

BULLYING AND HARASSMENT POLICY

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1. Background

Trentham Neighbourhood Centre (TNC) is committed to providing a work and community space free from bullying and harassment. Behaviour that constitutes bullying, harassment or sexual harassment will not be tolerated and will lead to action being taken, which may include dismissal, or removal from TNC activities.

2. Purpose

The purpose of this policy is to ensure TNC's continued success by:

- providing a safe and respectful environment
- delivering our services in a safe and respectful way
- promoting and maintaining a culture of openness, support and accountability.

3. Scope

This policy applies to all staff, volunteers and contractors and covers all functions and activities including external training courses and activities sponsored by TNC.

4. Definitions

For the purposes of this policy, the following definitions apply:

Bullying includes behaviour that is directed toward another person, or group of people, that creates a risk to health and safety e.g. physical and/or verbal abuse, excluding or isolating individuals; or giving impossible tasks. Bullying is often defined as coercive behaviour that is repeated over time.

Harassment includes a wide range of behaviours of an offensive and unreasonable nature used to demean, humiliate and intimidate another person, or group of people, in a manner that is disturbing, upsetting or threatening. When harassing behaviours become repetitive, it may be defined as bullying.

Sexual harassment includes unwelcome conduct of a sexual nature in circumstances in which it could reasonably be expected to make a person feel offended, humiliated or intimidated a reasonable person, having regard to all the circumstances, would have anticipated that the person harassed would be offended, humiliated or intimidated.

5. TNC commitment

TNC is committed to providing a work and community space that is free from bullying and harassment, where all people can feel safe and respected, and where openness, support and accountability are maintained.

6. Reporting misconduct

Employees must report any behaviour that constitutes bullying, harassment or sexual harassment to their manager or the COM President or delegate.

Employees will not be victimised or treated unfairly for raising an issue or making a complaint.

Any employee found to have contravened this policy will be subject to disciplinary action, which may include dismissal as outlined in the complaint procedure below.

Volunteers should report any behaviour that constitutes bullying, harassment or sexual harassment to the TNC manager or to the TNC Committee of Management (COM) President.

7. Procedure for making a complaint

If you believe you are being, or have been bullied, harassed or sexually harassed, you should follow this procedure.

1. Tell the offender the behaviour is offensive, unwelcome, and against TNC policy and should stop (only if you feel comfortable enough to approach them directly, otherwise speak to the TNC Manager or the COM President or delegate). Keep a written record of the incident(s).
2. If the unwelcome behaviour continues, contact the TNC Manager or COM President for support and advice.

All complaints will be treated as confidential, unless the complainant has consented to the details being shared with a third party, or where it is necessary to notify a third party to enable the complaint to be satisfactorily addressed.

8. Procedure for receiving a complaint

When the TNC Manager/COM President or delegate receives a complaint or becomes aware of an incident that may contravene this policy, they should:

1. Listen to the complaint seriously and treat the complaint confidentially. Allow the complainant to bring another person to the interview if they choose to.
2. Ask the complainant for the full story, including what happened, step by step.
3. Take notes, using the complainant's own words.
4. Ask the complainant to check your notes to ensure your record of the conversation is accurate.
5. Explain and agree on the next action with the complainant.

If investigation is not requested by the complainant and the TNC Manager/COM President or delegate is satisfied that the conduct is not in breach of this policy then the TNC Manager/President should:

- act promptly
- maintain confidentiality
- pass any notes on to the COM Secretary for confidential record keeping.

If an investigation is requested, or if the TNC Manager/COM President or delegate deems an investigation to be appropriate, then they should follow the procedure for investigating a complaint.

9. Procedure for investigating a complaint

When the TNC Manager/COM President or delegate investigates a complaint, they should:

1. Not assume guilt.
2. Advise the complainant on the potential outcomes of the investigation if the allegations are substantiated.
3. Interview all directly concerned parties, separately.
4. Interview witnesses, separately.
5. Keep records of interviews and the investigation.
6. Interview the alleged harasser, separately and confidentially and provide them with the details of the accusation. Give them a chance to respond to the accusation. Make it clear they do not have to answer any questions, however, a decision on the outcome will be made, regardless.
7. Listen carefully and record details.
8. Ensure confidentiality, minimise disclosure.
9. Decide on appropriate action based on investigation and evidence collected.
10. Check to ensure the action meets the needs of the complainant and TNC.
11. Discuss any outcomes affecting the complainant with them to make sure their needs are met, where appropriate.

10. Possible outcomes

If after investigation the TNC Manager/COM President or delegate finds the complaint is justified, the TNC Manager/COM President or delegate will discuss with the complainant the appropriate outcomes which may include:

- disciplinary action to be taken against the offender (e.g. counselling, warning or dismissal)
- staff or volunteer training
- additional training for the offender or relevant groups, as appropriate
- counselling for the complainant
- an apology (the particulars of such an apology to be agreed between all involved).

11. Policy review

This policy will be reviewed every 2 years, or sooner as required.

12. Related policies and procedures

- Code of Conduct
- Complaints Handling Policy
- Employment Policy
- Managing Unsatisfactory Work Performance Policy and Procedure
- Work Health and Safety Policy
- Equal Opportunity Policy

13. Further resources

- <https://www.health.vic.gov.au/worker-health-wellbeing/understanding-bullying-and-harassment>
- <https://www.worksafe.vic.gov.au/bullying>
- <https://www.worksafe.vic.gov.au/sexual-harassment>
- <https://www.fairwork.gov.au/employment-conditions/bullying-sexual-harassment-and-discrimination-at-work>
- <https://www.fwc.gov.au/issues-we-help/bullying>
- <https://www.fwc.gov.au/issues-we-help/sexual-harassment-work>