and course merchant representatives a safe environment to: engage in the activities provided by CPD Home to support subscribers with:

- undertaking meaningful professional development.
- meeting their Continuing Professional Development (CPD) requirements under the Medical Board of Australia (MBA) Registration Standard: Continuing Professional Development (the Standard); and
- demonstrating that they have done so should they be audited by the MBA; and
- work with CPD Home in providing learning content for our subscribers to access.

ACAM CPD Home is committed to providing prospective subscribers, and representatives of prospective or certified learning providers a safe, respectful environment for engaging with our services free from all forms of discrimination, bullying, victimisation and harassment.

Purpose

The purpose of this policy is to:

- outline ACAM CPD Home's intolerance of, and legal obligations, when it comes to all forms of discrimination, bullying, victimisation and sexual harassment; and
- outline the process to be followed should a prospective subscriber, member, fellow; our course merchant provider representative feel that they are subject to discrimination, harassment, bullying or victimisation from within the CPD Home community.



Scope

This policy applies to:

- all ACAM CPD Home representatives, which for the purpose of this policy includes contractors or individuals who enter particular relationships with the ACAM CPD Home.
- ACAM CPD Advisory Panel members.
- how ACAM CPD Home provides services to subscribers and learning providers.
- all aspects of supporting subscribers to manage and meet their ACAM CPD requirements.
- all aspects of working with learning providers to facilitate access to their learning activities; and

All interactions between ACAM CPD Home representatives or ACAM CPD Advisory Panel members with any prospective subscriber, member, fellow or course merchant provider whether in person, via digital technology, or at a ACAM CPD Home work related event.

It does not apply to actions taken by ACAM CPD Home representatives when seeking to:

- support subscribers, members or fellows who have been identified in quarterly audits as being at risk of not completing their ACAM CPD requirements for the ACAM CPD Year;
- contact subscribers regarding any overdue payments;
- advise subscribers if likely to be classified as non-participating;
- initially advise prospective learning providers of ACAM CPD Home certification, accrediting, listing services; and hosting services we provide; and
- contact learning providers regarding any overdue payments.

Defining harassment

Harassment is viewed as uninvited or unwelcome behaviour that offends, serves, humiliates, or intimidates another person, whether that effect is intended.

Harassment may be overt or implied; it may be direct or may be imposed by indirect means. It may be an isolated incident or may be repeated. It may be unintentional. Harassment can include threatening, degrading, or intimidating behaviour, abuse of power or position, isolation, discrimination, sexual and/or racial harassment and to debase or corrupt.

Defining sexual harassment

Sexual harassment is any behaviour of a sexual nature, which is unwelcome, or could be expected to make a person feel offended, humiliated, or intimidated.

Sexual harassment can be physical, spoken or written. It may involve a single incident or a series of incidents.



ACAM CPD Home has a responsibility to protect its prospective subscribers, members, fellows, and course merchant providers from sexual harassment when engaging with ACAM CPD Home representatives and decision makers.

Sexual harassment may include, but is not limited to:

- physical contact – e.g., touching, patting, pinching, kissing or embracing someone;
- verbal comments – e.g., innuendo, crude jokes, suggestive comments about someone’s appearance or body, persistently inviting someone out, unwelcome questions about a person’s private life or requests of a sexual nature; or
- non-verbal actions – e.g., leers, stares, displays of sexually explicit material, offensive body and hand movements, suggestive letters and drawings including email, indecent exposure, or stalking.

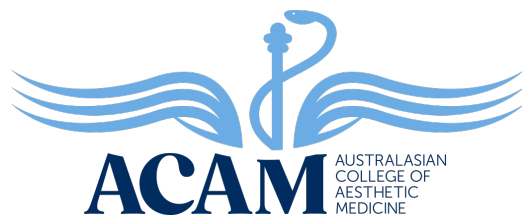
Sexual harassment is not behaviour which is based on mutual attraction, friendship, or respect. If the interaction is consensual, welcome, invited, reciprocated, and based on mutual respect, it is not sexual harassment. Sexual harassment is not related to mutual attraction or genuine affection between people. Inappropriate behaviour not objected to at the time it occurs should not be construed as consent.

Defining bullying

Bullying is repeated unreasonable behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by a person or persons against another or others during the conducting of CPD Home business that creates a risk to health and safety. It includes behaviour that harms, threatens, victimises, intimidates, offends, degrades, or humiliates a prospective subscriber, subscriber, or representative of a prospective or certified learning provider, possibly in front of others. Behaviours that may constitute bullying include:

- sarcasm and other forms of demeaning language.
- threats, abuse or shouting.
- coercion.
- isolation.
- inappropriate blaming.
- ganging up.
- constant unconstructive criticism.
- deliberately withholding information or equipment that a person needs to engage in ACAM CPD Home services or access their entitlements; and
- unreasonable refusal of applications for special recognition of exceptional circumstances or financial hardship.

Bullying is unacceptable at ACAM CPD Home. It is important to note that reasonable action carried out by a ACAM CPD Home representative, such as advising and offering support to subscribers at risk of not completing their ACAM CPD requirements, does not constitute bullying.



Defining discrimination

Discrimination occurs when a person is treated less favourably than another person because of certain attributes. Under federal and state laws, it is against the law to discriminate against a person (or their association with a relative, friend or colleague) on the grounds of:

- race (including skin colour, descent, ethnic, ethno-religious background, or nationality).
- gender.
- pregnancy.
- transgender status (actual or perceived).
- marital status.
- disability (actual or perceived, past, present, or future).
- carers' responsibilities (actual or perceived).
- homosexuality (actual or perceived); and/or
- age.

Direct discrimination is where someone is treated less favourably because of their sex, age, race, disability, pregnancy, or any of the other grounds covered by anti-discrimination legislation. Indirect discrimination occurs when an unreasonable requirement that is the same for everyone has an effect or result that is, or is likely to, disadvantage the individual because of a personal characteristic protected by law.

Indirect discrimination is not unlawful when the rule or policy is reasonable, having regard to the circumstances of the case. For example, not granting a variation to ACAM CPD requirements for caring responsibilities, which result in a continuous absence from practice of less than six months is not unlawful discrimination.

Defining victimisation

Victimisation is subjecting or threatening to subject someone to a detriment because they have made a complaint, or intend to make a complaint, or helped someone else make a complaint, about sexual harassment or some form of discrimination. Victimisation is against the law and will not be tolerated by ACAM CPD Home.

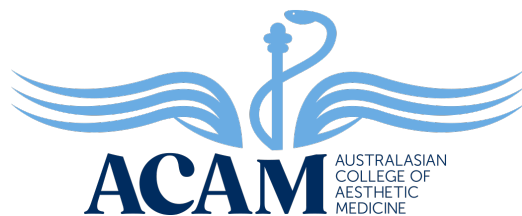
PROCEDURES:

Key Principles

All ACAM CPD Home representatives and CPD Advisory Panel members are required to treat all prospective subscribers, members, fellows, or course merchant providers and ACAM CPD Home course merchant providers with dignity, courtesy, and respect. ACAM CPD Home aims to prevent those with whom ACAM interact from experiencing any form of discrimination, harassment, bullying or victimisation in their engagements with us.

In managing complaints under this policy, we will handle the matter:

- confidentially.
- with sensitivity.
- objectively and without prejudice.



- efficiently and in a timely manner
- transparently, and
- in line with the principles of natural justice.

Roles and Responsibilities

ACAM CPD Home representatives

All ACAM CPD Home representatives (including the Complaints Officer) have a responsibility to comply with the intent of this policy, to offer support to anyone who is being bullied, harassed, or discriminated against to advise them where to obtain help and advice, and to maintain complete confidentiality during any ensuing investigation.

ACAM CPD Home managers

All managers have a leadership role in ensuring the Harassment, Bullying and Discrimination Policy is adhered to, and in taking appropriate action in circumstances where they become aware of existing or possible harassment, bullying or discrimination. Representatives in management positions have a responsibility to monitor the working environment to ensure that appropriate standards of behaviour are always observed and to model appropriate behaviour themselves.

ACAM CPD Home Executive

The ACAM CPD Home Executive have a responsibility to investigate and resolve complaints of bullying, harassment, or discrimination in a sensitive, thorough, confidential, and timely manner, ensuring that complainants are treated fairly.

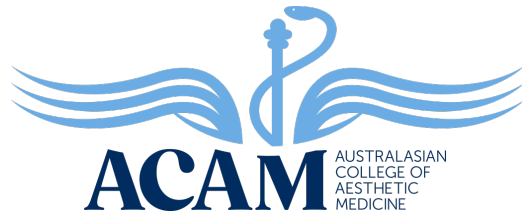
The ACAM CPD Home Executive have a responsibility to investigate and resolve complaints of bullying, harassment, or discrimination in a sensitive, thorough, confidential, and timely manner, ensuring that complainants and witnesses are not victimised.

Action

Making a complaint

Should a prospective subscriber, subscriber, or representative of prospective or certified learning provider believe in good faith that they have been the subject of bullying, harassment, or discrimination they should:

- tell the person involved in a direct, firm, and rational manner that their behaviour is offensive and unacceptable and that you do not want it repeated. *The person may have been unaware their actions have given offence and once they are aware their behaviour is unwelcome, it often stops.*
- tell the person in writing if you are unable to speak to them.
- keep diary notes of all incidents with dates, names and any response made; or
- if the above informal options are not working or appropriate, make a formal complaint via the CPD Home Complaints Portal.



Any complaint received will be treated confidentially by any ACAM CPD Home representative charged with handling the matter.

Resolving a complaint

In most circumstances, complaints can be resolved through informal discussion between the parties concerned, either directly or through the conciliation of ACAM CPD Home Management.

Where a complaint has been made and conciliation of the matter is inappropriate or unsuccessful, a formal process of resolution will be instigated and an investigation in accordance with the principles of natural justice will be conducted. At the conclusion of the investigation, both parties shall be advised of the outcome of the investigation and the reasons for the decision.

AMENDMENTS/REVIEW:

‘Review or Amended by the Management Committee (23 July 2023)’
‘Endorsed by Management Committee (31 July 2023)’

RELATED DOCUMENTS

1. CPD Home Complaints Policy
2. Glossary of Terminology

REFERENCES:

Racial Discrimination Act 1972 (Commonwealth)
Sex Discrimination Act 1984 (Commonwealth)
Racial Hatred Act 1995 (Commonwealth)
Disability Discrimination Act 1992 (Commonwealth)

File: ACAM Policy and Procedural Manual/Policy Manual Complete/Updated Policies/ACAM Bullying and Harassment Policy 10-250723

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