



ABN 61 456 305 396

Bullying Policy

1. Policy

- 1.1 **This is Plenty Valley Community Radio Inc's (Plenty Valley FM) official policy on bullying.**
- 1.2 Plenty Valley FM recognises that everybody in the workplace has the right to be treated with respect and dignity.
- 1.3 Plenty Valley FM expressly prohibits bullying in the workplace and in all aspects of work. It is unacceptable and unlawful and may expose the perpetrator and Plenty Valley FM to liability.
- 1.4 Occupational health and safety and employment legislation (**workplace legislation**) impose legal obligations on Plenty Valley FM and its workers in relation to safety and bullying in the workplace. Bullying creates an unsafe workplace and may amount to a breach of workplace legislation. It can also be a criminal offence in some circumstances.
- 1.5 This policy sets out what constitutes bullying and what you can do if you experience this type of conduct. It also details the complaints procedure which Plenty Valley FM has implemented to seek to ensure that bullying is dealt with promptly and appropriately.
- 1.6 This policy applies to all individuals who perform work for Plenty Valley FM in any capacity, including:
 - (a) employees, members and directors;
 - (b) contractors, subcontractors and outworkers;
 - (c) apprentices, trainees, students gaining work experience and volunteers; and
 - (d) representatives and agents.
- 1.7 Plenty Valley FM will treat any reports of bullying seriously and will deal with them as appropriate in each case. Disciplinary action may be taken against anyone found to have engaged in conduct amounting to bullying or otherwise in breach of this policy.

2. What is Bullying?

- 2.1 Bullying is defined as repeated unreasonable behaviour directed towards a worker or group of workers that creates a risk to health and safety.
- 2.2 Bullying includes behaviour that could be expected to intimidate, offend, degrade, humiliate, undermine, isolate or threaten. Bullying can be physical but can also be verbal or psychological. Conduct that creates a risk to a person's physical or mental health or safety may constitute bullying.
- 2.3 Bullying is not always intentional. Sometimes people do not realise that their behaviour can be harmful to others. However, that does not mean it is not bullying.

- 2.4 A single isolated incident does not constitute bullying. However, a single incident might still constitute misconduct or other improper conduct justifying disciplinary action against the perpetrator.

3. Examples of Bullying

3.1 Some examples of conduct that may constitute bullying are set out below:

- (a) aggressive and intimidating conduct;
- (b) belittling or humiliating comments;
- (c) physical assault or threats;
- (d) excluding or isolating workplace participants;
- (e) verbal abuse;
- (f) practical jokes or initiation rites;
- (g) assigning meaningless tasks unrelated to the job;
- (h) teasing, sarcasm or insults;
- (i) deliberately withholding information that is vital for effective work performance;
- (j) psychological harassment;
- (k) constant and unwarranted criticism.

3.2 These are just examples and there are many other types of conduct that may constitute bullying.

4. What is not Bullying?

4.1 Reasonable performance management and reasonable job requirements are not bullying. For example:

- (a) setting performance goals, standards and deadlines;
- (b) counselling and warnings if requirements are not met;
- (c) informing a worker about unsatisfactory work performance or inappropriate work behaviour;
- (d) constructive feedback;
- (e) remedial measures to improve performance.

4.2 Plenty Valley FM has the right to require performance standards and job requirements to be met and to take reasonable action including disciplinary action against employees in such cases. This is not bullying.

5. Victimisation

5.1 Victimisation is treating a person unfairly or unreasonably because that person has made, intends to make, or is involved in, a complaint of bullying.

5.2 A person must not victimise another person for making a complaint or being involved in a complaint (e.g. as a witness) of bullying. Victimisation is unlawful and may expose the perpetrator and Plenty Valley FM to liability.

5.3 Any person who victimises another person may be subject to disciplinary action in accordance with this policy.

6. Malicious complaints

- 6.1 A person must not make a complaint of bullying against another person that is malicious, vexatious or knowingly false.
- 6.2 Any person who does so may be subject to disciplinary action in accordance with this policy.

7. What can you do if you experience Bullying?

- 7.1 If you feel that you have been bullied, you should not ignore it.
- 7.2 Bullying may occur from another employee or representative of Plenty Valley FM, other workplace participants or clients. You are not expected to put up with bullying from any person.
- 7.3 If you feel that you have been bullied, you should take the following steps:
 - (a) If you feel comfortable doing so, you may wish to address the issue with the person concerned and request that he or she stops the behaviour in question. If you do not feel comfortable confronting the person directly, you should not feel that you have to do so but it can sometimes be the best way to resolve the issue.
 - (b) If you do not feel comfortable confronting the person directly, or if you confront the person and the behaviour continues, then you should go to one of Plenty Valley FM's Complaints Officers and discuss your complaint. The names and contact details of Plenty Valley FM's current Complaints Officers are as follows:

Sylvia Karalkas fsk@netspace.net.au 0425 782 401

Tony Hayes ahayes45@bigpond.com 0433 712 404
- 7.4 It is a good idea to make a written note about the behaviour including details of the date, time and place of the incident, what happened, what you said, did or felt and any witnesses.
- 7.5 Complaints of bullying may where Plenty Valley FM considers it appropriate be dealt with in accordance with Plenty Valley FM's complaint handling procedure which is set out below. Each complaint is different so Plenty Valley FM may apply alternative procedures if necessary in the circumstances of the case.

8. Complaints Procedure

Step 1: Raising your complaint with the Complaints Officer

- 8.1 The Complaints Officer is your first point of contact if you have an issue relating to bullying. Even if you do not know whether you intend to make a formal complaint, a Complaints Officer is available to discuss any issue relating to bullying with you.
- 8.2 The Complaints Officer will explain the options that are available and the steps that may be taken to address the issue.
- 8.3 If you wish to make a formal complaint, the Complaints Officer may prepare a summary of the complaint. You should review the summary to ensure that you are satisfied that the information which it contains is correct.
- 8.4 Your discussion with the Complaints Officer will be kept confidential as far as appropriate. However, confidentiality may not always be able to be maintained in order to ensure the issue is properly dealt with.
- 8.5 Plenty Valley FM has legal obligations in relation to the prevention of bullying in the workplace, and in some cases it may be necessary for further action to be taken in relation to the issues raised even if you do not wish to make a formal complaint. This might be necessary, for example, if the issue is serious, repeated or widespread.

Step 2: Investigation of the Complaint

- 8.6 If you make a formal complaint, or Plenty Valley FM otherwise considers it necessary in response to the issues you have raised, a formal investigation may be undertaken. You will be notified of any decision to commence a formal investigation as soon as reasonably possible. Not every complaint will merit a formal investigation as the issues raised may be appropriately resolved in other ways.
- 8.7 The function of the investigator is to impartially investigate and resolve complaints.
- 8.8 Prior to commencing an investigation, Plenty Valley FM may recommend that you and the person or persons about whom the complaint was made participate in mediation. Plenty Valley FM may invite the parties to mediate the complaint and mediation will only occur if you and (at least one of) the person or persons about whom the complaint was made agree to participate. Plenty Valley FM may provide a summary of the complaint to the person or persons about whom the complaint was made prior to mediation. Mediation will be facilitated by a person nominated by Plenty Valley FM.
- 8.9 Depending on the circumstances, the investigation may involve:
- (a) interviewing you, the alleged perpetrator and witnesses;
 - (b) obtaining relevant documents and other evidence;
 - (c) making findings as to whether bullying or other improper conduct has occurred.
- 8.10 Plenty Valley FM will determine whether an investigation is necessary in each case and the form that the investigation will take.

Step 3: Possible Outcomes

- 8.11 The possible outcomes will depend on whether a complaint is substantiated and the nature of the complaint.
- 8.12 Where an investigation has found that a complaint is substantiated, disciplinary action may be taken against the person about whom the complaint was made. This may include termination of employment or volunteering or reference to the appropriate authorities in serious cases. In less serious cases, other possible outcomes include warnings, counselling, training and similar measures.
- 8.13 If an investigation finds any contravention of clauses 5 or 6 of this Policy, then that person may also be disciplined.

9. Further information

- 9.1 Further information relating to bullying may be obtained from one of the Complaints Officers.

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Prepared with the assistance of HWL Ebsworth Lawyers