



# POLICY

## Bullying in the Volunteer and Workplace Environment

### Bullying Behaviour Policy

**Our Commitment:** This policy will be made available to all volunteers, contractors and other agents. New volunteers will be given a copy of this policy at their induction. Current members will be given this policy each year in September via their registered email address as a sign of the organisation's renewed commitment. Contractors and other agents who are engaged by Southern Vales Community Radio Inc. will be required to read this document prior to starting any work on behalf of the organisation.

**Southern Vales Community Radio Incorporated** is committed to providing a safe and healthy volunteer organisation promoting the growth of the individual, the station and the community and in an environment free from discrimination and from bullying. Volunteers are protected by this policy whether they feel bullied by a Management Committee member, sub-committee member, another volunteer, sponsor, contractor, guest, or member of the public.

**Southern Vales Community Radio Incorporated** will treat reports of volunteer, or workplace bullying seriously and your complaint will be treated promptly, impartially and in the strictest of confidence.

#### Expected volunteer behaviours

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

**Southern Vales Community Radio Incorporated** expects people to:

- behave in a responsible and professional manner,
- treat others in the volunteer organisation and workplace with courtesy and respect,
- listen and respond appropriately to the views and concerns of others,
- be fair and honest in their dealings with others.

# Bullying Behaviour Policy

## **This policy applies to behaviours that occur:**

- in connection with work and volunteering, even if it occurs outside normal working hours
- during work and volunteering activities, for example when dealing with clients
- at work/volunteer-related events, for example at conferences and work/volunteer-related social functions
- on social media where workers/volunteers interact with colleagues, the community, or clients and their actions may affect them either directly or indirectly.

## **What is workplace / volunteer bullying?**

**Workplace volunteer bullying is defined as:** Repeated and unreasonable behaviour directed towards a person or a group of persons 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 / volunteer bullying?**

**Reasonable action is defined as:** Steps taken by the Management Committee members or sub-committee members to direct and control the way work is carried out is not considered to be workplace / volunteer bullying if the action is taken in a reasonable and lawful way.

## **What can you do?**

If you feel you are being bullied and are not comfortable dealing with the problem yourself, or your attempts to do so have not been successful, you should raise the issue with a Management Committee member within the organisation.

If you witness unreasonable behaviour, you should bring the matter to the attention of a Management Committee member as a matter of urgency.

**An open complaint can also be sent to all Southern Vales Community Radio Management Committee members.**

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## How we will respond:

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

1. The Management Committee member will speak to the parties involved as soon as possible, gather information and seek a resolution to satisfactorily address the issue for all parties.
2. If the 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.
3. 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.
4. There will be no victimisation of the person making the report or helping to resolve it. Complaints made maliciously or in bad faith will result in disciplinary action.

## Consequences of breaching this policy

Appropriate disciplinary action will be taken against a person who is found to have breached this policy. These measures will depend on the nature and circumstance of each breach and may include but not be limited to:

- a verbal or written apology
- one or more parties agreeing to participate in counselling or training
- a verbal or written reprimand
- disciplinary action as outlined in the CBAA codes of conduct Appendix 4.

## If bullying has not been substantiated

If the investigation finds bullying has not occurred or cannot be substantiated, **Southern Vales Community Radio Incorporated** may still take appropriate action to address any workplace issues leading to the report.

Above is constructed from the template from Safe Work Australia - Guide for Preventing and Responding to Workplace Bullying

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## Appendix A – Other references

### EXTRACT FROM - DEALING WITH WORKPLACE BULLYING - A WORKER'S GUIDE

#### What is workplace bullying?

Not all behaviour that makes a person feel upset or undervalued at work is workplace bullying. Examples of behaviours, 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.

#### UNLAWFUL DISCRIMINATION AND SEXUAL HARASSMENT

Unreasonable behaviour may involve unlawful discrimination or sexual harassment which in isolation 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.

#### What is not workplace bullying?

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 change or restructuring, and
- taking disciplinary action including suspension or termination of employment where appropriate or justified in the circumstances.