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Flexibility: the sustainable edge to drive business outcomes

Organisations that promote and support flexibility can benefit from more efficient use of resources, higher morale and improved reputational benefits. They can recruit talent from anywhere, anytime; reduce their carbon footprint; and design a more sustainable, nimble and agile workforce focused on outcomes and productivity.

Corporate

Productivity

- The majority (72%) of global businesses report increased productivity is a direct result of flexible work arrangements.¹
- Every 10% improvement in commitment can increase an employee's level of discretionary effort by 6% and performance by 2%.²
- The UK telecommunications company BT has found its 'home-enabled' employees are, on average, 20% more productive than office-based colleagues.³

Turnover

- A stronger culture of flexibility is correlated with a lower voluntary turnover rate.⁴
- Research indicates staff turnover can cost from between 50% to 150% of the person's annual salary, depending on the role and level of seniority.⁵ This includes the cost of recruitment, selection, induction, training and lost productivity.
- According to research by the Diversity Council of Australia, around 18% of men, including 37% of young fathers, had 'seriously considered' leaving an organisation due to a lack of flexibility.⁶

Cost of inaction

- The costs of work-family conflict to the healthcare system in Canada are estimated at C\$2.8 billion, as a result of work-related stress and strain.⁷
- Long hours of work are associated with higher absenteeism and lower productivity.⁸

Workforce

Motivation

- 95% of employees who work with managers sensitive to work and personal life—including informal flexibility—feel motivated to exceed expectations, compared to 80% where the manager is not sensitive to needs for informal flexibility.⁹
- There is no evidence that workers who take advantage of flexibility are less serious about their career.¹⁰
- All workers place a high priority on work-life balance and flexible work arrangements, regardless of age.¹¹

Attraction and retention

- Positive experiences of work-life balance generates organisational benefits, including higher retention rates and attendance and lower turnover intentions.¹²
- Flexible employment arrangements are the second most important facilitator for older people to work beyond retirement age, after health.¹³

Satisfaction

- 90% of Australian public service employees who nominated 'flexible working arrangements' as contributing to their job satisfaction were satisfied with the arrangements.¹⁴
- Even if flexibility is not used, knowing that this resource is available is associated with lower work-life conflicts.¹⁵

Mobility

- Today's youth are much more open to change—86% find it desirable to move between countries and 87% want to move between industries.¹⁶

Social responsibility

Carbon footprint

- By enabling the workforce to be more mobile, the UK telecommunications company O2 achieved a 53% reduction in its carbon footprint and is now operating with 550 fewer desks.¹⁷
- It is predicted by 2020, the global information and communications technology sector can help cut global emissions by around five times its own carbon footprint. This equates to over AU\$800 billion in saved costs.¹⁸

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¹⁰ PwC's NextGen: A global generational study, 2013

¹¹ PwC's NextGen: A global generational study, 2013

¹² Beauregard, TA and Henry, LC 2009, Making the link between work-life balance practices and organizational performance. Human Resource Management Review, 19(1): 9-22

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¹⁴ Australia Public Service Commission 2009, Table 32 – Promotions by classification promoted from and to, and sex – 2008-09, Australian Public Service Statistical Bulletin, The State of the Service 2008-09, Canberra

¹⁵ Skinner, N Hutchinson, C and Pocock, B 2012, The Big Squeeze: work, home and care in 2012 University of South Australia

¹⁶ Workplace of the Future: A View from European Youth, Tata Consultancy Services

¹⁷ O2 staff save 2,000 hours of commuting time through one-day flexible working pilot <http://www.hrmagazine.co.uk/article-details/o2-staff-save-2-000-hours-of-commuting-time-through-one-day-flexible-working-pilot>

¹⁸ Tomorrow's workspace, Think Big for people and planet, O2

Individual employee grievances

Directive: 11/20

Effective date: 25/09/20

Supersedes: 02/17

1. Purpose

To provide principles and procedures for managing and resolving individual employee grievances.

2. Authorising provisions

This directive is made pursuant to sections 53 and 218A of the *Public Service Act 2008* (PS Act).

3. Application

- 3.1 This directive applies to public service employees as defined in the PS Act.
- 3.2 This directive applies to the following entities (each entity being an “agency” for this directive) and their employees:
 - (a) departments
 - (b) public service offices listed in Schedule 1 of the PS Act
 - (c) an entity declared to be a public service office under a regulation and where the regulation applies this directive to the entity (sections 22-23 PS Act).
- 3.3 This directive does not replace, modify or revoke any legislative requirements that apply to the management of particular types of complaints. For example corrupt conduct under the *Crime and Corruption Act 2001*, public interest disclosures under the *Public Interest Disclosure Act 2010*, or complaints under the *Human Rights Act 2019* (HR Act).
- 3.4 This directive is separate from and does not replace any grievance related provisions within the *Industrial Relations Act 2016* (IR Act) or any other relevant industrial instrument, such as a Queensland modern award.
- 3.5 Section 52 of the PS Act outlines the relationship between a directive and industrial instrument including how to deal with inconsistencies.

Directive

4. Principles

- 4.1 The Queensland Government is committed to creating positive and healthy workplace cultures, where employees, supervisors and managers:
- (a) make decisions and take actions that are fair and transparent, and take responsibility for the consequences of their decisions and actions
 - (b) question actions that are inconsistent with the [public service values](#) and [Code of Conduct for the Queensland public service](#)
 - (c) treat each other with respect independent of their status or disagreement
 - (d) listen to understand and show empathy for others
 - (e) work together to resolve issues early and as informally as possible.
- 4.2 The framework created by this directive recognises that effective grievance resolution systems form a useful mechanism through which employees and agencies can work together to create better workplaces that benefit all public service employees. The framework enables agencies to respond in a supportive way to resolve concerns raised by employees, including through the use of alternative dispute resolution (ADR) strategies.
- 4.3 Managers and supervisors are required to proactively identify workplace issues in accordance with the management principles set out in section 26(3) of the PS Act. Regardless of whether an individual employee grievance has been submitted by an employee under this directive, managers and supervisors should manage workplace issues effectively by creating a safe environment to conduct courageous and supportive conversations.
- 4.4 Under the HR Act, decision makers have an obligation to act and make decisions in a way that is compatible with human rights, and when making a decision under this directive, to give proper consideration to human rights.

5. Matters that can be the subject of an individual employee grievance

- 5.1 An individual employee grievance under this directive is a grievance submitted by a current public service employee who has an honest belief, based on reasonable grounds, that:
- (a) an administrative decision, which they are aggrieved by, is unfair and unreasonable
 - (b) the conduct or behaviour of an employee, agent or contractor is unfair and unreasonable
 - (c) the conduct or behaviour of an employee, agent or contractor constitutes bullying in the workplace, sexual harassment, racial vilification, religious vilification or vilification on the grounds of gender identity or sexuality
 - (d) the conduct or behaviour of an employee is a breach of the Code of Conduct
 - (e) an act or decision is not compatible with human rights or a decision failed to give proper consideration to a relevant human right under the HR Act.

6. Matters that cannot be the subject of an individual employee grievance

6.1 The following decisions, conduct or behaviour cannot be the subject of an individual employee grievance under this directive:

- (a) a decision by an agency under Chapter 5, Part 7 of the PS Act relating to mental and physical incapacity
- (b) a decision made under Chapter 6, Part 2 of the PS Act relating to discipline decisions
- (c) a decision relating to the recruitment or selection of a public service employee
- (d) a decision relating to a person's work performance, other than a decision about the person's work performance that is recorded in a formal way as part of a periodic performance review
- (e) a decision relating to the resolution of a grievance under an industrial instrument, other than a decision about the outcome of a grievance
- (f) a decision relating to the development or performance management of a chief executive or senior executive
- (g) a work performance matter that is the subject of an existing review of a procedural matter under section 88IA of the PS Act
- (h) an investigation, suspension or discipline process that is the subject of a current internal or external review under the PS Act and relevant directive
- (i) conduct or behaviour of an employee, agent or contractor, or a decision by an agency that is already the subject of an application, or which becomes the subject of an application, by the same employee to the Queensland Industrial Relations Commission (QIRC) in relation to an alleged contravention of a workplace right under Chapter 8, Part 1 (General Protections) of the IR Act
- (j) conduct or behaviour of an employee, agent or contractor that is already the subject of a complaint, or which becomes the subject of a complaint, by the same employee to the QIRC in relation to alleged sexual harassment, racial vilification, religious vilification or vilification on the grounds of gender identity or sexuality under the Anti-Discrimination Act 1991
- (k) a decision by an agency that is the subject of an existing complaint by the same employee to the Queensland Ombudsman under the *Ombudsman Act 2001* where the Ombudsman investigates the complaint.

6.2 Under the PS Act, an employee seeking to lodge a fair treatment appeal is generally required to have used their agency individual employee grievance mechanism prior to lodging an appeal.

6.3 An employee may choose not to use their agency's complaints mechanism where they are seeking to appeal a finding by the chief executive under section 187 of the PS Act that a disciplinary ground exists for an employee. Section 195(3A)(b) of the PS Act allows the employee aggrieved by this decision to lodge a public service appeal in relation to the decision.

7. Requirement for an individual employee grievance resolution system

7.1 An agency must implement and maintain an individual employee grievance resolution system.

- 7.2 An agency's individual employee grievance resolution system must:
- (a) comply with the principles of individual employee grievance resolution in clause 4 and clause 8, and
 - (b) be supported by written policies and procedures that are readily available to employees.
- 7.3 Where an individual employee grievance is made to an agency, responsibility for managing the grievance rests with the agency, subject to any relevant legislative provisions or provisions of a directive.

8. Individual employee grievance resolution principles

- 8.1 Employees are required to ensure that individual employee grievances are submitted as soon as reasonably possible after the administrative decision, alleged conduct or alleged behaviour has occurred.
- 8.2 Individual employee grievances are to be managed and resolved using a three-step process:
- (a) local action (the first stage of the individual employee grievance process)
 - (b) internal review of a decision made following local action (the second stage of the individual employee grievance process), and
 - (c) where applicable, external review of a decision made at internal review (the third stage of the individual employee grievance process).
- 8.3 Agencies, including managers and supervisors, must manage individual employee grievances:
- (a) in accordance with principles of natural justice, including timely decisions and the provision of adequate reasons
 - (b) in a manner that protects the privacy of the employee who has submitted the grievance subject to any legal disclosure obligations, such as the requirement to provide natural justice to the subject of the grievance, and
 - (c) in accordance with the procedures in clause 9.
- 8.4 All parties to an individual employee grievance:
- (a) must engage in the individual employee grievance process in good faith, and
 - (b) be provided with regular and timely information by the decision maker in relation to the progress of the individual employee grievance.
- 8.5 To assist in the resolution of individual employee grievances an employee who submits an individual employee grievance may be:
- (a) supported by a person of their choosing, and
 - (b) represented by a union representative or member of a professional association.

9. Procedures for managing and resolving individual employee grievances

9.1 Stage 1—local action

- (a) An employee must submit their individual employee grievance in writing to the appropriate delegate in their agency. The grievance must:
 - (i) comply with the agency's individual employee grievance policy and procedures, unless the employee's grievance is made to the Commission Chief Executive (CCE) about the chief executive of an agency under clause 10, and
 - (ii) include sufficient information to enable the agency to take appropriate action, including outlining the action that the employee considers would resolve the grievance. If the individual employee grievance does not include this information, the agency can request that additional information be provided by the employee.
- (b) An individual employee grievance submitted by an employee must be resolved in accordance with the agency's individual employee grievance policy and procedures. This action may include, but is not limited to, one or more of the following:
 - (i) conducting preliminary enquiries to determine appropriate options for resolution of the individual employee grievance
 - (ii) ADR strategies, including, facilitated discussion, mediation, conciliation or negotiation
 - (iii) gathering information, including from witnesses, and/or
 - (iv) other reasonable action in the circumstances.
- (c) If the agency is reasonably satisfied that:
 - (i) an individual employee grievance is frivolous or vexatious, or
 - (ii) does not meet the relevant criteria of an individual employee grievance under clause 5, or
 - (iii) an employee has unreasonably refused to participate in local action, including ADR where appropriate, to resolve the individual employee grievance,the agency may decide to take no further action in relation to the individual employee grievance. The agency must give written reasons for its decision in accordance with clause 9.1(f).
- (d) A decision about an individual employee grievance should be made as soon as possible, but must be made within 28 calendar days of receipt of the individual employee grievance unless:
 - (i) the timeframe has been extended by mutual agreement between the parties. A party to the individual employee grievance is not to unreasonably withhold their agreement or
 - (ii) a grievance has been submitted to the CCE about a chief executive of an agency under clause 10.
- (e) Where an individual employee grievance is made about an administrative decision and the agency fails to make a decision within 28 calendar days or such longer time as has been agreed, the agency is taken to have confirmed the decision and this allows the employee to then immediately make a request for internal review.

- (f) After a decision has been made about an individual employee grievance– including a decision to take no action under clause 9.1(c)–the agency must provide a written decision to the employee who submitted the grievance. The decision must:
 - (i) outline the action taken to manage the individual employee grievance and the outcome of this action
 - (ii) provide the reasons for the decision, or the decision to take no action
 - (iii) outline any action that the agency proposes to take, or will take, as a result of the decision; and
 - (iv) inform the employee of their internal review rights outlined in Stage 2– internal review, including any relevant timeframes.

9.2 Stage 2–internal review

- (a) If an employee is dissatisfied with a decision made through local action, the employee may make a written request to the agency chief executive for an internal review.
- (b) A request for an internal review must:
 - (i) be received by the chief executive within 14 days of the employee receiving a copy of the decision made through local action or a decision is taken be made under clause 9.1(e)
 - (ii) clearly state the reasons for dissatisfaction with the decision made through local action, and not merely state a belief that the decision made through local action was unfair and unreasonable, and
 - (iii) state the action the employee believes would resolve the grievance.
- (c) Once an agency receives a request for an internal review, the agency must notify the employee in writing:
 - (i) that the request for an internal review has been received by the agency
 - (ii) of the name and contact information for a contact person for the internal review, and
 - (iii) of the 14 day timeframe for making a decision in clause 9.2(f).
- (d) An internal review is to be completed by the chief executive or their delegate. The chief executive or delegate is to determine whether the decision made through local action was fair and reasonable in the circumstances.
- (e) If the chief executive or delegate is satisfied that:
 - (i) the reasons for seeking an internal review are insufficient
 - (ii) the request for internal review is frivolous or vexatious, or
 - (iii) the employee has unreasonably refused to participate in local action to resolve the individual employee grievance

the agency may decide to take no further action in relation to the request for internal review. The agency must give written reasons for its decision in accordance with clause 9.2(h).
- (f) A decision about internal review of a decision made through local action must be made as soon as possible and within 14 days of receipt of a written request from an employee for internal review. The 14 day period commences from the date the

agency receives the request for internal review, in accordance with clause 9.2(b). This applies unless:

- (i) the timeframe has been extended by mutual agreement between the parties. A party to the individual employee grievance is not to unreasonably withhold their agreement or
 - (ii) where the chief executive or delegate can demonstrate that reasonable attempts have been made to progress the individual employee grievance.
- (g) If the chief executive or delegate fails to make a decision in relation to the request for internal review, the agency is taken to have confirmed the decision made through local action. Depending on the issues raised in the individual employee grievance, this may result in an avenue of external review being available to an employee once the 14 day period in clause 9.2(f) has expired.
- (h) At the completion of internal review, including a decision to take no further action under clause 9.2(e), the chief executive or delegate must provide a written decision to the employee. This decision must:
- (i) outline the action taken to review the decision made through local action
 - (ii) outline the reasons for the decision, or the decision to take no further action
 - (iii) outline any action that the chief executive or delegate proposes to take, or will take, as a result of the internal review, and
 - (iv) outline any avenues of external review that may be available to the employee, including any relevant timeframes.

9.3 Stage 3—external review

- (a) If the employee who made the original individual employee grievance is dissatisfied with a decision made following internal review, the employee may seek an external review. Depending on the issues raised in the grievance, the avenues for external review may include:¹
- (i) a public service appeal against a decision under a directive, a decision of the CCE under section 88IA to give a direction about the handling of a work performance matter, or a fair treatment decision, as provided for under sections 194(1)(a), 194(1)(ba) or 194(1)(eb) of the PS Act
 - (ii) notification to the QIRC of an industrial dispute under an industrial instrument
 - (iii) an application to the QIRC in relation to an alleged contravention of a workplace right under Chapter 8, Part 1 of the IR Act
 - (iv) an application to the QIRC for a stop bullying order under Chapter 7, Part 4 of the IR Act
 - (v) a complaint to the QIRC in relation to alleged sexual harassment, racial vilification or religious vilification under Chapter 7, Part 1 of the AD Act
 - (vi) a complaint to the Queensland Ombudsman under the *Ombudsman Act 2001*. Note that under section 23 of the *Ombudsman Act 2001*, the Ombudsman has a wide discretion to refuse to investigate a complaint, for example, if the

¹ Sections 425 and 449 of the IR Act preclude an employee from lodging more than one type of application to the QIRC in relation to the same decision, conduct or behaviour, except where the matter relates to bullying in the workplace.

complainant has a right of appeal or review they have not used or where the complainant has used and exhausted another type of review or appeal

- (vii) a complaint to the Queensland Human Rights Commission under section 65 of the HR Act, where the agency has not responded to an individual employee grievance about conduct affecting a relevant human right within 45 days, or where the employee considers the agency response inadequate.
- (b) However, the issues raised in an individual employee grievance may mean that the grievance is not eligible for external review under the above legislation.
- (c) Employees seeking more information about the procedures to be followed when making a public service appeal should refer to the QIRC [appeals guide](#).

10. Grievances submitted to the Commission Chief Executive about the chief executive of an agency

- 10.1 An employee may submit a grievance to the CCE about the chief executive of an agency. A grievance must be made in writing and must state the action the employee believes would resolve the individual employee grievance.
- 10.2 In making a decision about an individual employee grievance about a chief executive of an agency, the CCE is to take action in accordance with clause 9.1(b).
- 10.3 A decision about an individual employee grievance about a chief executive of an agency should be made as soon as possible, but must be made within 28 calendar days of receipt of the grievance unless:
 - (a) the timeframe has been extended by mutual agreement between the parties (a party to the individual employee grievance is not to unreasonably withhold their agreement), or
 - (b) where the CCE can demonstrate that reasonable attempts have been made to progress the grievance.
- 10.4 The CCE may decide to take no further action in relation to a grievance if the CCE is reasonably satisfied that the grievance is frivolous or vexatious, lacks substance, does not meet the relevant criteria of an individual employee grievance or an employee unreasonably refuses to participate in action to resolve the grievance.
- 10.5 After making a decision about the grievance, including a decision to take no further action, the CCE must provide a written decision to the employee who submitted the grievance. This decision must outline:
 - (a) the action taken to manage the individual employee grievance and the outcome of this action
 - (b) the reasons for the decision, or the decision to take no action
 - (c) any action that the CCE will take, or proposes to take, as a result of the decision, and
 - (d) any avenues of external review that may be available to the employee.

11. Transitional arrangements

- 11.1 Employee complaints received under superseded Directive 2/17: Managing employee complaints, are to be finalised in accordance with that directive.

12. Definitions

For the purposes of this directive:

Administrative decision means a decision made by the agency in relation to the administration of its affairs and includes the failure to make a decision within a specified timeframe where an agency is required to do so.

Agency—see application section.

Bullying in the workplace has the same meaning as defined in section 272 of the IR Act.

Employee has the same meaning as defined in section 9 of the PS Act.

Individual employee grievance is a specific grievance formally raised by an employee via an agency's individual employee grievance management system.

Individual employee grievance management system means the policy, procedures, personnel and technology used by an agency in receiving, recording, responding to and reporting on employee complaints, as defined in section 218A of the PS Act.

Fair treatment decision is a decision that an employee considers to be unfair and unreasonable, as defined in section 194(1)(eb) of the PS Act.

Gender identity has the same meaning as defined in the AD Act.

Parties to an individual employee grievance includes the person who submits the individual employee grievance and the respondent (either the agency or employee who is the subject of the individual employee grievance) to the individual employee complaint.

Personal information as defined in section 12 of the *Information Privacy Act 2009*.

Privacy means the management of personal information in accordance with the *Information Privacy Act 2009*.

Racial vilification has the same meaning as defined in the AD Act.

Religious vilification has the same meaning as defined in the AD Act.

Sexual harassment has the same meaning as defined in the AD Act.

13. Related resources and reference materials

This material does not form part of the directive but may assist in the interpretation and application of the directive and should be considered by decision makers.

- Sections 26, 46, 52, 194, 195 and 196 of the PS Act are relevant to individual employee grievances.
- Superseded version(s) of the directive: [02/17](#), 8/10
- [Find resources about managing employees](#) in the Queensland Government
- QIRC information about [public service appeals](#)
- [Role of a support person](#) in the Queensland Government

Workplace investigations

Directive: 17/20

Effective date: 25/09/20

1. Purpose

- 1.1 The *Public Service Act 2008* (PS Act) requires the Commission Chief Executive (CCE) to make a directive about the procedures for investigating the substance of a grievance or allegation relating to a public service employee's work performance or personal conduct.
- 1.2 The purpose of this directive is to:
 - (a) outline the procedures for investigating the substance of a grievance or allegation relating to a public service employee's work performance or personal conduct
 - (b) outline how natural justice requirements may be met in relation to a workplace investigation
 - (c) provide for periodic reviews of a workplace investigation, including the period within which reviews must be conducted, to ensure timely finalisation of the investigation.

2. Authorising provisions

This directive is made pursuant to sections 53 and 192A of the PS Act.

3. Application

- 3.1 This directive applies to public service employees as defined in section 9 of the PS Act.
- 3.2 This directive applies to the following entities (each entity being an 'agency' for this directive) and their employees:
 - (a) departments
 - (b) public service offices listed in schedule 1 of the PS Act
 - (c) an entity declared to be a public service office under a regulation and where the regulation applies this directive to the entity (sections 22-23 PS Act).
- 3.3 This directive does not replace, modify or revoke any legislative requirements that apply to the management of particular types of complaints. For example corrupt conduct under the *Crime and Corruption Act 2001*, public interest disclosures under the *Public Interest Disclosure Act 2010*, or complaints under the *Human Rights Act 2019* (HR Act).
- 3.4 Section 52 of the PS Act outlines the relationship between a directive and industrial instrument including how to deal with inconsistencies.



Directive

4. Principles

- 4.1 The Queensland Government supports employees and managers to maintain a high standard of professionalism, conduct and work performance, and to ensure inappropriate conduct or performance is dealt with effectively, and in a timely manner that is proportionate to the allegations or concerns.
- 4.2 In the majority of instances, timely management action or using positive performance management strategies will be appropriate, and may negate the need for a more formal process, including a workplace investigation. Less formal management enquiries by an agency may be sufficient to determine:
 - (a) the relevant facts
 - (b) if a complaint or an allegation is likely to be substantiated or unsubstantiated
 - (c) the appropriate action, including whether or not a workplace investigation process should commence.
- 4.3 There will be some matters where a workplace investigation is warranted such as for matters that may proceed to discipline. In these instances, it is critical that the investigation be well managed by the agency, ensuring it is conducted in an appropriate, fair, timely and resource-effective manner.
- 4.4 A workplace investigation, whether internal or external, is not a disciplinary step. It is a separate process to any formal disciplinary process as provided for under chapter 6 of the PS Act.
- 4.5 Workplace investigations about the substance of a grievance or allegation relating to a public service employee's work performance or personal conduct are to be conducted fairly, and in a timely manner that is proportionate to the allegations or concerns.
- 4.6 Workplace investigations must:
 - (a) be free from conflict of interest or bias, with separation of the role of investigator and decision maker
 - (b) have clear terms of reference that ensure transparency of process
 - (c) be conducted in accordance with the principles of natural justice
 - (d) make allowance for the involvement of support persons and/or industrial representatives
 - (e) be conducted in a way that ensures confidentiality is maintained, as far as possible and to the extent it is essential for a fair investigation
 - (f) be conducted ethically and lawfully
 - (g) be conducted in a timely way that is proportionate to the allegations or concerns
 - (h) involve regular and transparent communication
 - (i) be conducted by an employee of the agency wherever possible. External investigations are the exception.
- 4.7 Under the HR Act a decision maker has an obligation to act and make decisions in a way that is compatible with human rights, and when making a decision under this directive, to give proper consideration to human rights.

5. Determining whether to conduct a workplace investigation

- 5.1 A chief executive may decide to investigate the substance of a grievance or a work performance matter. In deciding to commence a workplace investigation, a chief executive must consider:
- (a) the seriousness of the alleged conduct
 - (b) whether or not there is a sufficient amount of evidence already available (and whether a workplace investigation in these circumstances is an appropriate use of agency resources)
 - (c) how natural justice requirements will be met, and
 - (d) whether there is a more appropriate option to resolve the matter through management action, alternative dispute resolution, or implementation of positive performance management strategies.

6. Conduct of investigations

- 6.1 Before commencement of a workplace investigation, a chief executive must authorise an investigation terms of reference that clearly outlines the terms and scope of the investigation.
- 6.2 The chief executive must demonstrate consideration of conflicts of interest and ensure conflicts of interest are declared, monitored and appropriately managed by all parties to the workplace investigation.
- 6.3 A subject employee must be given reasonable opportunity to participate in the investigation, this includes being advised of allegations against them, the opportunity to seek industrial advice and representation and being afforded reasonable opportunity to provide information about the allegations.
- 6.4 A chief executive may direct a public service employee to participate in a workplace investigation where it is lawful and reasonable to do so.
- 6.5 A subject employee has an obligation to cooperate with the investigation process, where they have been lawfully and reasonably directed to participate, which may include:
- (a) attending an interview and answering questions relevant to the authorised terms of reference
 - (b) answering questions truthfully and to the best of their knowledge
 - (c) providing a response to written allegations relevant to the authorised terms of reference
 - (d) producing any documents or other objects that were created in the course of their employment or are the property of the agency.
- 6.6 A person required to attend an interview as part of a workplace investigation:
- (a) must be given reasonable notice of the interview so that the person can seek advice and arrange a support person
 - (b) must be given a copy of their record of interview, if requested.
- 6.7 The findings of an investigation:
- (a) are not binding on the chief executive
 - (b) are not evidence that can be relied upon by the chief executive. The chief executive may only rely on the evidence that has informed the findings.

7. Support persons and industrial representatives

- 7.1 A subject employee may be supported by a person of their choosing and/or represented by an industrial representative of a union to which the person is a member provided the support person:
- (a) is not otherwise involved in the investigation (for example, as a subject employee or witness)

- (b) does not provide direct evidence on behalf of, or otherwise talk for the subject employee.
- 7.2 If a support person is an officer of a union to which the employee is a member, the officer also has a role to support their member's interests, including actively ensuring that natural justice and procedural fairness has been afforded to their member.

8. Natural justice in investigations

- 8.1 Investigations must be conducted in a fair and balanced manner with no predetermined views.
- 8.2 An investigator must:
 - (a) act fairly and without bias, ensuring they do not make findings for which they have a conflict of interest
 - (b) inform a subject employee of the substance of any allegations against them, or grounds for adverse comment about them
 - (c) give participants in an investigation a reasonable opportunity to put their case, whether in writing or at an interview, or otherwise hear all relevant parties and consider submissions from them
 - (d) make reasonable enquiries before finalising an investigation
 - (e) conduct the investigation in a timely way.
- 8.3 Natural justice does not require that the subject employee be given access to every document seen by, or information given to an investigator. The subject employee must be made aware of what they are accused of and by whom, with sufficient particularity to be able to answer the allegations, and be given the opportunity to answer the allegations.

9. Use of external investigators

- 9.1 An external investigator may only be engaged if it is reasonably necessary or expeditious to do so.
- 9.2 An external investigator must conduct an investigation on the same basis that an internal investigator must conduct an investigation (that is, in accordance with the PS Act and this directive).
- 9.3 The circumstances in which an external investigator may be engaged include:
 - (a) the requirement for specialist skills
 - (b) the existence of a conflict of interest
 - (c) the risk to public confidence
 - (d) resourcing, capability and capacity.
- 9.4 The chief executive must comply with all relevant procurement obligations when engaging an external investigator.
- 9.5 A suitably qualified external investigator must be selected from the relevant standing offer arrangement unless a different provider is approved in writing by the CCE prior to commencement of the investigation.
- 9.6 The chief executive must report on the conduct of the external investigation in accordance with the directive relating to workforce profile and work performance information.
- 9.7 An external investigator's related legal practice or other advocacy entity must not be engaged to advise or act for the agency in actual or contemplated proceedings related to an investigation.

10. Periodic review of investigations

- 10.1 This section applies to a work performance matter, other than a corrupt conduct matter.
- 10.2 A chief executive is required to finalise an ongoing investigation in a timely way.
- 10.3 An investigation commences when a chief executive authorises an investigation terms of reference.
- 10.4 An investigation may be extended by the chief executive, following review:
 - (a) at six months by an independent decision maker in the agency
 - (b) at nine months by the chief executive
 - (c) at 12 months:
 - (i) for employees of the department responsible for health, in accordance with section 62(2) of the PS Act, by the chief executive of that department
 - (ii) for employees of the department responsible for education, in accordance with section 62(2) of the PS Act, by the chief executive of that department
 - (iii) for employees of all other agencies, by the CCE.
 - (d) at 18 months by the CCE, and every three months thereafter.
- 10.5 The review must consider:
 - (a) whether the investigation complies with the PS Act and this directive
 - (b) whether the investigation has been conducted in accordance with the investigation terms of reference, and
 - (c) the reasons for any delay finalising the investigation.
- 10.6 An investigation may continue while the review is completed.
- 10.7 The findings of the review must be communicated to the employee in writing.

11. Subject employee may ask Public Service Commission for review of investigation

- 11.1 This section applies to a workplace investigation related to a work performance matter, other than a corrupt conduct matter.
- 11.2 A subject employee may ask the commission to conduct a review of a procedural aspect of the agency's handling of the workplace investigation, provided:
 - (a) the subject employee reasonably believes the chief executive has not complied with this directive
 - (b) the subject employee has utilised internal review procedures under the directive on individual employee grievances
 - (c) having utilised the procedures at clause 11.2(b) the subject employee is dissatisfied with a decision made following the internal review, and
 - (d) a decision has not been made for the work performance matter that the subject employee may appeal under chapter 7, part 1 of the PS Act.
- 11.3 The subject employee must request the review in writing.
- 11.4 The request under clause 11.3 must address the eligibility for review under clause 11.2 and include:
 - (a) a clear statement of how the employee believes the agency has not complied with this directive, and
 - (b) the action the employee seeks from the review.
- 11.5 On receiving the request, the commission may, but is not required to, conduct a review of a procedural aspect of the agency's handling of a work performance matter contemplated in section 88IA of the PS Act, and may but is not required to give the chief executive a report on the review.

- 11.6 The CCE must provide a written decision to the subject employee, along with reasons for the decision, including when the CCE decides not to conduct a review under clause 11.5.

12. Appeal rights

- 12.1 A subject employee has a right of appeal in relation to a direction given to a chief executive about the handling of a work performance matter, to the extent the direction affects the subject employee, as provided for under section 194(1)(ba) of the PS Act.

13. Transitional arrangements

- 13.1 Section 296 of the PS Act provides the transitional arrangements for disciplinary processes, including relevant investigations under section 187(1)(a) or (f)(ii) or (iii) as in force immediately before commencement.
- 13.2 Provisions relating to periodic reviews under clause 10 and provisions relating to reviews requested by a subject employee under clause 11 apply to work performance matters that commence after the commencement date of this directive.

14. Definitions

Agency—see application section

Balance of probabilities refers to the civil standard of proof. For an allegation to be substantiated on the balance of probabilities, the evidence must establish that it is more probable than not that the alleged conduct occurred. The strength of evidence necessary to establish an allegation on the balance of probabilities may vary according to the:

- (a) relevance of the evidence to the allegations
- (b) seriousness of the allegations
- (c) inherent likelihood or improbability of a particular thing or event occurring
- (d) gravity of the consequences flowing from a particular finding.

Chief executive in the context of exercising a decision making power, includes a person to whom the chief executive has delegated the decision making power.

Disciplinary process means anything done in making (or in contemplation of making) a disciplinary decision under chapter 6 of the PS Act, including making a disciplinary finding under section 187, section 187A, or section 188AB and taking disciplinary action under section 188, section 188A, section 188AB, section 188AC or section 188AD.

An **external investigator** is a person or service provider that is engaged through a contract arrangement to conduct a workplace investigation. Suitably qualified external investigators may be sourced through the Professional Services Standing Offer Arrangement (SOA), unless the required expertise is not available under the SOA.

An **internal investigator** is a suitably skilled Queensland Government employee who is appointed by the chief executive to conduct a workplace investigation.

A **management enquiry** involves a manager or other assigned person making enquiries into a matter to inform a decision about how to progress. The enquiries may involve conversations with employees and/or a review of documents, obtaining a version of events, in writing or verbally. Management enquiries do not involve terms of reference, formal 'investigative interviews' or an external provider conducting or supporting the enquiry.

Natural justice is a right recognised and defined by law that involves two key elements—the hearing rule (everyone is entitled to a decision by a disinterested and unbiased adjudicator), and the bias rule (the parties shall be given adequate notice of the case against them, and a right to respond)

Work performance matter means a matter involving a public service employee's work performance or personal conduct, including, for example, an allegation against the employee that constitutes or would, if proved, constitute a disciplinary ground.

Union, for the purpose of this directive, means an employee organisation registered under chapter 12 of the *Industrial Relations Act 2016* or under the *Fair Work (Registered Organisations) Act 2009* (Cth).

A **workplace investigation** occurs when a chief executive decides that an investigation should be conducted. An investigation can be defined as the unbiased gathering and evaluation of evidence.

15. Related resources and reference materials

This material does not form part of the directive but may assist in the interpretation and application of the directive and should be considered by the chief executive:

- Chapter 3, Part 6 (Functions of commission relating to work performance matters) of the PS Act are relevant provisions for workplace investigations
- [Managing workplace investigations: a practical guide for the Queensland public sector](#)
- [Commission chief executive guideline: discipline](#)
- QIRC information about [public service appeals](#)
- [Directives about positive performance management, employee suspensions, workplace investigations, appeals](#)
- [Find resources about managing employees](#) in the Queensland Government
- [Role of a support person](#) in the Queensland Government
- Crime and Corruption Commission's [Corruption in focus: a guide to dealing with corrupt conduct in the Queensland public sector](#).

GUIDE FOR PREVENTING AND RESPONDING TO WORKPLACE BULLYING

Safe Work Australia is an Australian Government statutory agency established in 2009. Safe Work Australia consists of representatives of the Commonwealth, state and territory governments, the Australian Council of Trade Unions, the Australian Chamber of Commerce and Industry and the Australian Industry Group.

Safe Work Australia works with the Commonwealth, state and territory governments to improve work health and safety and workers' compensation arrangements. Safe Work Australia is a national policy body, not a regulator of work health and safety. The Commonwealth, states and territories have responsibility for regulating and enforcing work health and safety laws in their jurisdiction.

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1 INTRODUCTION

Workplace bullying is a risk to health and safety. 'Health' is defined in the WHS Act as both physical and psychological health. Failure to take steps to manage the risk of workplace bullying can result in a breach of Work Health and Safety (WHS) laws. Workplace bullying can occur wherever people work together and in all types of workplaces. It is best dealt with by taking steps to prevent it from occurring and responding quickly if it does occur. The longer the bullying behaviour continues, the harder it becomes to repair working relationships and the greater the risk is to health and safety.

This guide provides information for persons conducting a business or undertaking (PCBU) on how to manage the risks of workplace bullying as part of meeting their duties under the WHS laws.

It includes guidance on what workplace bullying is, how it can be prevented and how to respond to reports.

This is the second version of this guide. It will continue to be revised as strategies for preventing and responding to workplace bullying evolve.

Practical guidance for workers on how to deal with workplace bullying is available in *Workplace Bullying – A Worker's Guide*.

1.1 What is workplace bullying?

Workplace bullying can adversely affect the psychological and physical health of a person. Workplace bullying is a psychological hazard that has the potential to harm a person, and it also creates a psychological risk as there is a possibility that a person may be harmed if exposed to it. If effective control measures are put in place to address and resolve workplace issues early, a workplace can minimise the risk of workplace bullying and prevent it from becoming acceptable behaviour in the workplace.

Workplace bullying is *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.

Examples of behaviour, whether intentional or unintentional, that may be workplace bullying if they are **repeated, unreasonable and create a risk to health and safety** 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.

If the behaviour involves violence, for example physical assault or the threat of physical assault, it should be reported to the police.

1.2 What is not workplace bullying?

A single incident of unreasonable behaviour is not workplace bullying, however it may be repeated or escalate and so should not be ignored.

Reasonable management action taken in a reasonable way

A PCBU may take reasonable management action to effectively direct and control the way work is carried out. It is reasonable for managers and supervisors to allocate work and give feedback on a worker's performance. These actions are not workplace bullying if they are carried out in a lawful and reasonable way, taking the particular circumstances into account.

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.

What is reasonable would be determined by an objective test through a court of law. However, a court could consider the following examples as reasonable management action:

- 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 discrimination and sexual harassment

Unreasonable behaviour may involve unlawful discrimination or sexual harassment which, by itself, is not bullying.

Discrimination on the basis of a protected trait in employment may be unlawful under anti-discrimination, equal employment opportunity, workplace relations and human rights laws. Generally, unlawful discrimination is where a person or group of people are treated unfairly or less favourably than others because they have a particular characteristic or belong to a particular group of people. Protected traits include race, colour, sex, sexual orientation, age, physical or mental disability, marital status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction or social origin. For example, it would be unlawful for an employer not to employ or promote a woman because she is pregnant or may become pregnant.

The WHS Act prohibits a person from engaging in 'discriminatory conduct' for a 'prohibited reason'. For example, it is unlawful for a person to terminate the employment of a worker for raising health and safety concerns or performing legitimate safety-related functions in relation to their workplace.

Generally, sexual harassment includes unwelcome sexual advances, requests for sexual favours or other unwelcome conduct of a sexual nature that could be expected to make a person feel offended, humiliated or intimidated.

Advice and assistance on how to deal with discrimination or sexual harassment can be provided by:

- the Australian Human Rights Commission
- the Fair Work Commission, and
- state and territory anti-discrimination, equal opportunity and human rights agencies.

Contact details are provided in Appendix C.

Workplace conflict

Differences of opinion and disagreements are generally not workplace bullying. People can have differences or disagreements in the workplace without engaging in repeated, unreasonable behaviour that creates a risk to health and safety. Some people may also take offence at action taken by management, but that does not mean that the management action in itself was unreasonable. However, in some cases conflict that is not managed may escalate to the point where it becomes workplace bullying.

1.3 How can workplace bullying occur?

Workplace bullying can be carried out in a variety of ways including through verbal or physical abuse, through email, text messages, internet chat rooms, instant messaging or other social media channels. In some cases workplace bullying can continue outside of the workplace.

Workplace bullying can be directed at a single worker or group of workers 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.

Workplace bullying can also be directed at or perpetrated by other people at the workplace such as clients, patients, students, customers and members of the public.

1.4 Impact of workplace bullying

Workplace bullying can be harmful to the person experiencing it and to those who witness it. The effects will vary depending on individual characteristics as well as the specific situation and may include one or more of the following:

- distress, anxiety, panic attacks or sleep disturbance
- physical illness, for example muscular tension, headaches, fatigue and digestive problems
- loss of self-esteem and self-confidence
- feelings of isolation
- deteriorating relationships with colleagues, family and friends
- negative impact on work performance, concentration and decision making ability
- depression, and
- thoughts of suicide.

Workplace bullying can also have a negative impact on the work environment and incur direct and indirect costs for a business, including:

- high staff turnover and associated recruitment and training costs
- low morale and motivation
- increased absenteeism
- lost productivity
- disruption to work when complex complaints are being investigated
- costs associated with counselling, mediation and support
- costly workers' compensation claims or legal action, and
- damage to the reputation of the business.

1.5 Who has duties in relation to workplace bullying?

Everyone at the workplace has a work health and safety duty and can usually help prevent workplace bullying. The following table sets out the various duties in relation to workplace bullying.

Table 1 - Duties in relation to workplace bullying

Who	Duties
Person conducting a business or undertaking (section 19)	<ul style="list-style-type: none">• A PCBU has the primary duty of care under the WHS Act to ensure, so far as is reasonably practicable, that workers and other persons are not exposed to health and safety risks arising from work carried out as part of the business or undertaking. <p>This duty includes, so far as is reasonably practicable:</p> <ul style="list-style-type: none">• providing and maintaining a work environment that is without risks to health and safety• providing and maintaining safe systems of work• monitoring the health and safety of workers and the conditions at the workplace to ensure that work related illnesses and injuries are prevented, and

	<ul style="list-style-type: none"> providing appropriate information, instruction, training or supervision to workers and other persons at the workplace to allow work to be carried out safely.
Officers (section 27)	Officers, such as company directors, must exercise due diligence to ensure the business or undertaking complies with the WHS Act and Regulations. This includes taking reasonable steps to ensure the business or undertaking has and uses appropriate resources and processes to eliminate or minimise risks associated with workplace bullying.
Workers (section 28)	Workers including employees, contractors, subcontractors, labour hire employees, outworkers, apprentices or volunteers have a duty to: <ul style="list-style-type: none"> take reasonable care for their own health and safety while at work take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons comply, so far as the worker is reasonably able, with any reasonable instruction given by the PCBU, and co-operate with any reasonable policies and procedures of the PCBU, for example a workplace bullying policy.
Others (section 29)	Other persons at a workplace, such as visitors and clients, have similar duties to that of a worker and must: <ul style="list-style-type: none"> take reasonable care for their own health and safety while at work take reasonable care that their acts or omissions do not adversely affect the health and safety of workers or other persons, and comply, so far as the person is reasonably able, with any reasonable instruction given by the PCBU.

1.6 How can the risk of workplace bullying be managed?

Health and safety risks in a workplace must be eliminated so far as is reasonably practicable. If this is not possible, the risks must be minimised so far as is reasonably practicable. The risk of workplace bullying can be minimised by taking a pro-active approach as described in Chapter 2 that involves:

- early identification of unreasonable behaviour and situations likely to increase the risk of workplace bullying occurring
- implementing control measures to manage the risks, and
- monitoring and reviewing the effectiveness of the control measures.

Further guidance on risk management is provided in the [Code of Practice: How to Manage Work Health and Safety Risks](#).

Consulting workers

Section 47: The person conducting the business or undertaking must consult, so far as is reasonably practicable, with workers who carry out work for the business or undertaking who are (or are likely to be) directly affected by a work health and safety matter.

Section 48: If the workers are represented by a health and safety representative, the consultation must involve that representative.

Consultation can include sharing information, giving workers a reasonable opportunity to express their views and taking those views into account before making decisions on work health and safety matters that directly affect them.

Consultation enables workers to have input in developing policies and procedures for workplace bullying that are best suited to the needs of the business or undertaking. Effective consultation can also help raise awareness of workplace bullying. Consultation with workers is required when:

- making decisions about measures to control the risks of workplace bullying, including policies and procedures for preventing and responding to workplace bullying
- making decisions about procedures for providing information and training on workplace bullying, and
- proposing changes that may affect the health and safety of workers.

Consultation can be conducted in various ways to suit the nature and size of the business

Consulting, co-operating and co-ordinating activities with other duty holders

Section 46: If more than one person has a duty in relation to the same matter, each person with the duty must, so far as is reasonably practicable, consult, co-operate and co-ordinate activities with all other persons who have a work health or safety duty in relation to the same matter.

In some situations there may be a risk of a worker being bullied by a worker of another business.

For example labour hire workers may be exposed to workplace bullying by workers in a host business and vice versa. Both the on-hire company and the host business have a duty to manage the risk of workplace bullying. The businesses must consult and co-operate with each other on the standards of behaviour expected in the workplace including workplace bullying policies and procedures. They should develop an agreed approach for reporting and investigating potential workplace bullying incidents.

Further guidance on consultation is in the [Code of Practice: Work health and safety consultation, co-operation and co-ordination](#).

2 PREVENTING WORKPLACE BULLYING

There is a risk of workplace bullying wherever workers have contact with other people, including co-workers, supervisors, clients and other visitors to the workplace. There may not be obvious signs of bullying at the workplace but this does not mean it is not occurring. Workplace bullying is best dealt with by taking steps to prevent it before it creates a risk to health and safety.

2.1 Identifying the potential for workplace bullying

Processes that may help identify workplace bullying or the potential for it to occur include:

- regular consultation with workers and, where they exist, health and safety representatives and health and safety committees, including discussions aimed at finding out if bullying is occurring or if there are factors likely to increase the risk of workplace bullying—for some businesses conducting an anonymous survey may be useful
- seeking feedback when workers leave the business, for example holding exit interviews
- seeking regular feedback from managers, supervisors or other internal and external parties
- 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, and
- recognising changes in workplace relationships between workers, customers and managers.

Research indicates that there are a number of factors which may increase the risk of workplace bullying occurring. The following characteristics could help alert to potential WHS risks in the workplace:

- presence of work stressors –
 - high job demands
 - limited job control
 - organisational change, such as restructuring or significant technological change
 - role conflict and ambiguity
 - job insecurity
 - an acceptance of unreasonable workplace behaviours or lack of behavioural standards, and
 - unreasonable expectations of clients or customers.
- leadership styles –
 - autocratic behaviour that is strict and directive and does not allow workers to be involved in decision making
 - behaviour where little or no guidance is provided to workers or responsibilities are inappropriately and informally delegated to subordinates, and

- abusive and demeaning behaviour that may include inappropriate or derogatory language, or malicious criticism and feedback.
- systems of work –
 - lack of resources
 - lack of training
 - inappropriate work scheduling, shift work and poorly designed rostering, and
 - unreasonable performance measures or timeframes.
- *poor workplace relationships* –
 - poor communication
 - isolation
 - low levels of support, or
 - work group hostility.
- *workforce characteristics* – groups of workers that may be more at risk of being exposed to workplace bullying can include:
 - young workers
 - apprentices/trainees
 - workers in a minority group because of ethnicity, religion, disability, gender or sexual preferences
 - casual workers
 - new workers
 - injured workers and workers on return to work plans
 - piece workers, and
 - volunteers, work experience students and interns.

2.2 Controlling the risks

The risk of workplace bullying can be minimised so far as is reasonably practicable by creating and promoting a positive work environment where everyone is treated fairly and with respect. A combination of control measures aimed at the organisational level and at individual behaviours should be considered.

Management Commitment

Demonstrated senior management commitment in identifying, preventing and responding to workplace bullying is one of the key factors for preventing unreasonable behaviour and managing psychological risks. Effective leaders model their organisation's values and standards for workplace behaviour through their own conduct. This can send a clear message to workers that the organisation is serious about preventing workplace bullying and contribute to a positive workplace culture where unreasonable behaviour is not tolerated.

Managers can demonstrate commitment in various ways including by:

- modelling respectful behaviours at all times
- developing and implementing a bullying policy which clearly identifies the expected behaviours and consequences of not complying

- dealing with unreasonable behaviour as soon as they become aware of it
- ensuring that reports of bullying are taken seriously and properly investigated, and
- consulting with workers.

Set the standard of workplace behaviour

A workplace can set and enforce clear standards of behaviour through a code of conduct or a workplace policy that outlines what is and is not appropriate behaviour and what action will be taken to deal with unacceptable behaviour. It can apply to all behaviours that occur in connection with work, even if they occur outside normal working hours. The standards of behaviour should also include a reference to reasonable management action.

The advantage of this approach is that unreasonable behaviours can be addressed before they escalate into workplace bullying.

Implement a workplace bullying policy

A policy designed to prevent workplace bullying may be a stand-alone policy or incorporated into a broader code of conduct or work health and safety policy. The policy should be set out in writing, be developed in consultation with workers and should include:

- a statement that the organisation is committed to preventing workplace bullying as part of providing a safe and healthy work environment
- the definition of workplace bullying (as described in this guide)
- the standard of behaviour expected from workers and others in the workplace
- a statement, where relevant, that the policy extends to communication through email, text messaging and social media
- the process for reporting and responding to incidents of unreasonable behaviour
- the process for managing reports of workplace bullying, including vexatious reports, and
- the consequences of not complying with the policy.

An example of a workplace bullying policy is at Appendix A. Implementing a policy in a small business may simply involve the business owner advising workers and reminding them when necessary that bullying behaviour is not tolerated in the workplace, what to do if it does occur and what action will be taken.

To be effective, the policy should be easily accessible and consistently applied. It should be communicated and promoted through notice boards, the intranet, team meetings and by managers discussing the policy with their staff.

Develop productive and respectful workplace relationships

Good management practices and effective communication are important in creating a workplace environment that discourages workplace bullying. Examples include:

- promote positive leadership styles by providing training for managers and supervisors
- mentor and support new and poor performing managers and workers
- facilitate teamwork, consultation and co-operation
- ensure that reasonable management actions are clearly defined, articulated and understood by workers and supervisors, and
- ensure supervisors act in a timely manner on unreasonable behaviour they see or become aware of.

Dealing with external parties

Where there is a risk of workplace bullying by other people, for example clients, the following control measures may be considered:

- communicate the expected standard of behaviour through a code of conduct or in contracts and agreements
- empower workers to refuse or suspend service if other people fail to comply with the expected standard of behaviour
- provide support to workers who are exposed to unreasonable behaviour, and
- implement control measures to eliminate or minimise the risk of workplace violence.

Design safe systems of work

The following work design control measures may reduce the risk of workplace bullying:

- clearly define jobs and seek regular feedback from workers about their role and responsibilities
- provide workers with the resources, information and training they need to carry out their tasks safely and effectively
- review and monitor workloads and staffing levels to reduce excessive working hours
- provide access to support mechanisms, such as employee assistance programs, particularly during busy and stressful work periods, and
- provide effective communication throughout workplace change, including restructuring or downsizing.

Implement reporting and response procedures

Workplace bullying behaviours should not be tolerated and early reporting of these behaviours should be encouraged.

If a worker considers they are being bullied they will be more likely to report it if they know there is a transparent reporting process in place and that it will be followed as soon as a report is received.

Reporting can be encouraged by:

- making it clear that victimisation of those who make reports will not be tolerated
- ensuring consistent, effective and timely responses to reports, and
- being transparent about dealing with workplace bullying by regularly providing information on the number of reports made, how they were resolved and what actions were taken—see section 3.3 on balancing confidentiality and transparency.

It is important for those who experience or witness workplace bullying to know who they can talk to in the business, that a report will be taken seriously, and that confidentiality will be maintained. Implementing effective response procedures should ensure that reports of workplace bullying are dealt with in a consistent and reasonable way. These procedures should be used each time a report of bullying is made. They should also provide flexibility to fit the different circumstances of each report, and be designed to suit the size and structure of the organisation. An effective procedure should:

- be in plain English and if necessary available in other languages
- outline how issues will be dealt with when a report of workplace bullying is made or received including broad principles to ensure the process is objective, fair and transparent—see section 3.2

- clearly state the roles of individuals such as managers and supervisors, and
- identify external avenues available to workers where reports of workplace bullying have been unable to be resolved internally.

A procedure must be developed in consultation with workers and health and safety representatives (if any).

Provide training and information

Training is a significant factor in preventing and managing workplace bullying, particularly to enable early intervention in workplace conflict before it potentially escalates into bullying. Workers including managers and supervisors should be aware of their roles in relation to preventing and responding to workplace bullying and have the appropriate skills to take action where necessary.

Training

Induction training for workers should include information on:

- the standards of behaviour expected in the workplace including the use of social media if relevant
- how workplace bullying should be reported and how such reports are managed, and
- where to go internally and externally for more information and assistance.

Training for workers can be provided in various ways including through online courses, podcasts and face-to-face training. A training program should cover:

- awareness of the impact certain behaviours can have on others
- the work health and safety duties and responsibilities relating to workplace bullying
- measures used to prevent workplace bullying from occurring
- how individuals can respond to workplace bullying
- how to report workplace bullying, and
- how workplace bullying reports will be responded to including timeframes.

Managers and supervisors need the skills to be able to identify psychological hazards and put the right control measures in place. They should be trained in how to prevent and respond to workplace bullying, and in skills that will help develop productive and respectful workplace relationships, for example training that covers:

- communicating effectively and engaging workers in decision-making
- managing difficult conversations and providing constructive feedback both formally and informally
- conflict management
- effectively managing workloads and performance, and
- diversity and tolerance.

Training should be tailored to meet the needs of workers and suit the nature of the workplace and the workforce, for example levels of literacy.

Providing workers with information

Information about workplace bullying can be given to workers in a number of ways including:

- talking directly with workers by holding team meetings, tool box talks or speaking one-on-one with them at the beginning of the work day
- handing out company newsletters or pamphlets
- including information sheets in payslips
- displaying posters around the workplace, or
- through email messages or intranet announcements.

2.3 Monitoring and reviewing

Once control measures have been implemented they should be monitored and reviewed to ensure they are effective in managing the risk of workplace bullying. If the control measures do not work the situation should be analysed further to determine how to fix the problem.

Monitoring should be undertaken through regular scheduled discussions at management meetings, staff meetings and health and safety committee meetings. A standing agenda item at these meetings may help to ensure that regular monitoring occurs. Regular monitoring of the incidence of grievances, staff turnover and use of employee assistance programs is also useful. Bullying incident reports and findings should be reviewed to identify any trends.

Policies and procedures should be reviewed regularly. A review must be carried out in consultation with workers and their health and safety representatives (if any). A review can be conducted at any time but it is recommended it is conducted at least:

- when an instance of workplace bullying has been substantiated
- at the reasonable request of a health and safety representative or a health and safety committee
- when new or additional information or research about workplace bullying becomes available
- where a review of records indicates reports of workplace bullying are increasing, or
- according to a scheduled review date.

Information for a review can be obtained from the same sources used when identifying the potential for workplace bullying, for example:

- confidential surveys
- exit interviews, or
- records of sick leave.

Gathering evidence to answer the following questions may help in a review:

- Are supervisors and managers trained to recognise and deal with workplace bullying? Has the training been effective?
- Has awareness been raised amongst staff about workplace bullying?
- Do workers speak up about unreasonable behaviour?
- Has there been a change in workplace morale and behaviour over time?
- Are workplace bullying policies being consistently enforced?
- Are reports of workplace bullying being responded to quickly and effectively?

Results of reviews and suggested improvements should be reported to managers, board members and where applicable health and safety representatives and health and safety committees.

3 RESPONDING TO WORKPLACE BULLYING

Workplace bullying may be identified and reported by those subject to the behaviour or by witnesses. A person can raise or report workplace bullying verbally or in writing by:

- informing a supervisor, manager or business owner
- informing their health and safety representative or union representative and asking them to make a report on your behalf, or
- using other established reporting procedures.

A manager or supervisor may also identify a risk of workplace bullying through changes in the workplace, for example increased absences, changes in workers' performance or low staff morale.

For ease of reading, references to 'reports of workplace bullying' in this Chapter are intended to encompass all of the ways in which bullying might be identified, raised or reported including verbally and in writing.

3.1 How to respond to a report of workplace bullying

Workplace bullying is best managed by responding as soon as possible after suspecting or becoming aware there is a problem. Responses to reports of workplace bullying will vary depending on the situation, the number of parties involved and the size and structure of the workplace.

In the first instance, attempts should be made to resolve the situation within the workplace, regardless of whether or not workplace bullying has occurred. Where internal processes are not effective, complainants may refer the complaint to external agencies. A flowchart to assist in applying the information in this Guide is provided at Appendix B.

Consider the following when responding to workplace bullying:

- **Is the behaviour bullying or not?**
The type of behaviour occurring may need to be determined to develop an appropriate response. For example, if the behaviour involves physical violence or what appears to be unlawful discrimination or sexual harassment, whether it is repeated or not, it will require a different response to workplace bullying.
- **Does the situation warrant measures to minimise the risk of ongoing harm?**
If necessary interim measures should be taken to minimise the risk to health or safety. This may involve temporarily reassigning tasks, separating the parties involved or granting leave.
- **Do I have a clear understanding of the issues?**
Seek additional information to ensure a clear understanding of the parties involved and the specific behaviour or behaviours thought to be unreasonable. This may be achieved by speaking to others who may have observed or participated in the behaviour.
- **Do I need additional information or assistance?**
People with specialist roles in the organisation or external specialists may be able to provide information, help identify the issues and develop potential responses to address the

behaviour. Additionally, an individual may wish to seek information or assistance that allows for objectivity and affords all parties due process.

- **Can the matter be safely resolved between the parties or at a team level?**
In some situations it may be possible to use a no-blame conciliatory approach to help individuals reach an outcome that will ensure the unreasonable behaviour ceases. A proposed resolution should be discussed with the person who reported the behaviour to check they are comfortable with it.
- **Should the matter be progressed to an investigation?**
Depending on the severity or complexity, some matters may need to be investigated. Chapter 4 provides further guidance on the investigation process.

A person may choose to resolve issues by self-managing the situation. This usually involves telling the other person the unreasonable behaviour is not welcome and asking for it to stop. If an individual does not feel safe or confident with approaching the other person they can seek the assistance of a supervisor or manager, human resources officer, their health and safety representative or union representative.

Anyone asked to act on behalf of an individual should use a confidential and non-confrontational approach.

In most circumstances, the person who is alleged to have perpetrated the bullying behaviour must be notified as soon as possible of the report and be given a chance to explain his or her version of events. They should be treated as innocent until the reports are proven to be true.

Providing training to workers about appropriate standards, expected behaviours and workplace bullying may help workers understand how to deal with issues such as conflict, confidentiality and related issues.

The role of supervisors and line managers

Supervisors and line managers should intervene when they observe unreasonable behaviour in their work teams or if they are requested to intervene by a member of their team. If a supervisor or manager approaches an individual directly about their behaviour they should record the actions taken. Supervisors should know how and when it is appropriate to seek advice or to escalate an issue.

The role of health and safety representatives

Health and safety representatives can raise issues on behalf of workers in their work group. They can also give advice to workers in their work group on how to approach an issue. The health and safety representative is not responsible for trying to resolve the matter.

3.2 Principles when responding to reports of workplace bullying

Effectively responding to issues when they are raised can stop the situation happening again and reinforce to workers that workplace bullying is treated seriously and consistently by the organisation. The following table sets out the principles that should be applied when handling reports of workplace bullying.

Table 2 - Responding to workplace bullying

Response	Measure
Act promptly	Reports should be responded to quickly, reasonably and within established timelines. Relevant parties should be advised of how long it will likely take to respond to the report and should be kept informed of the progress to provide reassurance the report has not been forgotten or ignored.
Treat all matters seriously	All reports should be taken seriously and assessed on their merits and facts.
Maintain confidentiality	The confidentiality of all parties involved should be maintained. Details of the matter should only be known by those directly concerned in the complaint or in resolving it.
Ensure procedural fairness	<p>The person who is alleged to have perpetrated the bullying behaviour should be treated as innocent unless the reports are proven to be true. Reports must be put to the person they are made against and that person must be given a chance to explain his or her version of events.</p> <p>The person reporting the bullying should be respectfully listened to and their report treated as credible and reliable unless conclusively proven otherwise.</p> <p>The opportunity to have decisions reviewed should be explained to all parties.</p>
Be neutral	Impartiality towards everyone involved is critical. This includes the way people are treated throughout the process. The person responding to the report should not have been directly involved and they should also avoid personal or professional bias.
Support all parties	Once a report has been made, the parties involved should be told what support is available, for example employee assistance programs, and allowed a support person to be present at interviews or meetings e.g. health and safety representative, union representative or work colleague.
Do not victimise	It is important to ensure anyone who reports workplace bullying is not victimised for doing so. The person accused of workplace bullying and witnesses should also be protected from victimisation.
Communicate process and outcomes	All parties should be informed of the process, how long it will take and what they can expect will happen during and at the end of the process. Should the process be delayed for any reason, all parties should be made aware of the delay and advised when the process is expected to resume. Finally, reasons for actions that have been taken and in some circumstances not taken should be explained to the parties.

Response	Measure
Keep records	<p>The following should be recorded:</p> <ul style="list-style-type: none"> • the person who made the report • when the report was made • who the report was made to • the details of the issue reported • action taken to respond to the issue, and • any further action required – what, when and by whom. <p>Records should also be made of conversations, meetings and interviews detailing who was present and the agreed outcomes.</p>

3.3 Balancing confidentiality and transparency

Both confidentiality and transparency are essential to maintain the integrity of the policies and procedures used to manage workplace bullying.

Confidentiality

Failure to maintain confidentiality can lead to workers mistrusting the reporting process. Confidentiality should be considered in what information, how and to who it is communicated. To limit breaches of confidentiality, measures include:

- discussing sensitive or private information with third parties only if they need to know and with the permission of those involved
- secure storage, coding and access to files and documentation on the workplace bullying report
- conducting discussions in a private location, and
- choosing appropriate times or locations for printing, copying or disposing of materials.

It is important the parties involved in the complaint are instructed:

- to maintain confidentiality of the materials presented, discussed or submitted, and
- on how to maintain confidentiality, for example who they can and cannot speak to about the matter.

Ensuring confidentiality should not prevent the parties involved from seeking support, such as through an employee assistance program, or bringing along a support person to interviews or meetings.

Transparency for the parties involved

Transparency of the report handling process promotes accountability. It allows the parties involved to be fully informed about how the report is going to be handled. The parties should be made aware of:

- the steps and estimated timeframes for resolving or investigating the workplace bullying report
- the name and details of a contact person
- progress reports and an explanation for delays

- the outcome of actions taken and the reasons for decisions made, and
- the right of review if the parties are not satisfied with the outcome.

Transparency for the organisation

An organisation can show it is committed to managing the risk of workplace bullying by highlighting activities that have been or will be undertaken to resolve workplace bullying. Generic information on workplace bullying reports and how these were handled can be provided to workers or to external parties, for example through public reports.

Information that could be considered for disclosure may include:

- the number of reports received and the number of reports resolved
- time taken to complete investigations
- whether investigations were conducted internally or externally, and
- the general nature of the outcomes.

This helps to generate confidence that the organisation is serious about preventing bullying.

3.4 Actions after reports of workplace bullying are resolved

After a report of workplace bullying is resolved there should be a follow-up review to check the health and safety of the parties involved, to offer support and to find out whether actions taken to stop the workplace bullying have been effective. These may include:

- offering professional counselling
- providing mentoring and support from a senior manager
- providing training and relevant professional or skills development
- redressing inequality resulting from the bullying behaviour
- re-instating lost entitlements resulting from the bullying behaviour e.g. re-crediting leave
- monitoring behaviours of the affected work group, or
- organising work in another area of the organisation.

Reviewing the systems of work

After addressing a specific case of workplace bullying, the work situation should also be examined to identify and address any underlying factors that may increase the risk of workplace bullying occurring. For example review the systems of work including workloads and staffing levels and the effectiveness of procedures and training.

Keeping records on reports of workplace bullying and actions taken as recommended in section 3.2 can be useful in analysing trends to help prevent bullying from recurring in the future. Records must remain confidential.

4 INVESTIGATIONS

Workplace bullying reports of a serious or complex nature should always be investigated. Serious bullying reports may include those:

- covering a long period of time
- involving multiple workers
- where the alleged behaviours are in dispute
- involving alleged bullying by senior managers, or
- where other processes have not been able to resolve the matter.

The aim of an investigation is to look into the circumstances of the matter and work out what has occurred.

Once it has been determined that an investigation will be undertaken, the PCBU should decide on the scope and process including:

- who will conduct the investigation
- details of the behaviour that will be investigated
- how the investigation will be conducted and likely timeframes
- what the investigation aims to achieve
- what support needs to be provided to the parties involved, and
- how outcomes of the investigation will be communicated.

The principles outlined in section 3.2 should be applied when a report of workplace bullying is being investigated.

4.1 Who should conduct the investigation?

Investigations should always be carried out by an unbiased person who has experience and knowledge in dealing with workplace bullying matters.

If being led internally it is important to ensure all parties have confidence in the neutrality of the investigator and they are suitably qualified to lead the investigation. If this is not possible an external investigator is recommended. The investigator should be impartial, objective and focus on whether a report of workplace bullying is substantiated or not, or if there is insufficient information to decide either way.

4.2 Informing the parties of the investigation

To ensure the investigation process is conducted in a fair, objective and timely way it is important to inform the parties about:

- who is conducting the investigation

- conflicts of interest—these should be declared before the investigation proceeds
- their obligations and the obligations of the investigator regarding confidentiality
- their right to seek independent advice and representation
- the expected timeframes of the investigation
- how the issue will be investigated e.g. interviews with the parties and witnesses or viewing documentary evidence
- who will receive copies of statements and records of interviews (if obtained)
- who can be present at interviews
- what support mechanisms will be in place for each party, including any interim measures to ensure the health and safety of the parties during the investigation process, and
- possible outcomes (e.g. disciplinary action) and rights of appeal and review.

4.3 Outcomes of an investigation

Where the investigator is not the decision-maker, at the end of an investigation, the investigator should provide an objective report to the PCBU who will then use the findings and recommendations of the investigation to make a decision. The report should outline:

- the report that was investigated
- the investigation process
- all relevant evidence (including who was interviewed), and
- the findings of the investigation as to whether the alleged bullying occurred.

The findings of the investigation should then be communicated to the parties involved.

If a report is substantiated, actions should be taken consistent with relevant policies and procedures. The actions may be different in each situation and depend on the severity of the workplace bullying, the size and structure of the business. Such actions may include:

- directing the person to cease the behaviour and gaining a commitment that the behaviour will not be repeated and monitoring this over time
- providing information to workers to raise the awareness of workplace bullying and standards of behaviour expected
- providing training or coaching e.g. leadership, communication and inter-personal skills and conflict management
- providing counselling support
- reviewing the workplace bullying policy and prevention measures
- addressing organisational issues that may have contributed to the behaviour occurring
- requesting an apology
- providing a verbal or written warning
- transferring a worker or workers to another work area, or
- demotion, dismissal or other actions subject to workplace relations laws.

It is likely a combination of strategies will be appropriate to prevent bullying behaviour from re-occurring.

If an investigation finds a report of workplace bullying is not substantiated, assistance may still need to be provided to resolve outstanding issues. This may involve mediation, counselling or changing working arrangements. Mediation is a voluntary process where an impartial third party, preferably a trained mediator, assists the parties put their respective cases before each other. The role of a mediator is to help both parties understand each other's perspective and to try to find an agreement the parties are willing to abide by.

If the report is found to be vexatious or malicious, disciplinary action or counselling may be considered against the person who made the report. Any action taken should be consistent with the organisation's policies on misconduct and disciplinary action.

5 EXTERNAL AVENUES

Reports of workplace bullying should be raised within the workplace, and reasonable attempts should be made to resolve the matter internally before referring to external agencies. Most external agencies encourage complainants to attempt to resolve the situation within the workplace through an informal or formal process (where available) prior to seeking their assistance.

WHS Regulators and the Fair Work Commission may be contacted where reasonable attempts to resolve a workplace bullying complaint through internal processes within the workplace have failed. The most appropriate agency will depend on the nature of the complaint and the desired outcome.

5.1 Work Health and Safety Regulators

Work health and safety regulators will assess and respond to bullying complaints in accordance with their individual compliance and prosecution policies, which may take into account issues such as the immediate risk to health and safety and possible breaches of work health and safety legislation.

Contact information for state and territory work health and safety regulators can be found in Appendix C.

5.2 Fair Work Commission

Workers who reasonably believe they have been bullied at work may apply to the Fair Work Commission for an order to stop the workplace bullying.

The Fair Work Commission's anti-bullying jurisdiction does not cover all Australian workers, for example those employed by local councils and state governments. The Fair Work Commission can assist workers to identify if they are eligible to apply for an order.

The Fair Work Commission's anti-bullying jurisdiction is limited to preventing the worker from being bullied at work. The Fair Work Commission cannot issue fines or penalties and cannot award financial compensation. The focus is on resolving the matter and enabling normal working relationships to resume.

Further information on the role of the Fair Work Commission can be found at <http://www.fwc.gov.au>.

Contact information for the Fair Work Commission can be found in Appendix C.

6 APPENDIX A – EXAMPLE OF A WORKPLACE BULLYING POLICY

[PCBU Name] - Workplace bullying policy

Our commitment

[PCBU name] is committed to providing a safe and healthy workplace free from bullying.

Workers are protected by this policy whether they feel bullied by a supervisor, another worker, client, contractor or member of the public.

[PCBU name] will treat reports of workplace bullying seriously. We will respond promptly, impartially and confidentially.

This policy will be made available to all workers including contractors. New workers will be given a copy of this policy at their induction. Managers and supervisors will remind workers of the policy from time to time.

Expected workplace behaviours

Under work health and safety laws, workers and other people at our workplace must take reasonable care that they do not adversely affect the health and safety of others.

[PCBU name] expects people to:

- 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.

What is workplace bullying?

Workplace bullying is 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 refer to 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.

What is not workplace bullying?

Reasonable management action taken by managers or supervisors to direct and control the way work is carried out is not workplace bullying if the action is carried out in a lawful and reasonable way, taking the particular circumstances into account.

What can you do?

If you feel you are experiencing or witnessing workplace bullying, and are not comfortable dealing with the problem yourself, or your attempts to do so have not been successful, you should raise the issue promptly either with your supervisor, health and safety representative or other manager within the organisation. If you are a member of the union you may also raise any issues with your delegate.

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

How we will respond

If workplace bullying or unreasonable behaviour is reported or observed we will take the following steps:

- The responsible supervisor or manager will speak to the parties involved as soon as possible, gather information and seek a resolution to satisfactorily address the issue for all parties.
- If issues cannot be resolved or the unreasonable behaviour is considered to be of a serious nature, an impartial person will be appointed to investigate. Both sides will be able to state their case and relevant information will be collected and considered before a decision is made.
- All complaints and reports will be treated in the strictest of confidence. Only those people directly involved in the complaint or in resolving it will have access to the information.
- There will be no victimisation of the person making the report or helping to resolve it. Complaints made maliciously or in bad faith may result in disciplinary action.

Consequences of breaching this policy

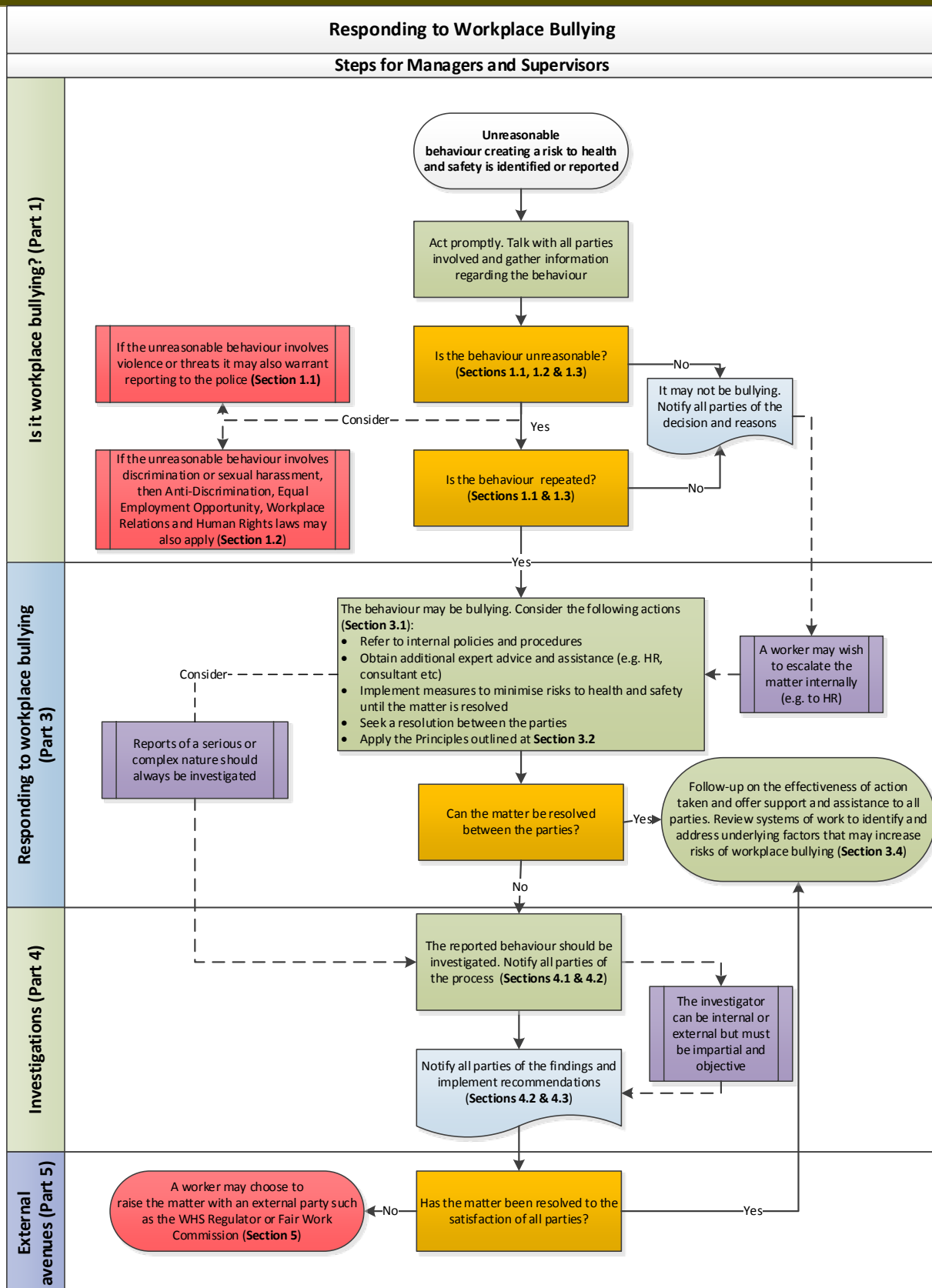
Appropriate disciplinary action may be taken against a person who is found to have breached this policy. The action taken will depend on the nature and circumstance of each breach and could include:

- a verbal or written apology
- one or more parties agreeing to participate in counselling or training
- a verbal or written reprimand, or
- transfer, demotion or dismissal of the person engaging in the bullying behaviour.

If workplace bullying has not been substantiated

If an investigation finds workplace bullying has not occurred or cannot be substantiated, **[PCBU name]** may still take appropriate action to address any workplace issues leading to the bullying report.

7 APPENDIX B – WORKPLACE BULLYING FLOWCHART



8 APPENDIX C – FURTHER INFORMATION

Work Health and Safety Regulators

Commonwealth

Comcare

Website: www.comcare.gov.au

Email: general.enquiries@comcare.gov.au

Phone: 1300 366 979

Victoria

WorkSafe Victoria

Website: www.worksafe.vic.gov.au

Email: info@worksafe.vic.gov.au

Phone: 1800 136 089 or 03 9641 1444

South Australia

SafeWork SA

Website: www.safework.sa.gov.au

Email: help.safework@sa.gov.au

Phone: 1300 365 255

Tasmania

WorkSafe Tasmania

Website: www.worksafe.tas.gov.au

Email: wstinfo@justice.tas.gov.au

Phone: 1300 366 322 (within Tasmania)

Australian Capital Territory

WorkSafe ACT

Website: www.worksafe.act.gov.au

Email: worksafe@act.gov.au

Phone: 02 6207 3000

New South Wales

SafeWork NSW

Website: www.safework.nsw.gov.au

Email: contact@safework.nsw.gov.au

Phone: 13 10 50

Queensland

Workplace Health and Safety Queensland

Website: www.worksafe.qld.gov.au

Phone: 1300 362 128

Western Australia

WorkSafe WA

Website:

www.commerce.wa.gov.au/WorkSafe

Email: safety@commerce.wa.gov.au

Phone: 1300 307 877 (within Western Australia)

Northern Territory

NT WorkSafe

Website: www.worksafe.nt.gov.au

Email: ntworksafe@nt.gov.au

Phone: 1800 019 115

Fair Work Commission

National Helpline: 1300 799 675

Website: www.fwc.gov.au

Human Rights and Anti-Discrimination Agencies

Commonwealth

Australian Human Rights Commission

Website: www.humanrights.gov.au

Email: infoservice@humanrights.gov.au

Phone: (02) 9284 9600 or 1300 656 419
(National Information Service)

TTY: 1800 620 241

Victoria

Equal Opportunity and Human Rights
Commission

Website:

www.humanrightscommission.vic.gov.au

Email: information@veohrc.vic.gov.au

Phone: 1300 891 848

South Australia

Equal Opportunity Commission

Website: www.eoc.sa.gov.au

Email: eoc@agd.sa.gov.au

Phone: (08) 8207 1977 or 1800 188 163 (Toll
free for regional SA)

TTY: (08) 8207 1911

Tasmania

Office of the Anti-Discrimination
Commissioner

Website: www.antidiscrimination.tas.gov.au

Email: antidiscrimination@justice.tas.gov.au

Phone: (03) 6165 7515 or 1300 305 062
(Statewide local call)

Web SMS: 0409 401 083

Australian Capital Territory

Human Rights Commission

Website: www.hrc.act.gov.au/

Email: human.rights@act.gov.au

Phone: (02) 6205 2222

SMS: 0466 169997

TTY: (02) 6205 1666

New South Wales

Anti-Discrimination Board

Website:

www.antidiscrimination.justice.nsw.gov.au

Email: adbcontact@agd.nsw.gov.au

Phone: (02) 9268 5555 or 1800 670 812 (Toll
free for regional NSW)

TTY: (02) 9268 5522

Queensland

Anti-Discrimination Commission

Website: www.adcq.qld.gov.au/

Email: info@adcq.qld.gov.au

Phone: 1300 130 670

TTY: 1300 130 680

Western Australia

Equal Opportunity Commission

Website: www.eoc.wa.gov.au

Email: eoc@eoc.wa.gov.au

Phone: (08) 9216 3900

Northern Territory

Anti-Discrimination Commission

Website: www.adc.nt.gov.au/

Email: antidiscrimination@nt.gov.au

Phone : (08) 8999 1444 or 1800 813 846
(Freecall)

Other support services

Lifeline: 13 11 14

Beyond Blue: 1300 224 636