

**Bullying and Harassment Procedure**

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# Bullying and Harassment

## Purpose:

To identify behaviour and conduct which is unacceptable and to provide a healthy and safe environment at our Car Wash by eliminating or reducing as far as reasonably practicable occurrences of bullying, discrimination, harassment or vilification of employees, contractors, clients and the public.

## Scope:

This procedure is applicable to all staff, contractors, clients and visitors involved in any way with the Car Wash.

## Definitions:

**Bullying** - repeated, unreasonable, or inappropriate behaviour or conduct at a workplace that intimidates, humiliates, insults and/or undermines a person

**Harassment** - any unwelcome behaviour or conduct that makes a person feel offended, humiliated, intimidated, frightened or uncomfortable at work.

**Discrimination** - treating a person with an identified attribute or personal characteristic less favourably than a person who does not have the attribute.

**Vilification** - publicly encouraging or inciting hatred, ill feeling or severe contempt for someone or a group of people based on race or certain other personal characteristics

**Identified attributes or personal characteristics** - include race, colour, national or ethnic origin; age; pregnancy; marital status; sex; disability; sexual preference; or some other characteristic specified under anti-discrimination or human rights legislation

## Procedure:

| Process | Methodology | Documentation |
| --- | --- | --- |
| Identification of inappropriate behaviour or conduct | Staff will be informed of the type of behavior identified as being unacceptable and the consequences of engaging in such behavior or conduct. Examples of behaviour that could be bullying, harassment, discrimination or vilification include:   * sabotaging someone’s work and ridiculing someone’s opinions. * isolating an employee from normal work interactions and activities, training and development, or career opportunities. * initiation of teasing or regularly being made the brunt of pranks or practical jokes. * displaying written or pictorial material or sending emails that degrade or offend. * overwork or unnecessary pressure or impossible deadlines. * giving someone the majority of unpleasant tasks. * verbal abuse or humiliating someone through sarcasm or insults. * physical or verbal intimidation. * sexual or other unwanted advances. | * Health and Safety. Meeting Record. * Training-Information Session Record. |
| Reporting | Staff are encouraged to report bullying, harassment discrimination and vilification issues that occur to themselves or they are aware are occurring to others. Reporting by staff can be either written or verbal reports to Supervisors or Management. | * Work diary. * Hazard Report. |
| Staff are also encouraged to seek the assistance and support of colleagues when reporting issues if they are reluctant to raise any issues individually | * There may be no written documentation at this stage |
| Management may also gain evidence of bullying or harassment by their own direct observation or through anecdotal evidence | * Work Diary |
| The following principles in dealing with a report of bullying or harassment will be followed:   * Treat all matters seriously * Non-victimisation of person who reports * Neutrality * Confidentiality | * Investigation process |
| Investigation | An investigation will be commenced in response to significant allegations. These investigations will be prompt and careful to encourage a quick resolution and display a commitment to eliminating this behaviour and supporting staff | * Investigation notes |
| An investigation should be undertaken for:   * allegations involving senior staff/management * allegations covering a long period of time * allegations involving threats * allegations involving multiple workers * allegations involving vulnerable workers * cases where informal approaches have failed | * Investigation notes |
| The following principles of natural justice will be adhered to in the investigation process:   * Prompt investigation of the allegations. * Independent and unbiased investigation by an experienced person * The alleged perpetrator is treated as innocent until the allegations are proven. * The alleged perpetrator is given full disclosure of the allegations. * The opportunity for all parties to present their version of events. * Any disciplinary or other action is commensurate with the seriousness of the matter | * Investigation notes |
| Resolution approaches | Direct approach can be used involving a clear and polite request for the behaviour to stop and be done using a confidential non-confrontational approach with a view to resolving the issue.  This approach can assist:   * when unreasonable behaviour first occurs   when inappropriate behaviour is observed by a third party | * Investigation notes |
| Mediation using a neutral and independent third person to assists resolution through a discussion of the issues. The discussion should focus on agreeing the actions that will be taken to resolve the problem. This approach can be used:   * where the direct approach has not resolved the issue * where an investigation has recommended it. | * Investigation notes |
| Further Action | As a result of an investigation the following strategies could be used to obtain a resolution of the issue and prevent further occurrences:   * an apology and gain commitment to cease the behaviour * provide training/awareness update for all employees and managers * provide mediation where both parties agree to mediation and to the mediator * provide training (eg. communication skills, diversity awareness, inter-personal skills) * offer counselling to the perpetrator and to the affected person * move the perpetrator away from the affected person * discipline the perpetrator. | * Investigation notes |
| In some circumstances, it may be necessary to involve the State Workcover Authority and or the police depending on the severity of the incident and the ability to deal effectively with the issue internally. | * Investigation notes |
| Record Keeping | Records (formal and/or informal) should be kept of all discussions, direct approaches, mediations, meetings, investigations, interactions, actions and strategies undertaken in relation to each case. | * Notes * Investigation notes |
| The reporting, investigation and resolution process should be fully documented including a record of all meetings and interviews detailing who was present and the agreed outcome(s) and these documents kept and filed. | * All associated documents |