



## ***Bullying and Harassment Policy***

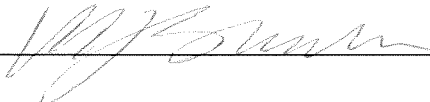
**Club Name:** Blackwood Community Recreation Association Inc.

**Address:** 1 Northcote Road

**CITY:** Eden Hills                      **Postcode:** 5050

**Approved by BCRA Inc.:** MARGOT STRACHAN

**Position held:** PRESIDENT

**Signed:** 

**Date of Approval:** 15 / 2 / 2018

**Last Date of Review:**           /          /          

**Next Date of Review:**           /          /

## 1. POLICY

Blackwood Community Recreation Association Inc. (BCRAI) is committed to providing a workplace that is free from bullying and harassment. Working relationships and standards of behaviour between staff are important workplace issues. The Association has a Code of Conduct which sets out principles for behaviour required in the workplace, supporting that

- all people should be treated with respect and
- all staff should develop awareness about the impact of their behaviour on others.

Further the Association considers it to be a fundamental obligation of all employees to behave appropriately in the workplace.

The Association aims to prevent and eliminate as far as possible, all forms of bullying in the workplace through a culture of openness, support, and accountability.

Bullying is best dealt with by taking steps to prevent it long before it becomes a risk to work health and safety. A risk management approach is adopted to support the prevention of bullying in the workplace. This involves the following steps:

- **Identify:** managers and staff are educated to identify bullying behaviours
- **Assess:** bullying behaviours are not tolerated within the Association so any such behaviour is considered unacceptable and triggers action to be taken to eliminate or mitigate the risks it creates.
- **Control** the risks by eliminating them, or where that is not reasonably practicable, minimising the risk as far as reasonably practicable. This includes education and preventative strategies.
- **Review** the effectiveness of the control measures and the support for workers.

The Association provides education and support to all staff and supervisors to ensure that everyone is aware of what constitutes bullying, how to prevent it and to encourage the reporting of any incidents that constitute bullying so they can be addressed.

## 2. DEFINITIONS

**2.1 Workplace bullying** is repeated, unreasonable behaviour directed towards a worker or a group of workers that creates a risk to work health safety such as:-

- the less favourable treatment of a person by another in the workplace, beyond that which may be considered reasonable and appropriate workplace practice;
- unwelcome and unreasonable behaviour that creates a hostile, uncomfortable, offensive or 'charged' work atmosphere leading to stress;
- misuse of relative and / or assumed power

- 2.1 Unreasonable behaviour** is behaviour that is offensive, humiliating, intimidating, degrading or threatening. It includes, but is not limited to:-
- continual unjustified and unnecessary comments about an employee, their work or capacity for work
  - comments aimed to discredit or undermine an employee or devalue their work
  - continual ignoring or exclusion of an employee or group of employees from normal conversation, work assignments, work-related social activities and networks
  - the making of derogatory or intimidating remarks
  - unreasonable demands and impossible targets
  - phone calls, letters or emails which are threatening, abusive or offensive
  - taking deliberate advantage of a lack of understanding or knowledge due to inexperience
  - constant, intrusive surveillance or monitoring
  - the unnecessary intrusion into the personal relationships of an employee
  - restrictive and petty work rules
  - being intentionally overworked and being forced to stay back or perform additional tasks
  - open or implied threats of demotion, dismissal or disciplinary action
  - emotional blackmail
  - constant criticism or denigration of employee(s) in front of others

**2.3 Repeated Behaviour** refers to the nature of the behaviour, not the specific form of that behaviour. "Repeated unreasonable behaviour" may thus be a pattern of diverse incidents.

**2.4 What is not considered workplace bullying:**

Providing guidance, conducting performance counselling, invoking unsatisfactory performance procedures or misconduct procedures does not in itself constitute bullying. Supervisors and managers are expected to offer constructive advice and comment as part of their role in a way that does not demean or humiliate.

Workplace bullying is not always a simple abuse of power from supervisors to subordinate employees: for example, employees can bully their supervisors, and workplace bullying can occur between members of an ostensibly equal group.

**2.5 Harassment**

Unlawful harassment occurs when someone is made to feel intimidated, insulted or humiliated because of their race, colour, nationality or ethnic origin; gender; disability; sexual preference; or some other characteristic specified under antidiscrimination or human rights legislation.

There does not have to be malicious intent for behaviour to be considered harassment. A single incident of unreasonable behaviour has the potential to escalate into bullying and harassment but must be repeated (occurring more than once) to meet the definition. Note: unreasonable behaviour is not acceptable and may be the basis of disciplinary action.

Examples of harassment behaviour may include but are not limited to the following:-

- Verbal or written abuse
- Intimidation
- Ridicule and put downs
- Unfair and excessive criticism
- Excluding or isolating person
- Threatening a person
- Calling names teasing, insulting or making fun of a person
- Making a person feel afraid and worried
- Giving a person an unreasonable amount of work to do
- Spreading gossip or rumours

## **2.6 Victimization**

Unlawful victimisation is unfairly treating people for complaining or helping other to complain about discrimination or harassment. It is against the law because victimisation punishes people for speaking out or stops them from complaining.

## **3. PROCEDURE**

- 3.1 Any reports of bullying or harassment will be treated seriously and promptly. Complainants have the right to determine how to have a complaint treated, have support or representation throughout the process, and have the option to discontinue a complaint at any stage of the process.
- 3.2 The alleged bully will be given the right to have a support person of their own during any investigation procedures, to have representation and advice throughout the process and to respond fully to any formal allegations made. No presumptions of guilt will be made and no determination reached until a full investigation has been completed.
- 3.3 Depending on the circumstances, staff members who feel they are being bullied may wish to initiate either an informal or formal process aimed at addressing the perceived bullying.

## **3.4 Informal Process**

- Where a staff member at any stage feels they are being bullied they should, if they feel comfortable to do so, approach the perceived bully and state that the behaviour is not acceptable.
- If this is not possible, or if the staff member does not feel comfortable about making such an approach, they should advise their Supervisor of the situation. The

Supervisor may refer the issue to the Centre Manager and following consultation will attempt mediation between the persons concerned.

- If mediation does not resolve the issue to the satisfaction of the complainant, the complainant should consider initiating a formal process.

### **3.5 Formal Process**

- At any time a staff member who feels they are being bullied may choose to lodge a written complaint about this to their Supervisor. The Supervisor concerned must refer the complaint to the Centre Manager.
- If the Supervisor is the perceived bully, the staff member should lodge the written complaint directly with the Centre Manager.
- Following receipt of any written complaint about bullying, the Centre Manager will nominate one or more people to investigate the issues raised. The investigation will be carried out in a fair and timely manner based on the circumstances of the complaint. The person(s) investigating the complaint will interview the complainant and the perceived bully, and may also interview any other relevant parties and view any written records. Staff members who are interviewed will be given the opportunity to have a representative present
- If the investigation finds the complaint is not substantiated, the Centre Manager will advise the findings to both the complainant and the perceived bully. Steps may need to be taken to sensitively determine and deal with any issues that may arise in the future from possible ongoing contact between the complainant and the perceived bully.
- If the investigation finds the complaint is substantiated, the findings will first be reported to the complainant. The person against whom the complaint was made will then be advised that their behaviour constitute misconduct, and that follow-up action will be taken according to Discipline and Termination of Employment Policy.

## **4. RESPONSIBILITIES**

### **4.1 Responsibilities of Managers and Supervisors**

- Managers and Supervisors have a responsibility to provide a safe work environment that enables staff to carry out their work responsibilities free from bullying. This includes investigating complaints of bullying expeditiously, thoroughly and in accordance with due process. Supervisors should be fully aware of the adverse consequences of not dealing with instances of bullying as outlined above.
- Supervisors should be alert to the possibility of workplace bullying and should monitor key indicators such as workplace culture factors, high absenteeism and high staff turnover.
- Supervisors are encouraged to identify training needs for themselves and their staff. It is recommended that supervisors seek advice from the Centre Manager when dealing with actual or potential workplace bullying. Supervisors may also access the Association's Employee Assistance Program in dealing with cases of bullying in the workplace.

#### **4.2 Responsibilities of Staff and Volunteers**

- Staff have a responsibility to ensure that their actions do not negatively affect another staff member's career, health or well-being and are consistent with the Association's values. This includes not condoning bullying by failing to do anything about it, such as raising the matter with the bully or with a supervisor.
- Staff members must not bully another staff member or condone workplace bullying.
- Ideally, staff should attempt to resolve issues of workplace bullying at the local level by:-
  - Raising the issue directly with the person they believe is responsible for bullying. Often, an informal approach can quickly resolve an instance of workplace bullying; or
  - Involving his or her supervisor.
- If the issue is not resolved in this way, a staff member may:
  - Raise the matter with another supervisor
  - Lodge a formal complaint
  - Seek advice from the Centre Manager
  - Seek the assistance of the Association's Employee Assistance Program (EAP)
  - Seek assistance externally, via the Equal Opportunity Commissioner, SafeWork SA or other avenue of their choice

#### **5. REVIEW**

The Association's Board of Management will review this policy regularly to ensure continued suitability and effectiveness.

#### **6. DISSEMINATION**

Each worker will be provided with information about this policy and related policies and procedures as part of their orientation. Copies of all policies and procedures will be stored in the Administration area so they are readily accessible to all staff.

#### **7. FURTHER INFORMATION**

Further information on responsibilities, related procedure and forms is available via the Policy and Procedure manual.

#### **REFERENCES**

Work Health & Safety Act 2012 (SA)

Work Health & Safety Regulations 2012 (SA)

Guide for Preventing and Responding to Workplace Bullying 2013