



# BULLYING POLICY

Policy number	GEN102	Version	1.0
Drafted by	Secretary	Approved by Committee on	12-Jan 2022
Responsible person	House Manager	Scheduled review date	Jan 2023

## INTRODUCTION

Goonawarra Neighbourhood House Inc. (GNH) believes that all people should work in an environment free from bullying.

Goonawarra Neighbourhood House Inc. understands that workplace bullying is a threat to the health and wellbeing of its' staff, volunteers, and customers.

Accordingly, Goonawarra Neighbourhood House Inc. is committed to eliminating, so far as is reasonably practicable, all forms of workplace bullying by maintaining a culture of openness, support, and accountability.

## PURPOSE

The purpose of this document is to communicate that Goonawarra Neighbourhood House Inc. does not tolerate any form of workplace bullying and to set out the process to be followed should any instances of workplace bullying be reported to the House Manager or Committee of Management.

## DEFINITIONS

**“Bullying”** is repeated and unreasonable behaviour directed towards a person or group of persons that creates a risk to health and safety. It includes behaviour that could be expected to intimidate, offend, degrade, humiliate, undermine and/or threaten.

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

**“Unreasonable behaviour”** is behaviour that a reasonable person, having considered the circumstances would see as unreasonable, including behaviour that is victimising, humiliating, intimidating and/or threatening.

Examples of behaviour, whether intentional or unintentional, that may be considered to be workplace bullying if they are repeated, unreasonable and create a risk to health and safety could include but are not limited to:

- abusive, insulting, or offensive language or comments,
- unjustified criticism or complaints,
- deliberately excluding someone from workplace activities,
- withholding information that is vital for effective work performance,
- setting unreasonable timelines or constantly changing deadlines,

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- 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 employee,
- spreading misinformation or malicious rumours, and
- changing work arrangements such as rosters and leave to deliberately inconvenience a particular employee or employees.

Workplace bullying can be carried out in a variety of ways including through email, text, or social media channels.

Workplace bullying can occur between employees (sideways), from managers to employees (downwards), or employees to supervisors/managers (upwards).

Reasonable management action is not considered to be workplace bullying if it is carried out lawfully and reasonably in the circumstances. Examples of reasonable management action include but are not limited to:

- setting reasonable performance goals, standards, and deadlines,
- deciding not to select an employee for a project where a reasonable process is followed,
- informing an employee about unsatisfactory work performance in an honest, fair, open, and constructive way, and
- taking disciplinary action, including suspension, or terminating employment.

Differences of opinion and disagreements are generally not considered to be workplace bullying. The collaboration of ideas and thought is encouraged when done constructively and respectfully.

Bullying that directly inflicts physical pain, harm, or humiliation amounts to assault and will be dealt with as a police matter (see below).

## POLICY

Goonawarra Neighbourhood House Inc. has a duty of care to provide a safe workplace and ensure, so far as is reasonably practicable, that employees and other people are not exposed to health and safety risks. (Occupational Health & Safety Act 2004)

Goonawarra Neighbourhood House Inc. accepts and acts on its' duty of care, acknowledging that any reported allegations of workplace bullying will be promptly, thoroughly, and fairly investigated.

Bullying complaints will be handled in a confidential and procedurally fair manner. Where confidentiality cannot be guaranteed, this will be communicated to the relevant parties.

All parties will be treated with respect.

The person against whom the allegation is made has the right to natural justice (the right to know what is alleged against them, the right to put their case in reply, and the right for any decision to be made by an impartial decision-maker).

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## BULLYING PROCEDURES

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### RESPONSIBILITIES

It is the obligation and responsibility of every person to ensure that the workplace is free from bullying. The responsibility lies with the House Manager, employees, and volunteers to ensure that bullying does not occur in the workplace.

#### All Workers & Volunteers have:

- an entitlement to work in a safe and healthy workplace and to be treated with dignity and respect,
- an entitlement to make a complaint in respect of any bullying behaviour,
- a responsibility to take reasonable care for their health and safety,
- a responsibility to ensure they do not promote or engage in bullying and otherwise take reasonable care that their acts or omissions do not adversely affect the health and safety of other people, and
- a responsibility to co-operate and comply with this policy and any other relevant policy.

#### It is the responsibility of the House Manager, WHS Representative & Committee of Management to ensure that:

- they understand, and are committed to, the right of all employees and volunteers to attend work and perform their duties without fear of being bullied in any form,
- all reasonable steps to eliminate bullying are made so far as is reasonably practicable,
- all applicable occupational health and safety legislation is observed,
- all employees and volunteers are regularly educated and made aware of their obligations and responsibilities concerning providing a workplace free from bullying,
- they provide an environment that discourages bullying, and set an example by their behaviour,
- all complaints are treated seriously and confidentially,
- they are as far as practicable aware of whether bullying is occurring, whether complaints are received or not, relying on such indices as:
  - sudden increases in absenteeism
  - unexplained requests for transfers
  - behavioural changes such as depression or aggression
  - sudden deterioration in work performance,
- they take immediate and appropriate action if they become aware of any bullying or offensive behaviour,
- any reported allegations of workplace bullying are promptly, thoroughly, and fairly investigated,

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- guidance and education are provided, where requested and/or appropriate, to cases and subsequent decisions relating to bullying,
- ongoing support and guidance are provided to management, employees and volunteers concerning the prevention of bullying, and
- this policy is displayed in the workplace and easily accessible to all workers and volunteers.

## **PROCEDURES**

### **COMPLAINTS PROCEDURES**

If an employee or volunteer feels comfortable in doing so, it is preferable to raise the issue with the person directly to resolve the issue by discussion. The employee or volunteer should identify the offensive behaviour, explain that the behaviour is unwelcome and offensive and ask that the behaviour stops.

If the behaviour continues, or if the employee or volunteer feels unable to speak to the person(s) directly, they should contact their supervisor, manager, or a member of the Committee of Management with whom they feel comfortable. The manager or committee member will provide support and ascertain the nature of the complaint.

### **INFORMAL INTERVENTION**

The Manager will explain the rights and responsibilities of the employee or volunteer under the GEN103 Misconduct Policy.

Informal intervention may be done through a process of either mediation or conciliation. During an informal intervention, the respondent will be made aware of the allegations being made against them and given the right to respond. Interventions at this stage should adopt a confidential, non-confrontational approach to resolve the issue.

This procedure will be complete when the alleged harasser respects the individual's request to cease unwanted and unwelcome behaviour, or when the complainant accepts that the behaviour is not properly defined as bullying. If neither of these outcomes occurs, the organisation's formal procedure should be followed.

### **FORMAL COMPLAINTS PROCEDURE**

The formal complaint procedure involves a formal investigation of the complaint. Formal investigations may be conducted internally by the Committee of Management or by an external investigator appointed by the Committee of Management if deemed appropriate.

An investigation involves collecting information about the complaint and then making a finding based on the available information as to whether the alleged behaviour occurred. Once a finding is made, the investigator will make recommendations about resolving the complaint.

The investigator may need to interview the parties involved (which may include the complainant, the respondent, and any witnesses) to obtain information regarding the complaint. The investigator will comprehensively and accurately document all information

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obtained during the interviews including the parties involved, timing, location, and nature of conduct complained against.

If the investigator considers it appropriate for the safe and efficient conduct of an investigation, they may recommend the employee which the allegation has been made against being stood down from work, in which case they will be paid their normal pay during any such period.

Throughout the investigation process, all parties involved in the investigation will be regularly kept informed about the investigation.

The findings as to whether bullying has occurred will be determined based on the evidence, and the balance of probabilities.

Based on the findings, possible outcomes of the investigation may include, but will not be limited to, any combination of the following:

- Counselling, through the NHVic EAP.
- Disciplinary action (including and up to termination of employment)
- Official Written Warning
- A formal apology and/or an undertaking that the behaviour will cease
- Mediation by a third party, where the parties to the complaint agree to a mutually acceptable resolution.

On completion of the investigation, all parties will be informed about the investigation findings and the outcome of the investigation.

Following an investigation concerning a bullying complaint (irrespective of the findings), the House Manager will:

- consult with the parties involved to monitor the situation and their wellbeing; and
- educate and remind all employees and volunteers of their obligations and responsibilities concerning providing a workplace free from bullying
- Provide ongoing reports to the Committee of Management, for a period of time, as deemed appropriate.

## **PROCEDURES FOR DEALING WITH CRIMINAL CONDUCT**

Some forms of severe bullying (physical attack, for example) may constitute criminal conduct. Whilst Goonawarra Neighbourhood House Inc. is committed to treating most complaints about bullying at an organisational level as far as legally possible, these types of conduct are not suited to the internal resolution process. Such complaints will be referred to Victoria Police for investigation. It is the organisations' duty of care to report such matters to Victoria Police on behalf of the complainant.

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## RELATED DOCUMENTS

- Anti-Discrimination Policy
- Equal Opportunity Policy
- Misconduct Policy

## AUTHORISATION

A handwritten signature in black ink, appearing to read "Lockie Flenley".

Lockie Flenley

Secretary  
Goonawarra Neighbourhood House Inc.

A handwritten signature in black ink, appearing to read "Andrew Gould".

Andrew Gould

Chairperson  
Goonawarra Neighbourhood House Inc.

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