



1. OBJECTIVE

To maintain a positive, constructive and healthy workplace culture free from the negative impacts of workplace bullying.

Wujal Wujal Aboriginal Shire Council (Council) is committed to ensuring that workplace bullying does not occur, but in the event that it does, Council will treat reports seriously and respond promptly, impartially and confidentially.

2. SCOPE

This Policy applies to all employees, contractors and volunteers, who perform work for or on behalf of Council. It applies to all employees in all their work-related interactions with each other, and with customers or contacts. Any reference to staff or employee is to be taken as a reference to a contractor or volunteer.

3. EXPECTED WORKPLACE BEHAVIOURS

Under Workplace Health and Safety laws, employees and others at our workplace must take reasonable care that they do not adversely affect the health and safety of others.

Council expects that employees will: -

- behave in a responsible and professional manner
- treat others in the workplace with courtesy and respect
- listen and respond appropriately to the views and concerns of others, and
- be fair and honest in their dealings with others.

This policy applies to behaviours that occur:

- in connection with work, even if it occurs outside normal working hours
- during work activities, for example when dealing with clients
- at work-related events, for example at conferences and work-related social functions, and
- on social media where workers interact with colleagues or clients and their actions may affect them either directly or indirectly.

4. WHAT IS WORKPLACE BULLYING?

Safe Work Australia's *Guide for Preventing and Responding to Workplace Bullying* defines workplace bullying as **repeated and unreasonable behaviour** directed towards a worker or a group of workers that **creates a risk to health and safety**.

Repeated behaviour refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

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

Single incidents of unreasonable behaviour can also present a risk to health and safety and will not be tolerated.

Examples of behaviour that may be workplace bullying, whether intentional or unintentional include, but are not limited to:-

- abusive, insulting or offensive language or comments
- aggressive and intimidating conduct
- belittling or humiliating comments
- victimisation
- practical jokes or initiation
- unjustified criticism or complaints
- deliberately excluding someone from work-related activities
- withholding information that is vital for effective work 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 the worker
- spreading misinformation or malicious rumours, and
- changing work arrangements such as rosters and leave to deliberately inconvenience a particular worker or workers

Workplace bullying can be carried out in a variety of ways, including in person, through email, text messages and social media. It can be directed at a single employee or a group of employees and be carried out by one or more workers. It can occur:

- sideways between workers
- downwards from supervisors or managers to workers, or
- upwards from workers to supervisors or managers

5. WHAT IS NOT WORKPLACE BULLYING?

A single incident of unreasonable behaviour is not workplace bullying, however it may have the potential to escalate and should not be ignored.

5.1 Reasonable Management Action

Council may take reasonable management action to effectively direct and control the way work is carried out. These actions are not workplace bullying, if they are carried out in a lawful and reasonable way.

A manager exercising their legitimate authority at work may result in some discomfort for a worker. The question of whether management action is reasonable is determined by considering

the actual management action rather than a worker's perception of it, and where management action involves a significant departure from established policies or procedures, whether the departure was reasonable in the circumstances.

Examples of reasonable management action include:-

- setting realistic and achievable performance goals, standards and deadlines
- fair and appropriate rostering and allocation of working hours
- transferring a worker to another area or role for operational reasons
- deciding not to select a worker for a promotion where a fair and transparent process is followed
- informing a worker about unsatisfactory work performance in an honest, fair and constructive way
- informing a worker about unreasonable behaviour in an objective and confidential way
- implementing organisational changes or restructuring, and
- taking disciplinary action, including suspension or terminating employment where appropriate or justified in the circumstances.

Unlawful harassment, sexual harassment and discrimination are covered under Council's Workplace Harassment, Sexual Harassment and Discrimination Policy.

6. PREVENTION OF WORKPLACE BULLYING

Council recognises that workplace bullying is best dealt with by taking steps to prevent it before it creates a risk to health and safety. Council will work to minimise the risk of workplace bullying by undertaking the following:

- developing a Workplace Bullying Policy and Grievance Policy.
- providing training and information to employees and managers to ensure each are aware of their roles in relation to preventing and responding to workplace bullying, and to ensure that they have the appropriate skills to do so.
- Conducting exit interviews with employees who leave the organisation.
- Monitoring incident reports, workers compensation claims, patterns of absenteeism, sick leave, staff turnover and records of grievances to establish regular patterns or sudden unexplained changes.

7. RESPONDING TO WORKPLACE BULLYING

Council will not tolerate workplace bullying under any circumstances.

In the first instance, only if the employee is comfortable, it may be appropriate for the employee to tell the offender that their behaviour is unacceptable, and that you would like it to stop. If an employee is not comfortable raising the matter directly with the offender, employees should follow the process outlined in Council's Grievance Policy.

If you witness unreasonable behaviour you should bring the matter to the attention of your Manager as a matter of urgency.

Depending on the circumstances surrounding the complaint, it may be necessary for Council to conduct an investigation into the incidents and/or allegations. Investigations will be conducted by an appropriate officer.

Council advocates that at any time during this process employees can contact the Employee Assistance Program (EAP). Information regarding Council's EAP, including contact details can be found (intranet, staff notice boards, by contacting ???).

8. BREACH OF THE POLICY

Suspected breaches of this Policy will be investigated and dealt with in accordance with the process in Council's Grievance Policy. All suspected breaches will be dealt with on a case by case basis. Depending on the severity of the breach, Council may take formal disciplinary action against the employee, up to and including termination of employment. When investigating suspected breaches, the principles of natural justice will apply.

9. RELEVANT LEGISLATION

- *Workplace Health & Safety Act 2011*
- *Safe Work Australia Guide for Preventing and Responding to Workplace Bullying 2016*
- *Industrial Relations Act 2016 (QLD)*
- *Local Government Act 2009 (QLD)*

10. RELATED COUNCIL POLICIES

- Employee Code of Conduct
- Grievance Policy

This Policy is to remain in force until otherwise determined by Council.

Eileen Deemal-Hall
Chief Executive Officer

DATE OF ADOPTION:	(insert)
TIME PERIOD OF REVIEW:	2 Years
DATE OF NEXT REVIEW:	(insert)