

Workplace Bullying — Employees

Policy

This policy outlines the requirements to prevent workplace bullying.

Summary

- The [Occupational Health and Safety \(OHS\) Act \(2004\) \(Vic\)](#) requires the Department to provide a working environment that is, so far as is reasonably practicable, safe and without risk to health. Under the OHS Act 2004, reference to health includes psychological health.
- The Department is committed to providing a safe working environment without risks to health where all employees are treated with dignity and respect.
- Bullying will not be tolerated in any of the Department's workplaces.
- Principals and/or their delegate are responsible to ensure that systems of work are implemented to prevent the risk of bullying and reviewing and evaluating those work systems to ensure their effectiveness.
- Principals and/or their delegate are responsible for ensuring that employees are aware of their responsibilities to take reasonable care for their own health, safety and wellbeing while at work and ensure that their acts or omissions do not adversely affect the health, safety and wellbeing of others.
- Under the OHS Act 2004, employees while at work must take reasonable care for their own health and safety and the safety of others who may be affected by their actions or omissions.
- Central and regional offices provide a range of supports and services to assist principals and employees to be safe and well, including access to the OHS Advisory Service and local regional officers who can provide free advice on how to manage workplace bullying.
- The [Workplace Bullying Procedure](#), must be followed, and sets out the practical step-by-step instructions for implementing this policy.
- This Policy forms part of the Department's OHS Management System, see OHS Management System (OHSMS) — Employee Health, Safety and Wellbeing for further information.

Details

The principal and/or their delegate must ensure that they:

- promote and model the Department's Values
- understand what constitutes bullying and know how to prevent or respond to bullying
- establish and maintain an environment where employees can conduct their daily work in a safe manner and where employees feel comfortable raising concerns relating to bullying or behaviour that causes a risk to health and/or safety
- identify behaviour that may amount to bullying and take prompt action to address the behaviour
- if the behaviour involves violence or a threat of violence, contact Victoria Police
- consult and communicate with employees and Health and Safety Representatives (HSRs) on decisions and changes that may affect their health and safety
- clearly define and agree to employee responsibilities and accountabilities
- provide adequate resources and information for employees to enable them to perform their role
- facilitate teamwork and cooperation
- respond to concerns in a timely manner
- adhere to the Department's Complaints, Unsatisfactory Performance and Misconduct Guidelines when managing a bullying complaint
- encourage reporting on eduSafe and close out reported incidents
- make employees aware of available support services — e.g. Employee Assistance Program
- handle all discussions, communications and actions with sensitivity and confidentiality

The principal and/or their delegate must ensure that employees are aware that if they are experiencing bullying they must:

- raise matters of concern at an early stage and actively participate in the complaint management process if necessary
- provide specific information regarding the perceived or alleged bullying in a form that enables the allegation to be considered and managed accordingly
- maintain confidentiality and not discuss or release information relating to a bullying complaint to any third party who has no legitimate involvement in the process
- ensure that any allegations relating to bullying are made honestly and not vexatiously or maliciously, or to impede legitimate managerial action
- cooperate with any complaint procedure in a timely and professional manner

Definitions

Bullying

Defined as repeated behaviour and unreasonable behaviour directed towards or from an employee or group of employees 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

Behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Workplaces

Any Department premises or facilities where Department business is conducted. The workplace is not restricted to our physical workplaces.

The workplace:

- extends beyond the physical boundaries of the workplace
- extends beyond the set times of work
- includes interaction with other organisations and the public (where the individual may be seen as representing the organisation e.g. in uniform, online social media platforms, etc)
- includes interaction between employees in a social context — i.e. Christmas parties, fundraisers and employees farewells. It may also include interactions outside of work —e.g. a workmate's barbeque, especially if it impacts on relationships and behaviours within the workplace

The workplace can extend to any situation where there is interaction with people at work (especially when the interaction has a negative impact on relationships at work).

Related policies

- [OHS Consultation and Communication](#)
- [OHS Management System \(OHSMS\) Overview — Employee Health, Safety and Wellbeing](#)

Relevant legislation

- [Charter of Human Rights and Responsibilities Act 2006 \(Vic\)](#)

- [Equal Opportunity Act 2010 \(Vic\)](#)
- [Fair Work Act 2009 \(Cth\)](#)
- [Occupational Health and Safety Act 2004 \(Vic\)](#)

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School Council August 2020