

NMIT BULLYING, DISCRIMINATION AND HARASSMENT POLICY

MOKAMOKA WHAKAAETANGA | APPROVAL DETAILS

Section	People and Culture		
Approval Date	24.02.2026	Sponsor	People and Wellbeing Manager
Next Review	01.01.2027	Approved by	SLT

NGĀ WHAKATIKATIKA | AMENDMENT HISTORY

Version	Effective Date	Created/ Reviewed by	Reason for review / comment
1	01.01.2026	Transition Lead	New

Mō wai me te whānuitanga | Audience and scope

This policy applies to:

- All employees of NMIT, including contracted staff and secondees providing services for NMIT; and those on fixed term contracts (may be collectively referred to as kaimahi in this policy)
- All governors of NMIT, including members and advisors of NMIT Council and governance committees or boards (collectively referred to as governors in this policy).
- All ākonga of NMIT engaged in campus-based learning at any location; and online or remote learning via any mode; and workplace learning, including managed apprenticeships, and encompasses all references to learners, ākonga or students.

The terms “bullying”, “discrimination”, “racism” and “harassment” are used collectively in this policy to encompass a range of behaviours, language, actions and inactions that contravene the standards expected of NMIT kaimahi, governors and ākonga, including:

- Harmful sexual behaviour, including sexual harassment
- Gender-based harassment or discrimination
- Racial harassment
- Racism
- Sexism
- Harassment
- Discrimination
- Bullying, including cyber bullying

Te Pūtaki | Purpose

NMIT commits to providing a safe workplace and promoting an environment for work and study that is free from bullying, discrimination, racism and harassment.

The purpose of this policy is to clarify and reinforce the standards expected of all NMIT kaimahi and ākonga.

Ngā Mātāpono | Principles

Safe, Inclusive Environments

Everyone has the right to be treated fairly in the workplace. NMIT is committed to providing a safe and inclusive environment for all kaimahi that is free from bullying, discrimination, racism and/or harassment, and that supports positive learning experiences for diverse learner groups and individuals.

We aim to create environments and practices that prevent or reduce harm to learners resulting from discrimination, racism (including systemic racism), bullying, harassment and abuse.

Integrity and Conduct

NMIT expects all kaimahi to maintain high standards of integrity, professional conduct, and a commitment to the public interest and the wellbeing of students.

Our Values

NMIT values guide our behaviour as an organisation and establish a foundation for how we all work as part of the NMIT community.

Ākonga and kaimahi alike have an individual and collective responsibility to behave in ways that uphold our values and maintain integrity and quality in everything we do.

Kaupapa Here | Policy Statements

Any action or inaction, communication or behaviour that could be reasonably interpreted as bullying, discrimination and/or harassment will be managed under this policy, the relevant charter and/or code of conduct, and the relevant problem resolution procedures.

If a complaint of bullying, discrimination or harassment is made, NMIT will act promptly to address the matter.

Kaimahi who experience bullying, discrimination, racism or harassment are encouraged to raise concerns as soon as possible after the behaviour of concern occurs.

Wherever possible and appropriate, kaimahi and ākonga are encouraged to take actions that seek to resolve concerns informally, eg. by:

- talking to a trusted person (eg. a colleague, or fellow student) about the concerns.
- speaking directly to the person whose behaviour is causing the problem
- speaking to a tutor, manager or other person in authority with a view to facilitated, low-level resolution
- seeking guidance from the People and Wellbeing team (kaimahi)
- seeking guidance from learner support services or SANITI staff (ākonga)

Or formally, by:

- escalating the concern by way of formal complaint
- discussion with the Police, if the situation is serious enough.

Where an employee is found to have bullied, discriminated against or harassed another employee, client, customer, service provider, learner or any other person with whom there is a business connection with NMIT, this could lead to disciplinary action up to and including dismissal without notice.

Where a contractor or consultant is found to have bullied, discriminated against or harassed another employee, client, customer, service provider, learner or any other person with whom there is a business connection with NMIT, this could lead to the termination of their engagement.

Where a learner is found to have bullied, discriminated against or harassed another learner or NMIT staff member, this could lead to the termination of their study contract.

Retaliation, victimisation or discrimination against a complainant will not be tolerated and anyone engaging in such behaviour may be subject to disciplinary action (or termination of engagement in the case of a contractor or consultant). However, if a dishonest or malicious false complaint is made then disciplinary action may be taken against the complainant

Ngā Haepapa | Responsibilities

Role	Responsibilities
All kaimahi	Responsible for ensuring we work in a safe and healthy workplace. Take responsibility for ensuring their own behaviour is free from bullying, discrimination and harassment.
All ākonga	Take responsibility for ensuring their own behaviour is free from bullying, discrimination and harassment.
All managers	Promote a working environment and practices that are free from bullying, discrimination or harassment

Ngā Tikanga | Definitions

Term	Definition
Bullying	<p>Bullying is repeated and unreasonable behaviour directed towards a person or a group of people that can lead to physical or psychological harm. This includes cyberbullying, which is the use of electronic communication to bully, harass or frighten a person, typically by sending messages of an intimidating, embarrassing or threatening nature.</p> <p>Repeated behaviour occurs more than once and can involve a range of actions over time.</p> <p>Unreasonable behaviour means actions that a reasonable person in the same circumstances would see as unreasonable. This includes victimising, humiliating, intimidating or threatening a person.</p> <p>Bullying may also include harassment, discrimination, racism or violence.</p> <p>It can occur in person, through text messaging or online through email, internet chat rooms or other social media channels.</p> <p>Workplace bullying is not:</p> <ul style="list-style-type: none"> • one-off or occasional instances of forgetfulness, rudeness or tactlessness • setting high performance standards • constructive feedback and legitimate advice or peer review • a manager or tutor requiring reasonable verbal or written work instructions to be carried out • warning or disciplining staff or students in line with the Code of Conduct • a single incident of unreasonable behaviour • reasonable management actions delivered in a reasonable way • difference in opinion or personality clashes that do not escalate into bullying harassment or violence.

Discrimination	<p>Discrimination may occur when a person is treated unfairly or less favourably than another person in the same or similar circumstances, because of a prohibited ground such as their sex, colour, religious belief, race, marital status, ethnic or national origins, family status, ethical belief, sexual orientation, political opinion, age, employment status or disability.</p> <p>It is behaviour that excludes or restricts a person or group from opportunities that are available to others.</p>
Harassment	<p>Harassment is unreasonable or unwelcome conduct that is offensive, humiliating or intimidating to any other person and is either repeated, or of such significant nature that it has a detrimental effect on the person, their performance or their work and study environment.</p> <p>Harassment can be spoken, written, visual or physical acts. Examples of harassment can include:</p> <ul style="list-style-type: none"> • Hostile or offensive comments • Preventing or hindering access to the workplace, campus or classroom • Persistent following, watching, loitering near or accosting an employee or student • Giving offensive material to an employee or student or leaving it where it will be found by, given to, or brought to their attention • Perpetrating and circulating persistent and malicious gossip about an employee or student • Interfering with an employee's or student's property.
Racial harassment	<p>Racial harassment is the use of language, or visual material or physical behaviour that expresses hostility against, or brings into contempt or ridicule, any other person on the ground of the colour, race, or ethnic or national origins of that person; is hurtful or offensive; and is either repeated or serious enough to have a detrimental effect on a person in one of the areas specified by the Human Rights Act 1993, e.g. the provision of education, accommodation and employment.</p>
Racism	<p>The process by which systems and policies, actions and attitudes create inequitable opportunities and outcomes for people based on race.</p>
Sexism	<p>The process by which systems and policies, actions and attitudes create inequitable opportunities and outcomes for people based on sex or gender.</p>
Harmful sexual behaviour	<p>Encapsulates the full spectrum of behaviours and issues relating to sexual misconduct, including such behaviours as sexual harassment, coercion, sexual harm, sexual assault, sexual violence, and retaliation.</p> <p>Harmful sexual behaviours are unwelcome or offensive sexual behaviours that are significant enough to have a harmful effect on an individual's wellbeing.</p> <p>Harmful sexual behaviours can occur in the physical or digital environment.</p>
Sexual harassment	<p>Sexual harassment is:</p> <ul style="list-style-type: none"> • any unwelcome or offensive behaviour of a sexual nature that has a harmful effect on the employee's employment, job performance or job satisfaction, or a student's enrolment, performance, or positive engagement in learning • a request (direct or indirect) which contains an implied or overt promise of preferential treatment or an implied threat of detrimental treatment. <p>Behaviour does not need to be repeated to be sexual harassment. Examples of sexual harassment include:</p>

	<ul style="list-style-type: none"> • Offensive sexual remarks or jokes • Unwelcome touching, patting or pinching • Regular hassling for a date • Being followed home • Sexually offensive images at work including screen savers of a sexual nature • Intrusive questions about your sex life. <p>Sexual harassment can happen at any time and can be spoken, written, visual or physical acts.</p> <p>Harassment (including sexual harassment) is not:</p> <ul style="list-style-type: none"> • Behaviour based on mutual attraction, including the development of relationships • Occasional and appropriate comments on a person’s appearance • Appropriate performance management and feedback.
Gender-based harassment	<p>Gender-based harassment describes a wide range of behaviour based on gender stereotypes, sexual orientation, or gender identity.</p> <p>Such behaviour includes verbal, physical, visual, or digital actions which demean, belittle, or threaten a person. It does not necessarily suggest sexual interest or intent; it is often about making a person feel unwelcome, uncomfortable, inferior, or vulnerable.</p>

Ngā Hononga ki Tuhinga kē | Links to other documents

NGĀ KAUPAPA-HERE E HANGAI ANA | RELATED POLICIES

NMIT Kaimahi Code of Conduct
NMIT Student Charter and Student Rules

NGĀ TUKANGA ME NGĀ HĀTEPE | RELATED PROCESSES, PROCEDURES

NMIT Bullying, Discrimination and Harassment Procedure

TURE WHAI TAKE | RELEVANT LEGISLATION

[Harassment Act 1997](#)
[Employment Relations Act 2000](#)
[Health and Safety at Work Act 2015](#)
[Human Rights Act 1993](#)
[Harmful Digital Communications Act 2015](#)
[Education \(Pastoral Care of Tertiary and International Learners\) Code of Practice 2021](#)

NGĀ TAPIRITANA | APPENDICES