

ANTI-BULLYING AND HARASSMENT

POLICY



INTRODUCTION

Harassment or bullying may be an intentional act or result from a lack of awareness and understanding of various cultural, religious or other factors affecting an individual or a group. Reid Early Childhood Centre (RECC) is committed to providing employees, children and families with an environment that is free from bullying and harassment. All employees and visitors are expected to behave in a professional manner and to treat each other with dignity and respect. The Director and Room Leaders in particular are expected to show leadership in ensuring a safe environment for all staff, visitors and children. The children attending RECC learn by observing their environment, including through adults who model appropriate behaviours.

The Management Committee encourages anyone who feels they are the victim of bullying to report it to the Director, and follow the steps outlined at RECC's Grievances and Complaints policy.

DEFINITIONS

Workplace bullying is defined by ACT WorkCover as:

"repeated, unreasonable behaviour directed towards a person or group of persons at a workplace, which creates a risk to health and safety".

Unreasonable behaviour

This is behaviour that is perceived as offensive, humiliating, intimidating, degrading or threatening by anyone in the workplace. It includes, but is not limited to:

- Verbal abuse, humiliation, spreading rumours or constant criticism
- Pranks or jokes played on an employee
- Excluding or isolating employees
- Giving a person the majority of an unpleasant or meaningless task
- Deliberately withholding vital information or resources relating to the workplace or an employee's duties
- Inappropriate images or text displayed in the workplace

Repeated behaviour

Repeated behaviour refers to the actions performed overall and is not limited to a repeated type of harassment. That is, targeting someone continually which may include a variety of unreasonable behaviours and which results in the person feeling harassed.

Single incidents

An unreasonable behaviour which is demonstrated only once is not classified as bullying or harassment but can still cause distress for the victim nonetheless. Depending on the circumstances, a single incident of harassment may be an offence under the *Discrimination Act 1991*. Any report of bullying or harassment will be treated as a warning sign of a workplace issue and therefore be addressed immediately to prevent recurrence.

Occupational violence

This is defined as any incident where a person is physically attacked or threatened in the workplace. If bullying involves assault or threat of assault, it may become a police matter. Harassment includes workplace violence which is not tolerated at RECC.

Bullying

Workplace bullying is repeated unreasonable behaviour directed toward an employee, or group of employees. Examples of bullying are categorised the same as unreasonable behaviours.

Effect OF BULLYING AND HARASSMENT

Each person is likely to react in a different way to situations and incidents that upset or offend them. Generally, people will respond with a physical, mental or emotional symptoms. Reactions may occur immediately or may not be felt until a later time. Similarly, individuals might understand why they have reacted a certain way immediately or not for weeks or months after the incident occurred.

ROLES AND RESPONSIBILITIES

Under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulations 2011* managers and employees both have a duty of care to prevent workplace bullying.

Centre Managers

The Director and Room Leaders are responsible for implementing steps to ensure bullying does not occur at RECC. This is achieved through discussion at team meetings, promoting the Anti-Bullying and Harassment Policy and understanding the topic in order to identify any events so intervention can be made before the matter escalates.

Room leaders are not expected to be experts in this topic nor are they expected to intervene directly in the event of harassment and bullying. However, they are expected to immediately notify the Director if bullying or harassment occurs in accordance with the Grievances and Complaints Policy.

Employees

Reid Early Childhood Centre fosters a friendly and cooperative workplace atmosphere through proactive awareness of bullying and harassment. RECC recruits employees on the basis of a professional work ethic with a view to minimise the risk of workplace harassment. The Anti-Bullying and Harassment Policy is made available to employees during their initial induction and the Room Leader ensures new employee's understanding of RECC expectations regarding appropriate workplace behaviours. Employees have substantial impact on the children they care for and should therefore consider their actions and comments in the workplace.

In the unlikely event that an employee experiences or witnesses bullying or harassment they should advise the Room Leader. If the employee is a Room Leader, they should discuss the matter with the Director. It may be that an employee who witnesses unreasonable behaviour is the person who raises the concern

because witnesses may also be adversely affected by bullying or harassment, not just the victim.

Employees incorporate cultural awareness into the children's learning program and draw from their own experiences and cultures. RECC organises cultural festivals which promotes greater awareness for staff, children and families. RECC's program includes teaching children about their peer's similarities and differences to foster acceptance and inclusion at the Centre. The result is a professional workplace committed to accepting individual differences and therefore minimises the likelihood of workplace harassment.

Non-employees

RECC employees and Room Leaders interact with adult non-employees on a daily basis. These are primarily the families of children attending the Centre. RECC employees should provide sufficient information and time to liaise with families to minimise the chance of misunderstandings or disagreements – and vice versa.

Other people who enter RECC to conduct work include education providers and tradespersons. These people are also expected to exhibit appropriate adult behaviours when dealing with RECC employees and also the children. In particular, educators who have an ongoing relationship with staff and children are expected to be positive role models for the children.

INCIDENT REPORTING

Any staff member, who believes they have been bullied, harassed or witnessed any form of harassment should report it as soon as possible to the Room Leader or to the Director if discussing it with the Room Leaders is not possible. A formal incident report should be completed to assist in addressing the matter and to record details of the incident. Any employee who believes they have witnessed a colleague being bullied, harassed or threatened has an obligation under the Work Health and Safety Act 2011 to report the matter to the Room Leader or Director.

If an employee does not feel confident in reporting their concern to the Room Leader or the Director (for whatever reason) they may seek advice from a trusted source in the first instance, as it is highly recommended that the matter is reported and noted. A trusted source may include a member of the Management Committee. Employees have the option of making a formal complaint or taking an informal approach.

While the RECC Health and Safety Representative doesn't have a responsibility to manage workplace bullying or harassment, they may be consulted for advice and assist in approaching RECC managers. The functions of the appointed Health and Safety Representative include liaising with employees on health and safety issues and reporting to the employer any hazards or risks to which the employees may be exposed.

What to report or document

In addition to the formal incident reporting process in place at RECC, some general points to note down if you have experienced or witnessed bullying or harassment include:

- when and where it occurred;

- what was said or done;
- how it made you feel;
- who was involved; and
- potential witnesses.

INVESTIGATION OF REPORTS

Any report of bullying will be treated seriously and investigated promptly, confidentially and impartially. The privacy of both parties will be upheld and any records will be kept confidential. The Director will investigate the matter and assist in achieving a suitable result for both parties. The Director will facilitate a resolution but is not responsible for reaching agreement between the parties involved. Procedures for reporting and investigating bullying and harassment complaints are the responsibility of the Director and follow the guidelines set out by ACT WorkSafe. Unsubstantiated claims or malicious reports will be addressed once the event has been fully investigated by the Director.

If an issue remains unresolved and there is a risk of injury or harm to someone, WorkSafe inspectors may be called upon to investigate. In the case of workplace bullying, an inspector's role is not to mediate or provide counselling, but to ensure that the employer and employees meet their obligations under the Work Health and Safety Act 2011. WorkSafe may be contacted to provide advice about how to comply with legal obligations.

SUPPORT FOR EMPLOYEES

RECC engages the service of *Davidson Trahaire Corpsych* and where issues arise staff are advised to contact them to access counselling services and discuss issues of concern under RECC's expense. Staff are also recommended to discuss concerns with their GP who can refer them to community resources to assist with coping and building personal resilience. GPs are available to monitor and improve your health if you are experience a physical, mental or emotional impact. Employees have a right to complain to the ACT Human Rights Commission if they experience sexual harassment, racial vilification, discrimination or victimisation. However, RECC's Philosophy and Values, policy and practices promote anti-bullying and harassment in order to minimise the risk.

Employees are not expected to handle upsetting situations on their own. Staff should not retaliate against someone who may be treating them unprofessionally. Employees may wish to discuss their intended approach with the Room Leader or Director first. The focus should be on the unwanted behaviour, rather than on the person.

The RECC Management Committee encourages any employees who feel they are the victim of bullying to report it to the Director. Any reports of bullying will be treated seriously and investigated promptly, confidentially and impartially. The process may result in termination.

RELATED POLICIES:

Behaviour Guidance and Management Policy
Grievances and Complaints Policy

Incident reports, investigation and notification Policy
Work Health and Safety Policy

SOURCES:

ACT Human Rights Commission (www.hrc.act.gov.au)

ACT WorkSafe (www.worksafe.act.gov.au)

Davidson Trahaire Corpsych (www.davcorp.com.au, tel: 1300 360 364 / 6124 2800)

Work Health and Safety Act 2011

Work Health and Safety Regulations 2011

WorkSafe ACT Bullying 3 'Recognising and Responding to Bullying at Work'

WorkSafe ACT Bullying 4 'Complete Complaints Resolution Process'