

Bankstown Community Church Bullying and Harassment Policy

Policy Statement

Bankstown Community Church (**BCC**) will strive to achieve a healthy and safe workplace by addressing the issue of harassment, discrimination and workplace bullying. BCC is concerned to ensure that harassment, discrimination and workplace bullying does not occur but, in the event it does, appropriate action is taken quickly. BCC commits itself to educating employees and volunteers as to the nature and effects of harassment, discrimination and workplace, and to providing the necessary resources to inform them of the contents of this policy.

Employees and Volunteers of BCC must not engage in harassing, discriminatory or bullying behaviour towards another employee or volunteer; or a member of the public with whom they have contact in the course of their employment. BCC does not tolerate such behaviour and may take disciplinary action up to and including dismissal against any employee who:

- participates in harassing, discriminatory or bullying behaviour; or
- victimises or retaliates against an employee who has lodged a complaint about harassment, discrimination or workplace bullying.

Accordingly, all BCC employees and volunteers are to:

- comply with BCC Values and Code of Conduct;
- comply with BCC's Professional Behaviours;
- treat others in a professional, courteous, respectful and fair way;
- treat harassment, discrimination and workplace bullying matters seriously, and deal with them in a prompt, confidential and fair manner; and
- report any incidents to the safety officer and fill in an Incident form.

Purpose

The purpose of this policy is to make BCC employees and volunteers aware of what constitutes harassment, discrimination and workplace bullying, and their responsibilities in preventing and managing such incidents.

The intended outcome is a workplace that is free from all forms of harassment, discrimination and bullying.

Application

This policy applies to BCC ongoing and non-ongoing employees, volunteers, contractors and visitors.

This policy covers:

- Any behaviour or series of behaviours that unfairly or unreasonably offends, humiliates, intimidates, belittles, undermines, scares, excludes, or embarrasses anyone it is directed at, or anyone who sees or overhears it; and
- Any behaviour or series of behaviours which may constitute any form of discrimination.

This policy does not cover:

- Work-related interpersonal conflicts and occasional differences of opinion or disagreement with decisions which may be more appropriately addressed by mediation.

- Reasonable and appropriate corrective management of an employee's or volunteer's poor workplace performance or behaviour; or
- Enforcement of lawful directions issued by the agency.

Legal Framework

Harassment or discrimination on the grounds of race, gender, religion, political opinion, sex, pregnancy or potential pregnancy, marital status, physical or mental disability, sexual preference, national extraction or social origin, age, and/or family responsibilities is an offence under various Commonwealth anti discrimination and workplace legislation. Further, employees or volunteers must not harass or discriminate against others on the grounds of political or religious conviction or union membership status.

BCC has a responsibility under the *Work Health and Safety Act 2011 (WHS Act)* to ensure the health, safety and welfare of employees and others in the workplace. Individual employees may be liable to prosecution under the WHS Act for failure to provide a safe workplace. Harassment, discrimination and bullying may result in injury to staff, which may be compensable under the Safety, Rehabilitation and Compensation Act 1998.

Responsibilities

All BCC employees and volunteers are responsible for ensuring that breaches of this policy do not occur.

Ministry Leaders and managers have a leadership role and are responsible for preventing incidents and taking prompt action if breaches do occur. Incidents that occur should be recorded on the BCC incident form for assessment and appropriate action in accordance with the Complaint Handling processes.

Breaches

Engaging in harassing, discriminating or bullying conduct in the workplace constitutes a breach of this policy and may result in disciplinary action up to and including dismissal. In some instances, harassment, discrimination or workplace bullying may also amount to a criminal offence or a breach of relevant Commonwealth legislation.

Some additional information is listed below to help individuals to understand these concepts.



Are you experiencing or witnessing workplace bullying?

To be able to take the most appropriate action it is important to first establish whether the behaviour you are experiencing or witnessing is workplace bullying. Below are some questions that you could consider to determine if certain behaviour amounts to workplace bullying.

Is the behaviour being repeated?

- Repeated behaviour refers to the persistent nature of the behaviour and can involve a range of behaviours over time.
- If it is a one-off incident of unreasonable behaviour, it is not workplace bullying.

Is the behaviour unreasonable?

- 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.

If you answer yes to these questions and you consider that your health and safety is being impacted as a result, you may be experiencing or witnessing workplace bullying. There are circumstances when perceived unfair treatment can actually be a result of miscommunication. It can be difficult in times of stress to be objective about what is happening. Therefore, in considering the questions above, it may be helpful to seek the perspective of another person who is not involved, if you need extra support, you can discuss the situation with the WHS safety officer or church elders.

If you are experiencing or witnessing any behaviour that involves violence, for example physical assault or the threat of physical assault, it should be reported to the police.

Next steps if the behaviour does not appear to be workplace bullying

If you remain upset or unhappy because of the behaviour, you could seek advice on strategies that may help resolve the situation and how you are feeling. For example, if the behaviour was reasonable management action or a one-off incident but it still seems unreasonable to you, you could raise your concerns with the person directly or with your supervisor, manager or human resources officer. If necessary, conflict resolution, mediation or counselling services may assist in resolving the issue.

If you believe the behaviour involves unlawful discrimination or sexual harassment, you can seek advice and assistance from your Elders or WHS Officer, the Australian Human Rights Commission, your relevant State or Territory anti-discrimination, equal opportunity or human rights tribunals, the Fair Work Commission, or seek legal advice.

You should continue to monitor the situation over time to ensure it does not escalate to workplace bullying.

Next steps if the behaviour does appear to be workplace bullying

Refer to your workplace policies and procedures. Check whether your workplace has a bullying policy and reporting procedure. The policy should outline how the organisation will prevent and respond to workplace bullying.

Your supervisor, manager or human resources officer should be able to tell you whether there are relevant policies in place. Information on your workplace bullying policy may also be provided in: induction information, awareness sessions, in-house newsletters or displayed on notice boards documents such as a 'code of conduct', or discussions at staff meetings and in team briefings.

Speak to the other person

If you feel safe and comfortable doing so, calmly tell the other person that you object to their behaviour and ask that it stop. They may not realise the effect their behaviour is having on you or others, and your feedback may give them the opportunity to change their actions. You may also consider suggesting an alternate way for them to behave that is acceptable to you, however whether this is appropriate will depend on the circumstances.

If you choose to deal with the situation personally you should consider:

- acting as early as possible
- raising your concerns informally and in a non-confrontational manner
- not engaging in retaliatory behaviour
- focusing on the unwanted behaviour and how it makes you feel, rather than the person, and
- being open to feedback.

You can ask your WHS Officer, Elders for assistance and support, including accompanying you when you approach the person.

Seek advice

If you are unsure about what to do if you have experienced or witnessed workplace bullying, you may wish to seek advice from an independent person. Advice should be sought from a person who is objective and impartial and who has knowledge of the options available for dealing with workplace bullying. This may include:

- your manager or supervisor
- human resources area
- workplace harassment contact officer
- health and safety representative
- worker representative, and
- employee assistance programs.

Report it

Workplace bullying should always be reported. If you believe you are experiencing or witnessing workplace bullying, you should report it as early as possible. Your employer cannot address the problem if they do not know about it.

You can make a workplace bullying report verbally or in writing, including by:

- informing your supervisor or manager
- informing your WHS Officer or Elders and asking them to make a report on your behalf, or
- using other established reporting procedures.

If your supervisor is the person whose behaviour is concerning you, consider reporting their behaviour through other channels, for example through your WHS Officer or Elder.

If the workplace bullying behaviour has not stopped, you may be able to make a complaint to an external body such as the Fair Work Commission.

What to do if you are accused of workplace bullying

Being accused of bullying behaviour can be upsetting and come as a shock but it is important to be open to feedback from others, and if necessary, be prepared to change your behaviour. Keep the following points in mind

:

- Give the complaint serious consideration

If someone approaches you about your behaviour, try to remain calm and avoid aggravating what is likely to be an already difficult situation. Listen carefully to the particular concerns expressed. Discuss how you might work together more effectively. The other person is more likely to share their views with you if you choose a neutral space and ask open questions without attempting to justify your behaviour. Even so, the other person may not be comfortable speaking to you.

- Seek an objective opinion about the behavior

If you do not understand the complaint or would like a second opinion about your behaviour, discuss the matter with someone you trust. This might be your manager, or a counsellor engaged through your organisation's employee assistance program. Any discussion should be strictly confidential. It is important not to unintentionally escalate the situation by

discussing the issue openly. If you believe you are being unjustly accused, or the complaint is malicious, you should discuss this with your manager or human resources officer. It may be that an informal discussion between you, the person making the allegation and a third party will solve the problem.

- Adjust unreasonable behavior

If you have been made aware that your behaviour is considered unreasonable, stop or modify the behaviour and review what you are doing. If, after careful consideration, you believe that your behaviour is reasonable management action, you should discuss this with your supervisor, manager, or a human resources officer. Even in those circumstances, it may be possible to modify future management action to minimise the risk that others might find it unreasonable. If you are found to have continued to bully someone after their objection to your bullying behaviour was made known to you, your persistence, or the fact that you have not modified your behaviour, is likely to be taken into account in disciplinary or other proceedings.