



POLICY DOCUMENT

12.16.45

Policy Name	WHS WORKPLACE BULLYING POLICY
Policy No	12.16.45
Reviewed By	Lynne Jolley Manager Corporate Governance
CEO Authorisation	Rob Donaldson CEO
Review Details	Date Endorsed by Health and Safety Committee: 18 th May 2017 Replaces Previous Version Dated: New Policy Next Review Date: April 2020

1. PURPOSE

This policy aims to ensure that the City of Port Lincoln ("Council") provides a work environment that is free of workplace bullying and Council complies with its primary duty of care obligations under the Work Health and Safety Act 2012.

2. INTRODUCTION

Council is committed to providing a safe and healthy workplace free from bullying. Workers are protected by this policy whether they feel bullied by a manager, supervisor, another worker, elected member, contractor, client or member of the public.

Council will treat reports of workplace bullying seriously. Council will respond promptly, impartially and confidentially.

This policy will be made available to all employees, contractors and volunteers. 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.

3. EXPECTED WORKPLACE BEHAVIOURS

The Work Health and Safety Act 2012 requires workers and other people at our workplace to take reasonable care that they do not adversely affect the health and safety of others. Council requires workers 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, including training, even if it occurs outside normal working hours
- during work activities, for example when dealing with customers and members of the public
- 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.

4. **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.

5. **WHAT IS NOT WORKPLACE BULLYING?**

A single incident of unreasonable behaviour is not workplace bullying, however can present a risk to health and safety and will not be tolerated.

Reasonable management action taken by CEO, 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.

6. **REPORTING WORKPLACE BULLYING**

Any employee that experiences or witnesses workplace bullying and/or unreasonable behaviour has a responsibility to report the matter promptly to either their supervisor, health and safety representative or other manager within the organisation.

7. **RESPONSE TO WORKPLACE BULLYING**

When handling reports of workplace bullying, Council will:

- act promptly and reasonably
- treat all matters seriously
- maintain confidentiality
- ensure procedural fairness
- be neutral
- support all parties
- not victimise
- communicate the process and outcomes
- keep records.

8. **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:

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

9. REVIEWING THE SYSTEMS OF WORK

After addressing a specific case of workplace bullying, including when an investigation finds workplace bullying has not occurred or cannot be substantiated, Council will examine and address any underlying factors that may increase the risk of workplace bullying occurring, and may take further appropriate action to address any workplace issues that lead to the bullying report.

10. REVIEW


This policy shall be reviewed within three (3) years of issued date or on significant change to legislation or any aspects included in this policy that could affect the health and safety of workers. Any alteration or substitution of this policy will be subject to staff consultation unless Senior Management Team determines that the alteration or substitution is only administrative or of minor significance.

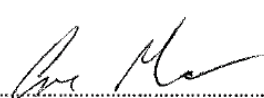
11. RELEVANT DELEGATED POWERS AND DUTIES

Any actions or decisions made regarding this policy will be enacted upon as per Council’s current Delegations Register.

12. REFERENCES

- Work Health and Safety Act 2012
- Work Health and Safety Regulations 2012
- Safework Australia Guide for Preventing and Responding to Workplace Bullying (May 2016)
- 12.63.12 Code of Conduct for Council Employees
- PROC385 WHS Work Place Bullying Procedure and Flow Chart

SIGNED: 
 Chief Executive Officer
 Date: 26/5 /17


 Chairperson, Health & Safety Committee
 Date: 26/5 /17

Document History:	Version No.:	Issue Date:	Description of change:
	1.0	June 2017	New document, June 2017