

Workplace Bullying
 Policy Number: P012

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Related Policies	

Purpose

MNCCC is committed to providing a safe and healthy workplace where all workers and others are treated fairly, with dignity and respect. Bullying is a risk to health and safety in the workplace. It is unacceptable and will not be tolerated by MNCCC under any circumstances.

This policy outlines MNCCC's commitment to a safer workplace and is aimed at ensuring, so far as it reasonably practicable, that workers are not subjected to any form of bullying while at work. It also details the legal responsibilities of Management and workers in relation to preventing bullying in the workplace.

Commencement of Policy

This policy will commence on 1 May 2014. It replaces all other bullying policies (whether written or not).

Scope

This policy covers all workers and others at MNCCC. It applies to all functions and places that are work related, eg work lunches, conferences, Christmas parties (including those held away from the workplace) and client functions.

Legal Responsibilities

Every person at the workplace has a legal responsibility to prevent bullying and harassment from occurring.

Under current Work Health and Safety Legislation, MNCCC has the primary duty to eliminate or minimise, as far as reasonable practicable, the risks to health and safety at the workplace. This duty includes the implementation of strategies including training, to prevent workplace bullying.

Workers and others are required under Legislation to take reasonable care for their own health and safety, as well as that of others at MNCCC's workplace. Workers and others must also comply with any reasonable instruction given by Management or nominated delegate at MNCCC

What is Workplace Bullying?

Workplace bullying is repeated, unreasonable behaviour, directed towards a worker or a group of workers that creates a risk to health and safety. It includes both physical and psychological risks and abuse.

Repeated behaviour - refers to the persistent nature of the behaviour and can refer to a range or pattern of behaviours over a period of time (eg verbal abuse, unreasonable criticism, isolation and subsequently being denied opportunities — i.e. a pattern is being established from a series of events).

Unreasonable behaviour - means behaviour that a "reasonable person", having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten another person.

Examples of Workplace Bullying

Bullying behaviours can take many different forms, from the obvious (direct) to the more subtle (indirect). The following are examples of both direct and indirect bullying.

Direct bullying includes but is not restricted to:

- Verbal abuse
- Putting someone down
- Spreading rumours or innuendo
- Displaying offensive material
- Interfering with someone's personal property or work equipment

Indirect bullying includes but is not restricted to:

- Unjustified criticism or complaints
- Deliberately excluding someone from workplace activities
- Deliberately denying access to information or other resources
- Withholding information that is vital for effective work performance
- Setting tasks that are unreasonably above or below a worker's ability

- Deliberately changing work arrangements, such as rosters and leave, to inconvenience a particular worker or workers
- Excessive scrutiny at work
- A single incident of unreasonable behaviour does not usually constitute bullying. However, it should not be ignored as it may have the potential to escalate into bullying behaviour.
- A person's intention is irrelevant when determining if bullying has occurred. Bullying can occur unintentionally, where actions which are not intended to victimise, humiliate, undermine or threaten a person actually have that effect.
- Bullying in the workplace is harmful not only to the target/s of the behaviour but damages the culture and reputation of MNCCC. It is unacceptable and will not be tolerated.

What does not Constitute Workplace Bullying?

Managing workers does not constitute bullying, if it is done in a reasonable manner. Management has the right, and are obliged to, manage their workers. This includes directing the way in which work is performed, undertaking performance reviews and providing feedback (even if negative) and disciplining and counselling staff.

Examples of reasonable Management practices include but are not restricted to:

- Setting performance goals, standards and deadlines
- Allocating work fairly to a worker
- Rostering and allocating work hours
- Transferring a workplace participant for legitimate and explained operational reasons
- Transferring a worker to another role and/or work area
- Deciding not to select a worker for promotion
- Informing a workplace participant about inappropriate behaviour
- Implementing organisational change
- Performance Management processes
- Constructive feedback

Steps to prevent Workplace Bullying

MNCCC will take all reasonable steps to prevent bullying through a risk Management process.

This process will include, but is not limited to:

- Identification of bullying risk factors — these are things and situations which could contribute to bullying such as the way in which workers are managed, or organisational change such as redundancies (refer to the common risk factors set out below)
- Assessment of the likelihood of bullying occurring from the risk factors identified and their potential impact on the workplace participants or workplace
- Eliminating the risks, as far as reasonably practicable, or controlling, or minimising, them as far as reasonably practicable

- Reviewing the effectiveness of the control methods put in place and the process generally
- Training of Management and workers about bullying, how to deal with it and its impact on the workplace
- Where considered appropriate by Management, signing a copy of this document as an acknowledgement of understanding and acceptance of the content and implications

Common Risk Factors which may lead to Bullying

Bullying may result from a number of different factors in a workplace, from the general culture to poor Management skills and/or attitudes. Some risk factors which make bullying more likely to occur are:

- Organisational change
- The culture
- Negative leadership styles
- Inappropriate systems of work

- Poor work relationships
- Workforce characteristics

Management will consider these factors when undertaking its risk Management process.

Complaint Procedure

If a worker feels that they have been bullied, they should not ignore it.

Options:

- Should a worker/s feel bullied they may approach the alleged perpetrator/s and indicate that they find their action inappropriate and request they cease the bullying action immediately. This is an option only.
- If a worker/s feel they have been bullied the matter should be reported to the CEO. Should the worker/s not feel comfortable with reporting to this person, they should report the matter to another Manager or member of the Board with whom they feel comfortable. Preferably the recipient should document the complaint.

An investigation should take place as soon as possible including interviewing the parties involved and keeping suitable records of events and interviews. Subject to the outcome of the investigation, a suitably authorised person will take the appropriate action.

Management's Role

Managers and Supervisors have a key role in identifying and the preventing workplace bullying.

Managers and Supervisors must:

- Ensure that they do not bully workers, Managers, Supervisors or others
- Ensure that they do not participate in or encourage other workers to engage in bullying behaviour
- Ensure all workers who report to them are aware and understand this policy and their responsibility to comply
- Ensure that all workers who report to them understand that any bullying in any form is unacceptable and will not be tolerated by Management
- Act promptly and appropriately if they observe bullying behaviours
- Ensure that all workers who are reportable to them understand that they should report any bullying behaviour
- Ensure all workers who are reportable to them are aware and understand the complaint procedures
- Act promptly if a complaint is made. If this is not possible, or is inappropriate, inform the worker as soon as possible.

Workers Role

All workers must:

- Understand and comply with this policy
- Sign an acknowledgement of this policy
- Ensure workers do not engage in or promote any conduct which may constitute bullying towards workers or others with whom they come into contact through work
- Ensure they do not participate in, or encourage other persons to engage in bullying behaviour
- Follow MNCCC's complaint procedure if they experience bullying
- Report any bullying they see occurring to anyone in the workplace in accordance with this policy
- Maintain confidentiality if they are involved in the incident which has been reported

Breach of this Policy

MNCCC takes very seriously its commitment to provide a safe and healthy work environment, free from bullying. All Management and workers are required to comply with this policy.

If Management or a worker breaches this policy, they may be subject to disciplinary action. In serious cases this may include termination of employment. Agents and contractors (including temporary contractors) who are found to have breached this Policy may have their contracts with MNCCC terminated or not renewed.

If a person makes a false complaint, or a complaint in bad faith (eg. making up a complaint to get someone else in trouble, or making a complaint where there is no foundation for the complaint), that person may be subject to disciplinary action, subject to severity including dismissal.

More Information

If a workplace participant is unsure about any matter covered by this policy, or requires more information about workplace bullying they should seek the assistance of the CEO, or a member of the Board.

Review

This procedure will be reviewed as deemed necessary, through consultation with workers, or when legislative requirements change, or in the event of a serious occurrence involving bullying.

Variations

MNCCC reserves the right to vary, replace or terminate this policy from time to time as deemed necessary.

Worker Acknowledgement

I hereby confirm that I have read accept and understood the contents of the Workplace Bullying policy, as provided to me. I also acknowledge that if I do not understand any aspect of its contents and implications, I am required to raise the relevant issue with my immediate Manager/Supervisor.

It is acknowledged that I may be subject to disciplinary consequences if I fail to comply, which may result in the termination of my employment.

Name: _____

Signed: _____

Date: _____

Management
witness: _____

Signed: _____

Date: _____