



ECU Student Guild

WORKPLACE BULLYING POLICY

POLICY TYPE	Operational & Senate
POLICY SUBTYPE	Human Resources
POLICY TITLE	Workplace Bullying Policy
POLICY OWNER	Operations Manager

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1. INTENT

- 1.1. The intent of this policy is to explain the standard of behaviour expected of employees and Senators and to outline the Guild's policy on workplace bullying.
- 1.2. The Guild is committed to providing a safe and health work environment in which all employees and Senators are treated fairly and with dignity and respect.
- 1.3. Bullying is a risk to the health and safety of the workplace, is unacceptable and will not be tolerated by the Guild.
- 1.4. This policy is aimed at ensuring, so far as is reasonably possible, that employee's and Senators are not subjected to any form of bullying while at work.

2. ORGANISATIONAL SCOPE

- 2.1. This policy applies to all Edith Cowan University Student Guild Operational Staff, Senate, volunteers, contractors, internships and individuals on work placement.
- 2.2. This policy extends to all functions and places that are work related, for example, work lunches, conferences, Christmas parties and other functions.
- 2.3. This Policy does not form part of any employee's contract of employment nor does it form part of any contract for service, however, it is expected that this policy will be observed by all employees.

3. DEFINITIONS

- 3.1. The singular includes the plural and vice-versa.
- 3.2. A reference to:
 - 3.2.1. A person includes a corporation and government or statutory body or authority;
 - 3.2.2. A person includes the legal personal representatives, successors, and permitted assigns of that person; and
 - 3.2.3. A statute, ordinance, code or other law includes regulations and other statutory instruments under it and consolidations, amendments, re-enactments or replacements of any of them by any legislative authority.
- 3.3. The word "including" and similar expressions are not words of limitation.
- 3.4. The word "under" includes by and by virtue of; as well as, pursuant to and in accordance with.
- 3.5. **CIDC** means the Continuous Improvement and Development Committee.

- 3.6. **Employee and/or Senator** means individuals employed under a contract of employment at the Guild, duly elected Senators of the Guild and any volunteers, contractors, internships or individuals on work placement.
- 3.7. **The Guild** means Edith Cowan University Student Guild.
- 3.8. **Senate** means the duly elected student representatives of the Guild.
- 3.9. **Workplace Bullying** means verbal, physical, social or psychological abuse by another person or group of people at a workplace.

4. OVERVIEW

- 4.1. All Guild policies are approved, amended or repealed by the Senate in accordance with the Guild's Policy Framework and compliance with relevant governance instruments, following consultation with CIDC.
- 4.2. The Guild shall maintain a policy manual of all current policies in a manner which is easily accessible to members, Senate, staff and other stakeholders where appropriate.
- 4.3. All Guild policies will be reviewed annually.

5. POLICY

5.1. What is Bullying?

5.1.1. Bullying is repeated, unreasonable behaviour directed towards or from an employee or group of employees that creates a risk to health and safety.

5.1.2. Bullying may be direct or indirect and can be carried out verbally, physically or psychologically.

5.1.3. Some examples of behaviour that may amount to bullying include:

- 5.1.3.1. abusive, aggressive or intimidating conduct;
- 5.1.3.2. making belittling or humiliating comments;
- 5.1.3.3. spreading malicious rumours or misinformation;
- 5.1.3.4. teasing or practical jokes;
- 5.1.3.5. deliberately excluding someone from work-related activities or events;
- 5.1.3.6. unreasonable work expectations, including providing excessive or insufficient workload or setting work below or beyond an employee's skill level;
- 5.1.3.7. withholding or denying access to information or resources necessary to perform work functions;

- 5.1.3.8. displaying offensive material;
- 5.1.3.9. pressure to behave in an inappropriate manner.

5.2. What isn't Bullying?

5.2.1. Reasonable management actions carried out in a reasonable manner do not constitute bullying. Some examples of reasonable management action includes:

- 5.2.1.1. Setting reasonable performance goals, standards and deadlines;
- 5.2.1.2. Allocating work;
- 5.2.1.3. Rostering and allocating hours and work locations;
- 5.2.1.4. Failing to select and promote an employee;
- 5.2.1.5. Informing an employee that their performance is unsatisfactory in accordance with the Guild's policies and procedures;
- 5.2.1.6. Taking action in relation to unsatisfactory work performance. i.e. Performance Management Counselling or terminating employment;
- 5.2.1.7. Workplace change or restructuring;
- 5.2.1.8. Refusing leave or overtime for operational reasons

5.3. Responsibility for preventing and responding to workplace bullying

5.3.1. Responsibilities of the Guild

5.3.1.1. The Guild recognises its obligations under Occupational Safety and Health Act 1984 to provide and maintain a safe working environment. The Guild is committed to:

- ensuring that there are clear processes in place for raising grievances and complaints
- clearly communicating and promoting these processes amongst staff
- monitoring the implementation of this Policy
- identifying potential risk factors and taking prompt, reasonable action to minimise those risks including:
 - managing organisational change in an inclusive and participatory way e.g. consult with employees affected as early as possible and develop and maintain effective communication throughout the change process

- promoting positive working relationships across the Guild
- ensuring the accessible provision of information and training as necessary to support the effective implementation of this Policy
- reviewing the Policy every year or earlier, as required and communicating any changes or updates to the Policy across the workforce.

5.3.2. Responsibilities of the Guild President and Operations Manager

5.3.2.1. It is the role of the Guild President and Operations Manager to:

- Promote and model the Guild's values
- Understand what constitutes bullying and know how to prevent or respond to bullying
- Establish and maintain an environment where employees and Senators can conduct their daily work in a safe manner and where employees and Senators 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 the WA Police.
- Ensure staff responsibilities and accountabilities are clearly defined
- Ensure availability of 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 Guild's guidelines and policies and procedures when managing a bullying complaint
- Ensure employees and Senators are aware of available support services e.g. Employee Assistance Program (EAP)
- Ensure that discussions, communications and actions are handled with sensitivity and confidentiality.

5.3.3. Responsibilities of employees and Senators

- 5.3.3.1. Employees are to take reasonable care for their own health, safety and wellbeing whilst at work and ensure that their acts or omissions do not adversely affect the health, safety and wellbeing of others. It is the

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responsibility of employees and senators who believe they are experiencing bullying to:

- Raise matters of concern at an early stage and actively participate in the investigation 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 complain 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 management action
- Cooperate with any complaint procedure in a timely and professional manner.
- Understand what constitutes bullying and know how to prevent or respond to bullying

5.4. How to Report Bullying

5.4.1. If an employee or Senator believes they are experiencing or witnessing bullying, the following steps should be taken:

- 5.4.1.1. Discuss and/or report the behaviour to the Operations Manager or President. If the behaviour relates to the Operations Manager or President, employees or Senators can raise the matter with a member of the Guild Secretariat.
- 5.4.1.2. With the Operations Manager or President's support, employees or Senators may wish to use informal avenues to discuss and resolve the issues. For instance, employees or Senators may wish to speak about the behaviour with the person directly, such as with support from the Operations Manager or the President.
- 5.4.1.3. Employees and Senators may also wish to lodge a formal complaint of bullying. Lodging a complaint will mean that the allegations are considered formally and will instigate a formal internal investigation, including permitting the person accused to respond to any allegations.
- 5.4.1.4. A formal investigation must be commenced within 3 working days of receipt of the formal complaint and must be concluded within 10 working days of the commencement of the investigation.
- 5.4.1.5. At the conclusion of the investigation the employee or Senator will be advised of the outcome. Any confirmed allegations will be dealt with in accordance with any Performance Management and misconduct policy and procedures

applicable to staff and the Disciplinary Committee for matters relating to Senators.

5.4.1.6. Where deemed appropriate the Guild may employ the services of a third party investigator.

5.4.1.7. Where an employee or Senator is dissatisfied with the outcome of any internal investigation, they may appeal the decision and request that an independent third party investigator is employed to undertake a further investigation.

5.4.1.8. The Guild will maintain all complaints of bullying, including the results of any investigation on the personnel file of the employee or Senator.

5.5. Support and Assistance

5.5.1. Support is available to all employees, managers, and supervisors involved in reporting and managing a bullying complaint, including after the matter has been resolved. Employees can seek support from their Health and Safety Representative (HSR), Union Representative as well as the Employee Assistance Program, [PeopleSense](#).

6. RELATED DOCUMENTS

Related Policy	<ul style="list-style-type: none">ECU Student Guild Enterprise Agreement 2014
Related Procedure	<ul style="list-style-type: none">
Other Related Documents	<ul style="list-style-type: none">
Related Legislation	<ul style="list-style-type: none">Occupational Safety & Health Act 1984

7. CONTACT INFORMATION

For queries relating to this document please contact:

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8. APPROVAL HISTORY

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