

DIGNITY & RESPECT IN THE WORKPLACE CHARTER

***This organisation is committed to a workplace that provides dignity and respect to all its employees.
Dignity and respect requires acceptable behaviour from everyone in our workplace.***

Preamble

Everyone in the workplace, irrespective of their position, deserves to be treated with dignity and respect. No one should suffer bullying while going about their work. This can put at risk the health, safety and wellbeing of all employees. This organisation has therefore adopted a policy of 'zero tolerance' to bullying at work.

DEFINITION

Generally, workplace bullying is any behaviour or series of behaviours that is unreasonable or undesirable at the place of work and/or in the course of or related to employment which intimidates, humiliates and/or undermines a person or a group of people.

Bullying will generally meet the following four criteria:

1. It is repeated
2. It is unwelcome and unsolicited
3. The recipient/s considers the behaviour to be offensive, intimidating, humiliating or threatening
4. Based on the available information, the behaviour would be considered offensive, intimidating, humiliating or threatening to the individual it is directed at, or, for that matter, others who are witness to or affected by it.

Bullying behaviour may be directed upwards or downwards and towards co-workers. There is no finite list of bullying behaviours, however, the following types of behaviour, where repeated or occurring as part of a pattern of behaviour, could be considered bullying:

- Being subjected to constant ridicule and being put down in front of colleagues
- Being the victim of loud and abusive, threatening or derogatory language usually when other employees are present
- Leaving offensive messages on email or by telephone, including offensive messages through the use of SMS and material posted on the internet
- Being subjected to practical jokes

PERFORMANCE MANAGEMENT

It is important to differentiate between a person's legitimate authority at work, and bullying. All employers have a legal right to direct and control how work is done, and managers have a responsibility to monitor workflow and give feedback and manage performance.

POLICY PRINCIPLES

NSW public sector managers have a leadership responsibility to model ethical behaviour and maintain a professional working environment. Safe and healthy workplaces, which are free from bullying should be promoted and maintained. Agencies have a duty of care to provide safe working environments.

All workplace participants should treat each other with respect. There are bound to be occasional differences of opinion, conflicts and problems, these are part of working life. However, when the treatment of another person is unreasonable, offensive, intimidating, humiliating or threatening and repeated then this amounts to workplace bullying and should not be tolerated. Employees have a right to expect that any grievance or complaint lodged in relation to an allegation of bullying will be dealt with fairly and confidentially and managed in a timely, and appropriate manner.

IMPLEMENTATION OF POLICY PRINCIPLES

Policies developed by individual agencies to manage and prevent bullying should be based on the above policy principles. In so doing it is expected that the following approaches will be adopted:

- A whole of organisation commitment to employee health, safety & welfare
- The identification of organisational risk in relation to bullying behaviour
- Active management of allegations of bullying using existing agency grievance/complaints handling systems
- The promotion of workplace standards of behaviour (based on an agencies Code of Conduct) based on fairness, transparency and two way communication where employees treat each other with respect
- Consultation and communication with employees and unions on anti bullying strategies
- Training to raise staff awareness of their responsibilities in relation to the prevention and management of bullying.

LEGISLATION & RELATED POLICIES

NSW Occupational Health and Safety Act 2000
NSW Occupational Health and Safety Regulation 2001
Working Together Public Sector OHS & Injury Management Strategy 2005-2008
NSW Workplace Health and Safety Strategy 2005-2008
Workers Compensation Act 1987
Workplace Injury Management and Workers Compensation Act 1998
Model Code of Conduct for NSW Public Agencies 1997
Code of Conduct and Ethics for Public Sector Executives 1997
Dealing with Employee Work-related Concerns and Grievances 1996

For information on harassment and anti-discrimination issues see

Harassment Free Workplace Policy and Guidelines 1996
NSW Industrial Relations Act 1996
Federal Workplace Relations Act 1996

BULLYING RISK MANAGEMENT MODEL

Each of the elements in the model contributes towards eliminating bullying from the workplace.

In recognition that agencies are at various stages of implementation the model allows agencies to review any or all of the above elements, as they are part of a continuous rather than sequential process.

These strategies are not intended to override but rather complement and guide agencies to customise their own approaches.



WORKPLACE CONSULTATION

Effective communication with internal and external stakeholders is the key to understanding risk, managing risk and developing a workplace culture that values and promotes positive behaviours. Consultation with employees and unions is integral to this process.

A RISK MANAGEMENT APPROACH

The risk management approach to bullying focuses on creating a work environment that eliminates or controls the circumstances that can lead to bullying. In this context risk management is about eliminating or reducing the risk of injuries and illness associated with bullying and identifying the factors that may lead to bullying.

WORKPLACE TRAINING AND AWARENESS

Training is integral to developing a workplace culture that encourages dignity and respect in the workplace. Training reduces the risk of bullying occurring in the workplace because it builds staff confidence in an agency's anti-bullying policy and better equips managers to understand bullying issues and prevention strategies at the workplace level.

Generally speaking anti-bullying training may include the following three aspects:

- Creating awareness and building commitment to a bully free workplace
- Agency anti-bullying policy and procedures
- Training needs identified as a result of the Risk Management Approach

DEALING WITH COMPLAINTS

All agencies should have complaint handling systems in place. Memorandum 96-11 "Dealing with Employee Work-Related Concerns and Grievances, and Harassment Free Workplace" provides agencies with guidelines for the appropriate management of work-related concerns and grievances. A grievance is defined as a clear statement by an employee of a work-related problem, concern or complaint.

Agency specific complaint procedures should reflect the principles outlined in this policy. Agencies may manage bullying incidents using their existing agency grievance/complaints handling systems adapted to meet this policy.

PROCESS IMPROVEMENT

Consultation and participation is important to build commitment to appropriate workplace behaviour and identify risk factors. Effective consultation, monitoring and review leads to continuous improvement. The monitoring and review process should involve feedback from all relevant stakeholders.

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Signed on

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NEW SOUTH WALES GOVERNMENT
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