

WORKPLACE BULLYING

Purpose

3RPC Community Radio aims to provide a safe and healthy work environment, so far as is reasonably practicable, in which all members are treated fairly, with dignity and respect. Bullying is a risk to the health and safety in the workplace and will not be tolerated by 3RPC Community Radio.

Furthermore, 3RPC Community Radio and its members each have a legal responsibility to prevent bullying from occurring.

Policy

This policy outlines 3RPC Community Radio's commitment to a safe workplace and is aimed at ensuring, so far as it reasonably can, that members are not subjected to any form of bullying while at work. It also details the legal responsibilities of 3RPC Community Radio and its members in relation to preventing bullying in the workplace.

This policy extends to all functions and places that are workplace related, for example, outdoor broadcasts and social events.

What is Workplace Bullying?

Workplace bullying is repeated, unreasonable behaviour by one or more members, against another member or members and where that behaviour creates a risk to health and safety.

The behaviour:

- a. need to have happened more than once and might be several different behaviours, and
- b. will be unreasonable if a reasonable member would view the behaviour as unreasonable.

Even if you did not intend to engage in bullying behaviour it can still be bullying.

Bullying is a risk to the health and safety in the workplace and will not be tolerated by 3RPC Community Radio. In serious cases, it can result in legal action and/or dismissal.

Examples of workplace bullying

Bullying behaviours can take many different forms, from the obvious (direct) to the subtle (indirect). The following are some examples of both direct and indirect bullying.

Direct bullying:

- a. abusive, insulting or offensive language or comments.
- b. spreading misinformation or malicious rumours.
- c. behaviour or language that frightens, humiliates, belittles or degrades, including over criticising, or criticism that is delivered with yelling or screaming.
- d. displaying offensive material.
- e. inappropriate comments about a person's appearance, lifestyle, family, sexual preferences or any personal or private matter.
- f. teasing or regularly making someone the focus of pranks or practical jokes.
- g. interfering with a person's personal property or work equipment, or
- h. harmful or offensive initiation practices.

Indirect bullying:

- a. unreasonably overloading a person with work, or not providing enough work.
- b. setting timeframes that are difficult to achieve, or constantly changing them.
- c. setting tasks that are unreasonably below, or above, a person's skill level.
- d. deliberately excluding or isolating a person from normal work activities
- e. withholding information that is necessary for the effective performance of the person's job.
- f. deliberately denying access to resources or workplace benefit and entitlements, for example, training, leave etc.
- g. deliberately changing programming arrangements to inconvenience a particular member or members.

The above examples do not represent a complete list of bullying behaviours. They are indicative of the type of behaviours which may constitute bullying and therefore are unacceptable to 3RPC Community Radio.

A single incident of unreasonable behaviour does not usually constitute bullying. However, it should not be ignored as it may have the potential to escalate into bullying behaviour.

A person's intention is irrelevant when determining if bullying has occurred. Bullying can occur unintentionally, where actions which are not intended to victimise, humiliate, undermine or threaten a person, have that effect.

Bullying in the workplace is harmful not only to the target of the behaviour but damages 3RPC Community Radio's culture and reputation. It is unacceptable and will not be tolerated.

What is not bullying?

Managing members does not constitute bullying if it is done in a reasonable manner. 3RPC Community Radio have the right and are obliged to, manage its paid staff, volunteers and presenters. This includes directing the way in which work is

performed, undertaking performance reviews and providing feedback (even if negative) and disciplining and counselling members. We understand that you might feel pressure and concern if:

- a. you are subject to a process or having performance related discussions with a 3RPC Community Radio Committee of Management member. However, this is not bullying so long as you are being given reasonable performance goals, standards and deadlines;
- b. you are being rostered and allocated working hours in a fair and reasonable manner;
- c. you are not selected to present a program, following a fair process; or
- d. you are being disciplined for any reason in an objective and confidential way.

Complaint procedure

If a member feels that they have been bullied, they should not ignore it.

3RPC Community Radio has a complaint procedure for dealing with bullying (set out below). The complaint procedure has numerous options available to suit the circumstances of each individual situation. The procedure should be referred to and followed.

Any bullying issue should be brought to 3RPC Community Radio's attention as soon as possible.

There are several options available to members.

1. **Confront the issue** - If the member feels comfortable doing so, they should address the issue with the person concerned. A member should identify the bullying behaviour, explain that the behaviour is unwelcome and offensive and ask that it stop.

If a member does not feel comfortable confronting the person, or the member confronts the person and the behaviour continues, the member should report the issue to an 3RPC Community Radio Committee of Management member such as the Secretary or the Chair or Volunteer Station

If a member is unsure about how to handle a situation they should contact the Volunteer Station Manager or the Chair for support and guidance.

2. **Report the issue** - There are two complaint procedures that can be used to resolve bullying complaints: informal and formal (detailed further below). The type of complaint procedure used depends on the nature of the complaint. The aim is to ensure that members can return to a productive and harmonious working relationship as soon as possible.

Informal complaint procedure

¹ An 3RPC Community Radio may be the Volunteer Station Manager or a designated officer of the Committee of Management.

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The procedure used to address the issue will depend on the individual circumstances of the case. The possible options include, but are not limited to:

- a. discussing the issue with the person against whom the complaint is made; and/or
- b. facilitating a meeting between the parties to try and resolve the issue and move forward.

The informal complaint procedure is more suited to less serious allegations that if found, may not warrant disciplinary action being taken.

Formal complaint procedure

The formal complaint procedure involves the member making a written complaint and a formal investigation of that complaint. It is appropriate for more serious allegations. Formal investigations may be conducted by 3RPC Community Radio or by an external investigator appointed by 3RPC Community Radio.

An investigation generally involves collecting information about the complaint and then making a finding based on the available information as to whether the alleged behaviour occurred. Once a finding is made, 3RPC Community Radio or the external investigator will make recommendations about what actions should be taken to resolve the complaint and any appropriate disciplinary action.

Dealing with bullying complaints

In handling bullying complaints, 3RPC Community Radio will adopt the following principles:

- a. Take all complaints seriously.
- b. Act promptly to investigate the matter.
- c. Will not victimise any person who makes a complaint, any person accused of bullying, or any witnesses and will direct other members not to victimise any person involved in a complaint.
- d. Support all parties.
- e. Be impartial.
- f. Communicate the investigation or complaint process to all parties involved, including estimated length of time for resolution.
- g. Maintain confidentiality — 3RPC Community Radio will endeavour to maintain confidentiality as far as possible. However, it may be necessary to speak with other members to determine what happened, to legal representatives or 3RPC Community Radio's Committee of Management. It will also be necessary to speak to those against whom the complaint has been made to ensure fairness. All members involved in the complaint must also maintain confidentiality, including the member who lodges the complaint. Spreading rumours or gossip may expose the member responsible to a defamation claim.
- h. Act appropriately — if a complaint is made and it appears that bullying has occurred, 3RPC Community Radio will endeavour to take appropriate action in relation to the complaint

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- i. Keep records — documentation is essential. A record of all meetings and interviews stating who was present and agreed outcomes should always be maintained.

Possible outcomes

The possible outcomes of an investigation will depend on the nature of the complaint. Where an investigation results in a finding that a person has engaged in bullying behaviour, that person will be disciplined. The type and severity of disciplinary action will depend on the nature of the complaint and other relevant factors. Where the investigation results in a finding that the person complained against has engaged in serious misconduct, this may result in instant dismissal. Any disciplinary action is a confidential matter between the affected member and 3RPC Community Radio.

3RPC Community Radio may take a range of disciplinary action. Examples include, but are not limited to:

- a. providing training to assist in addressing the problems underpinning the complaint;
- b. monitoring to ensure that there are no further problems;
- c. implementing a new policy;
- d. mentoring and support from the Committee of Management;
- e. requiring an apology or an undertaking that certain behaviour stop;
- f. changing work arrangements;
- g. issuing a written warning (this can be a first or final warning depending on the circumstances);
- h. dismissal.

3RPC Community Radio Committee of Management role

3RPC Community Radio Committee of Management has a key role in the prevention of workplace bullying, to:

- a. ensure that they do not bully members.
- b. ensure that they do not aid, abet or encourage other persons to engage in bullying behaviour.
- c. ensure all members are aware and understand this policy and their responsibility to comply with it.
- d. ensure that all members understand that any bullying in any form is unacceptable and will not be tolerated by 3RPC Community Radio.
- e. act promptly and appropriately if they observe bullying behaviours.
- f. ensure that all members understand that they should report any bullying behaviour.
- g. ensure all members are aware and understand the complaint procedures.
- h. act promptly if a complaint is made.

Rights and responsibilities of 3RPC volunteers and paid staff

All 3RPC volunteers and paid staff must:

- a. understand and comply with this policy.
- b. ensure they do not engage in any conduct which may constitute bullying towards other members with whom they come into contact through their 3RPC Community Radio duties.
- c. ensure they do not aid, abet or encourage other persons to engage in bullying behaviour
- d. follow 3RPC Community Radio's complaint procedure if they experience bullying
- e. report any bullying they see occurring to others in the workplace in accordance with this policy
- f. maintain confidentiality if they are involved in the incident which has been reported.

Failing to comply with this policy

Allegations of harassment, discrimination or bullying will be taken very seriously, and if proven, may lead to disciplinary action including counselling and warnings and in serious cases legal action and/or dismissal from their duties as a member of 3RPC Community Radio.

Related documents and links

- 3RPC Community Radio Anti-Discrimination Policy
- 3RPC Community Radio Sexual Harassment Policy
- Victorian Equal Opportunity and Human Rights Commission:
<http://www.humanrightscommission.vic.gov.au/index.php/discrimination>