

**POL 0054**

Workplace Behaviour – Bullying, Harassment (including Sexual) and Occupational Violence Policy

Responsibilities and Delegations	
The Policy Applies To	Administration Staff Support Workers Program Managers, Program Developer, Assistant Program Manager Senior Management Assistant Executive Director Executive Director
Specific Responsibilities	Administration Staff Support Workers Program Managers, Program Developer, Assistant Program Manager Senior Management Assistant Executive Director Executive Director
Policy Approval	Committee of Management (Aurora Support Services)

Policy Context – this policy relates to:	
Standards	NDIS Practice Standards Core Module 1, Rights and Responsibilities – Violence, Abuse, Neglect, Exploitation and Discrimination
Legislation	Australian Human Rights Commission Act 1986 The Equal Opportunity Act 2010 Charter of Human Rights and Responsibilities Act 2006 Racial and Religious Tolerance Act 2001 Zero Tolerance Framework Fairwork Act 2009 Workers Compensation Act 1996 Workplace Relations Act 1996 Mental Health and Wellbeing Act 2022 Work Health and Safety Act 2011 National Disability Insurance Scheme Act 2013
Contractual Obligations	NDIS Terms of Business Aurora Support Services Individual Participant Agreements Continuity of Support Program Funding Agreement Department of Environment, Land, Water and Planning
Organisational Related Policies / Procedures	<ul style="list-style-type: none"> • Behaviours of Concern Policy • Code of Conduct Policy • Compliments and Complaints Management Policy • Employee Professional Standards Policy • Maintaining a Safe Environment Policy • Occupational Health and Safety Policy • Valued Status Policy • Maintaining an Environment Free From Violence, Abuse, Neglect, Exploitation and Discrimination Policy • Incident Reporting and Management Procedure • Internal Investigation Procedure • Performance Management Policy
Organisational Related Forms / Documents	<ul style="list-style-type: none"> • Compliments and Complaints Register • NDIS Commission Incident Management System

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Objectives

This policy ensures all staff and participants are clear regarding what constitutes bullying, harassment (including sexual) and occupational violence and that such behaviour is completely unacceptable and will not be tolerated at Aurora Support Services.

Definitions

Bullying is repeated, unreasonable behaviour, which occurs on or off the premises of Aurora Support Services and is directed toward a member of staff or participant that creates a risk to health and safety.

Bullying can be both obvious (direct) and subtle (indirect).

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- verbal abuse, including swearing or shouting
- abusive or intimidating emails, letters or other forms of electronic or written communication
- assigning impossible tasks or meaningless tasks unrelated to the job
- psychological harassment
- excluding or isolating employees or participants
- deliberately changing work rosters / schedules to inconvenience particular employees or participants
- deliberately withholding information that is vital for effective work performance
- constant criticism or criticizing people in front of others

Harassment (including stalking) is any unwelcomed or unreciprocated behaviour that is reasonably likely in all the circumstances to offend, insult, humiliate or intimidate another person. This does not include disciplinary action taken in accordance with Aurora Support Services relevant policies and procedures.

Sexual Harassment is unwelcomed and unreciprocated conduct of a sexual nature that is reasonably likely in the circumstances to offend, insult, humiliate or intimidate another person.

Unreasonable Behaviour is behaviour that a reasonable person, having regard to all the circumstances, would expect to victimize, humiliate, undermine, threaten, degrade, offend or intimidate another person.

Behaviour includes the actions of individuals or a group using a system of work or inappropriate assertion of power.

Repeated refers to the persistent nature of the behaviour. Behaviour is considered 'repeated' if an established pattern can be identified.

Occupational Violence is any incident where a staff person or participant is threatened or physically attacked by direct or indirect application of force that creates a risk to health and safety with or without consideration of the attacker's intent, including :

- striking, scratching, biting, spitting or any other type of direct physical contact
- throwing objects
- attacking with or without any type of weapon
- pushing, shoving, tripping or grabbing
- any form of indecent physical contact or sexual harassment

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Threat can be a statement or behaviour that causes a person to believe they are in danger of being physically attacked or losing their job/placement.

Risk to Health and Safety includes risk to the mental or physical health of a person.

Policy Principles

The following principles underpin the Bullying, Harassment (including sexual) and Occupational Violence Policy :

- All staff and participants have a responsibility to contribute to a workplace environment based upon safety and mutual support
- All staff and participants have a right to work in a safe and mutually respectful environment
- Positive and supportive staff and participant relations are integral to the effective operation of any community
- All instances of workplace bullying, harassment (including sexual) and occupational violence will be reported
- Aurora Support Services will actively promote staff and participant awareness about the need to avoid bullying, harassment (including sexual) and occupational violence in the workplace
- Effective procedures will exist to respond to issues of bullying, harassment (including sexual) and occupational violence that occur

Policy

Aurora Support Services expects all staff and all participants to treat each other with dignity and respect. Bullying, harassment (including sexual) and occupational violence are unacceptable behaviours at Aurora Support Services.

The organisation is committed to providing a healthy and safe working and learning environment for all staff and participants, free from bullying, harassment (including sexual) and occupational violence.

Any employee or participant who experiences bullying, harassment (including sexual) and occupational violence is encouraged to report it. When bullying, harassment (including sexual) and occupational violence is reported, it will be treated seriously and investigated according to procedures.

Aurora Support Services' resolution process will be flexible and enable a course of action to be taken, which specifically suits the situation reported.

Every manager, staff member and participant has a responsibility to :

- ensure others are aware of and comply with this policy
- treat each staff member and each participant with dignity and respect
- contribute to creating a supportive culture

Bullying, harassment (including sexual) and occupational violence can occur whenever people come together to work or study.

Bullying and Harassment may not be the result of a deliberate intention to offend or distress. It may be the outcome of a genuine lack of awareness on the part of one person or of a group (e.g. where offensive jokes are the norm for the majority who have not realised that their behaviour is offensive to the minority).

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Actions such as offensive or threatening telephone calls, text messages and letters, indecent exposure, assault and rape are criminal offences and are to be dealt with accordingly.

Providing guidance, conducting performance counselling, invoking unsatisfactory performance procedures or misconduct procedures do not constitute bullying.

Examples Of What Is Workplace Bullying	Examples of What Is Not Workplace Bullying
<ul style="list-style-type: none"> • Verbal abuse • Hostile behaviour such as excluding employees from conversations or activities • Abusive or offensive e-mails, social media activity or other correspondence • Unreasonable demands, unnecessary pressure and impossible deadlines targeted at an employee or group of employees • Unfair allocation of tasks and or working hours • Undermining a person's work performance • Deliberately withholding necessary work-related information or resources or supplying incorrect information. 	<ul style="list-style-type: none"> • Genuine and reasonable instructions • Setting reasonable performance goals, standards and deadlines • Informing an employee about inappropriate behaviour in an objective and confidential way • Deciding not to select an employee for promotion where a reasonable process is followed and documented • Making organisational changes or restructuring, with consultation • Constructive comments which are objective and indicate observable deficiencies in performance or conduct • Reasonable grievances • Justified termination of employment

Effects of Bullying and Harassment (including sexual) and Occupational Violence on Staff and Participants

Bullying, harassment (including sexual) and occupational violence can result in absenteeism, reduced staff productivity and motivation, and loss of experienced and skilled staff through resignation.

Bullying, harassment (including sexual) and occupational violence in a learning environment such as Aurora Support Services can result in staff and participants leaving the service or in not performing at their best.

Bullying, harassment (including sexual) and occupational violence may also have significant social and health costs for individuals, including loss of confidence, increased anxiety, depression, loss of sleep, headaches and increased blood pressure.

Bullying, harassment (including sexual) and occupational violence can also affect others close by in a similar way, even when they are only witnesses to the bullying and harassment and are not subject to the behaviour themselves.

Roles and Responsibilities

Staff and participants are encouraged to report incidents of bullying, harassment (including sexual) or occupational violence to their direct line manager / Program Manager / Core group leader in the first instance.

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The Aurora Support Services Management team has a responsibility for developing procedures which ensure :

- all complaints are acted upon immediately, preferably resolved within Aurora Support Services and any bullying and harassment is discontinued
- complainants are advised of all options available including lodging a complaint with the appropriate Federal or State instrumentalities; discussions, information and records relating to complaints remain, so far as is practicable, confidential
- managers, staff and participants are trained in dealing with bullying and harassment
- complaints are investigated in accordance with Aurora Support Services procedures
- disciplinary action is carried out where appropriate

Management at all levels also have a key role to play in preventing bullying, harassment (including sexual) or occupational violence in the workplace.

It is the responsibility of all Managers to identify and manage any issues with appropriate support:

- provide leadership and model appropriate behaviour consistent with equal employment opportunities and anti-discrimination principles
- be proactive in creating a supportive and respectful work culture
- 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. Managers should be fully aware of the adverse consequences of not dealing with instances of bullying as outlined above
- be alert to the possibility of workplace bullying and monitor key indicators such as workplace culture factors, high absenteeism and high staff turnover
- to identify training needs for themselves and their staff

Staff and Participants

All staff and participants have a responsibility to ensure:

- their behaviour is appropriate and consistent with equal employment opportunities and anti-discrimination principles
- their actions do not negatively affect another staff or participant's career / placement, health or well-being and are at all times consistent with the Aurora Support Services Bullying, Harassment (including sexual) and Occupational Violence Policy
- they do not condone bullying, harassment (including sexual) or occupational violence by failing to do anything about it, such as raising the matter with the perpetrator or with their line manager.

A staff member or participant found to have engaged in bullying, harassment (including sexual) or occupational violence or to have condoned such behaviour may be subject to disciplinary action.

Continuous Improvement

The Executive Director / Assistant Executive Director is responsible for reviewing and updating this policy on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

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Be friends not bullies

It's not nice being bullied:

- Don't use nasty names
- Don't make rude comments
- Don't put down people
- Don't make people feel bad
- Don't exclude people
- Don't tell lies or spread rumors
- Don't force people to do things they don't want to do
- Don't threaten people on the phone or internet
- Don't hit, kick or shove people around
- Don't threaten people in a sexual way



BULLYING

IT WON'T
END
UNLESS
WE DO
SOMETHING
ABOUT IT

What can we do about it?



- Talk to someone that you trust; family, Key Worker, Supervisor, an Advocate or Police
- Hold the anger - Don't get physical
- Ignore the bully and walk away
- Avoid being alone
- Build your confidence
- Find your (true) friends

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Developed by VALID 9416 4003

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