DIGNITY & RESPECT
IN THE WORKPLACE CHARTER

This organisation is committed to a workplace that provides dignity and respect to all its employees. Dignity and respect requires acceptable behaviour from everyone in our workplace.

Preamble
Everyone in the workplace, irrespective of their position, deserves to be treated with dignity and respect. No one should suffer bullying while going about their work. This can put at risk the health, safety and wellbeing of all employees. This organisation has therefore adopted a policy of ‘zero tolerance’ to bullying at work.

DEFINITION
Generally, workplace bullying is any behaviour or series of behaviours that is unreasonable or undesirable at the place of work and/or in the course of or related to employment which intimidates, humilates and/or undermines a person or a group of people.

Bullying will generally meet the following four criteria:
1. It is repeated
2. It is unwelcome
3. The recipient considers the behaviour to be offensive, intimidating, humiliating or threatening
4. Based on the available information, the behaviour would be considered offensive, intimidating, humiliating or threatening to the individual it is directed at, or to that matter, others who are witnesses to or affected by it

Bullying behaviour may be directed upwards or downwards and towards or within the workplace. There is no finite list of bullying behaviours, however, the following are examples:
- Being subjected to constant ridicule or being put down in front of colleagues
- Being the victim of loud and abusive, threatening or derogatory language usually when other employees are present
- Being the victim of loud and abusive, threatening or derogatory language usually when other employees are present
- Being subjected to practical jokes

PERFORMANCE MANAGEMENT
It is important to differentiate between a person’s legitimate authority at work, and bullying. All employees have a legal right to direct and control how work is done, and managers have a responsibility to monitor workflow and give feedback and manage performance.

POLICY PRINCIPLES
NSW public sector managers have a leadership responsibility to model ethical behaviour and maintain a professional working environment. Safe and healthy workplaces, which are free from bullying should be promoted and maintained. Agencies have a duty of care to provide safe working environments.

All workplace participants should treat each other with respect. There are bound to be occasional differences of opinion, conflicts and problems, these are part of working life. However, when the treatment of another person is unreasonable, offensive, intimidating, humiliating or threatening and repeated then this amounts to workplace bullying and should not be tolerated. Employees have a right to expect that any grievance or complaint lodged in relation to an allegation of bullying will be dealt with fairly and confidentially and managed in a timely, and appropriate manner.

IMPLEMENTATION OF POLICY PRINCIPLES
Policies developed by individual agencies to manage and prevent bullying should be based on the above policy principles. In so doing it is expected that the following approaches will be adopted:
- A whole of organisation commitment to employee health, safety & welfare
- The identification of organisational risk in relation to bullying behaviour
- Active management of allegations of bullying using existing agency grievance/complaints handling systems
- The promotion of workplace standards of behaviour (based on an agencies Code of Conduct) based on fairness, transparency and two way communication where employees treat each other with respect
- Consultation and communication with employers and unions on anti-bullying strategies
- Training to raise staff awareness of their responsibilities in relation to the prevention and management of bullying.

LEGISLATION & RELATED POLICIES
- NSW Occupational Health and Safety Act 2000
- NSW Occupational Health and Safety Regulation 2001
- NSW Workplace Health and Safety Strategy 2005-2008
- Workers Compensation Act 1987
- Workplace Injury Management and Workers Compensation Act 1998
- Model Code of Conduct for NSW Public Agencies 1997
- Code of Conduct and Ethics for Public Sector Executives 1997
- Dealing with Employee Work-related Concerns and Grievances 1996
- Memorandum 96-11 “Dealing with Employee Work-Related Concerns and Grievances, and Harassment/Free Workplace” provides agencies with guidelines for the appropriate management of work-related concerns and grievances.

For information on harassment and anti-discrimination issues see:
- Harassment Free Workplace Policy and Guidelines 1996
- NSW Industrial Relations Act 1996
- Federal Workplace Relations Act 1996

BULLYING RISK MANAGEMENT MODEL
Each of the elements in the model contributes towards eliminating bullying from the workplace.

Process Improvement
- Ongoing Workplace Consultation
- Adopting a Risk Management Approach
- Workplace Training and Awareness
- Dealing with Complaints

Agency Care Business

WORKPLACE CONSULTATION
Effective communication with internal and external stakeholders is the key to understanding risk, managing risk and developing a workplace culture that values and promotes positive behaviour. Consultation with employees and unions is integral to this process.

A RISK MANAGEMENT APPROACH
The risk management approach to bullying focuses on creating a work environment that eliminates or controls the circumstances that can lead to bullying. In this context risk management is about eliminating or reducing the risk of injury and illness associated with bullying and identifying the factors that may lead to bullying.

WORKPLACE TRAINING AND AWARENESS
Training is integral to developing a workplace culture that encourages dignity and respect in the workplace. Training reduces the risk of bullying occurring in the workplace because it builds staff confidence in an agency’s anti-bullying policy and better equips managers to understand bullying issues and prevention strategies at the workplace level.

DEALING WITH COMPLAINTS
All agencies should have complaint handling systems in place. Consultation and participation is important to build commitment to appropriate workplace behaviour and identify risk factors. Effective consultation, monitoring and review leads to continuous improvement. The monitoring and review process should involve feedback from all relevant stakeholders.

6 March 2008
Signed on
Michael Coutts-Trotter
Director-General of Education and Training
Managing Director of TAFE NSW

John Irving
General Secretary, NSW Teachers Federation

John Cahill
General Secretary, Public Service Association of NSW

New South Wales Government
Premier’s Department

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