

Workplace Anti-Bullying Policy of Marcoola Surf Club

1. Purpose

- 1.1 Marcoola Surf Club ('the Club') is committed to providing a safe, flexible and respectful environment for all workers free from workplace bullying.
- 1.2 The purpose of this Policy is to guide staff on the Club's approach to concerns or complaints of workplace bullying.

2. Scope

- 2.1 A 'worker' is an individual who carries out work in any capacity for a person conducting a business or undertaking, including as an employee, a contractor or subcontractor, an outworker, an apprentice or trainee, a student gaining work experience or a volunteer.
- 2.2 This policy applies to
- (a) Board members
 - (b) All staff including:
 - i. Managers
 - ii. Full time, part time and casual employees
 - iii. Temporary or permanent staff
 - iv. Job candidates
 - v. Student placements
 - vi. Apprentices and trainees
 - vii. Contractors
 - viii. Sub-contractors, and
 - ix. Volunteers.
- 2.3 This policy will be made available via <https://www.marcoolasurfclub.com.au/staff-portal/>.

3. What is Workplace Bullying?

- 1.1.** Workplace bullying is when a worker is **at work** and an individual or group of individuals **repeatedly** behaves **unreasonably** towards the worker, or a group of workers of which the worker is a member, and that behaviour creates a **risk to health and safety**. The individuals engaging in the unreasonable behaviour need not be workers.
- 1.2.** Differences of opinion and disagreements are generally not considered to be workplace bullying. People can have differences and disagreements in the workplace without engaging in bullying. However, in some cases, conflict that is not managed may escalate to the point where it meets the definition of workplace bullying.
- 1.3.** If workplace conflict is affecting you, you should raise your concerns with your immediate supervisor.

4. Definitions

- 4.1 **'Repeated behaviour'** refers to the persistent nature of the behaviour and can involve a range of behaviours over time.
- 4.2 **'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.
- 4.3 **'Risk to health and safety'** means the possibility that harm (death, injury or illness) might occur when exposed to a hazard.
- 4.4 **'At work'** can include when the worker is at the physical location of the workplace or where there is a temporal connection between the bullying conducted and the worker being 'at work'.
- 4.5 Bullying 'at work' can include repeated and unreasonable behaviour towards a worker or a group of workers in the following mediums, such as, but not limited to:
- (a) At the workplace
 - (b) Facebook, twitter, snap chat (amongst other social media platforms)
 - (c) At a work-related event or social gathering, and
 - (d) Offsite conducting work related activities during work hours.
- 4.6 **Examples of behaviour, 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:**
- (a) Abusive, insulting or offensive language or comments
 - (b) Aggressive and intimidating conduct
 - (c) Belittling or humiliating comments
 - (d) Victimisation
 - (e) Practical jokes or initiation
 - (f) Unjustified criticism or complaints
 - (g) Deliberately excluding someone from work-related activities
 - (h) Withholding information that is vital for effective work performance
 - (i) Setting unreasonable timelines or constantly changing deadlines
 - (j) Setting tasks that are unreasonably below or beyond a person's skill level
 - (k) Denying access to information, supervision, consultation or resources to the detriment of the worker, and
 - (l) Spreading rude, inaccurate or malicious rumours.

5. What is Not Workplace Bullying?

- 5.1 A single incident of unreasonable behaviour is not workplace bullying. However, it may be repeated or escalate and therefore should not be ignored.
- 5.2 *Reasonable management action taken in a reasonable manner* is not workplace bullying. It is reasonable for managers and supervisors to allocate work and give feedback on a worker's performance. These actions are not workplace bullying if they are carried out in a lawful and reasonable way, taking the particular circumstances into account.
- 5.3 Reasonable management action could be considered to be the following, depending on whether the action was carried out in a reasonable manner:
- (a) Setting realistic and achievable performance goals, standards and deadlines
 - (b) Ongoing meetings to address performance
 - (c) Fair and appropriate rostering and allocation of working hours
 - (d) Transferring a worker to another area or role for operational reasons
 - (e) Deciding not to select a worker for a promotion where a fair and transparent process is followed
 - (f) Informing a worker about unsatisfactory work performance in an honest, fair and constructive way
 - (g) Informing a worker about unreasonable behaviour in an objective and confidential way, and
 - (h) Taking disciplinary action, including suspension or terminating employment where appropriate or justified in the circumstances.

6. Resolving Issues of Workplace Bullying

- 6.1 The Club strongly encourages any staff member who believes they are a victim of workplace bullying to contact their immediate supervisor for information and assistance in the management and resolution of a workplace bullying complaint.
- 6.2 Bullying complaints will be dealt with fairly, promptly and efficiently as possible.
- 6.3 Staff who do not feel safe or confident to take such action may seek assistance from the Club Manager for advice and support or action on their behalf.
- 6.4 All workers are entitled to the right to raise issues or make an enquiry or complaint in a reasonable and respectful manner without being victimised.
- 6.5 Victimising someone for notifying the Club of a workplace bullying issue is unlawful and will not be tolerated.

7. Consequences of Breaching Policy

- 7.1 Disciplinary action will be taken against a person who is found to have breached this policy. Proven workplace bullying will constitute as misconduct and as a result the person found to have bullied another may be dismissed without a notice period.
- 7.2 Complaints of workplace bullying found to be malicious, frivolous or vexatious may make the complainant liable for disciplinary action. Malicious, frivolous or vexatious complaints include complaints that are deliberately harmful, spiteful, trivial or false.

8. Mediation

- 8.1 If you are experiencing workplace conflict and wish to participate in a mediation conducted by an accredited mediator, please advise your immediate supervisor.
- 8.2 As a result of a bullying complaint, it may be that the Club invites the parties involved to participate in a mediation conducted by an accredited mediator.

9. Confidentiality

- 9.1 The appropriate disciplinary action will be taken against a person who is found to have breached this Policy will depend on the nature and circumstance of each breach and could include a verbal or a written apology to the complainant, one or more parties agreeing to participate in counselling, mediation or training, a verbal or written warning or termination.
- 9.2 All staff have rights and responsibilities in relation to confidentiality. Information about a bullying complaint should only be provided on a 'need to know' basis and should not be provided to third parties with no legitimate involvement in the process.
- 9.3 Those involved in a bullying complaint have both the *right* to confidentiality, and the *responsibility* for maintaining confidentiality in respect of both the identity of those involved, as well as the subject matter. Documentation will be kept on a confidential file retained by management and will not be made available for another purpose.

10. More Information

- 10.1 If you have a query about this policy or need more information, please contact the Club Manager.

Last reviewed: Jun 2022