

HR27	Workplace Bullying and Harassment Policy
Approval Date:	27 March 2024
Council Decision Reference:	OCM-2024/30
Policy Type:	People and Culture
Policy Custodian:	People and Culture Manager
Review Date:	27 March 2028
Version	4.0

Purpose

West Daly Regional Council (**the Council**) is dedicated to fostering a workplace environment that is free from bullying, harassment, and unlawful discrimination. The Council is committed to ensuring that all individuals involved in the workplace are treated with respect, dignity, and fairness, with the goal of establishing an inclusive workplace that fosters positive and professional relationships.

The Workplace Bullying and Harassment Policy (**the Policy**) is established to provide clear guidelines for identifying and addressing instances of discrimination, bullying, and harassment within the Council. It outlines the procedures for reporting such behaviour and details how complaints will be handled by the Council.

Scope

This policy applies to all employees.

Policy Statement

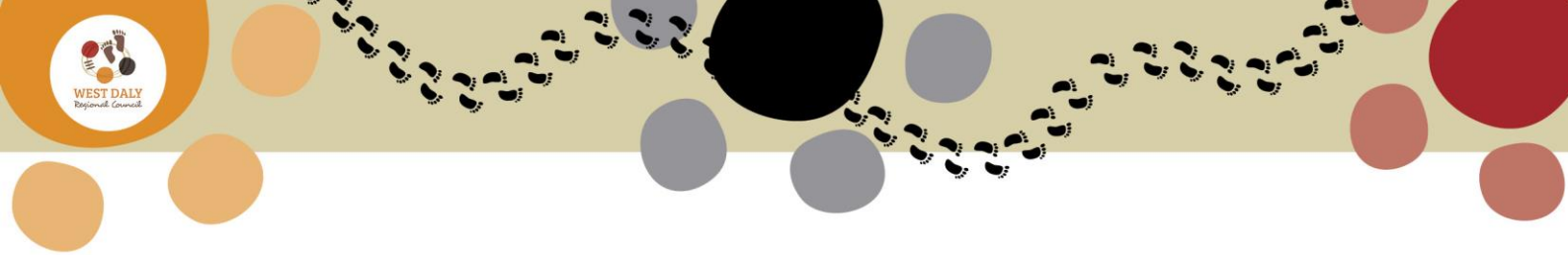
1. Zero Tolerance Policy

1.1. The Council has a zero-tolerance policy towards bullying, harassment, and discrimination in any form. Such behaviour will not be tolerated and may result in disciplinary action, up to and including termination of employment or contract. Additionally, the Council may take legal action where appropriate.

2. Responsibilities

2.1. It is the responsibility of all employees to adhere to this Policy and to treat others with respect and professionalism.

2.2. Managers and supervisors have a particular responsibility to address and prevent bullying, harassment, and discrimination within their teams.



3. Reporting Procedure

- 3.1. Any individual who believes they have experienced or witnessed bullying, harassment, or discrimination is encouraged to report the incident promptly. Reports can be made to a supervisor, manager or People and Culture Manager.
- 3.2. The Council will ensure that individuals feel safe and supported in making complaints and will protect them from victimization or retaliation.

4. Confidentiality

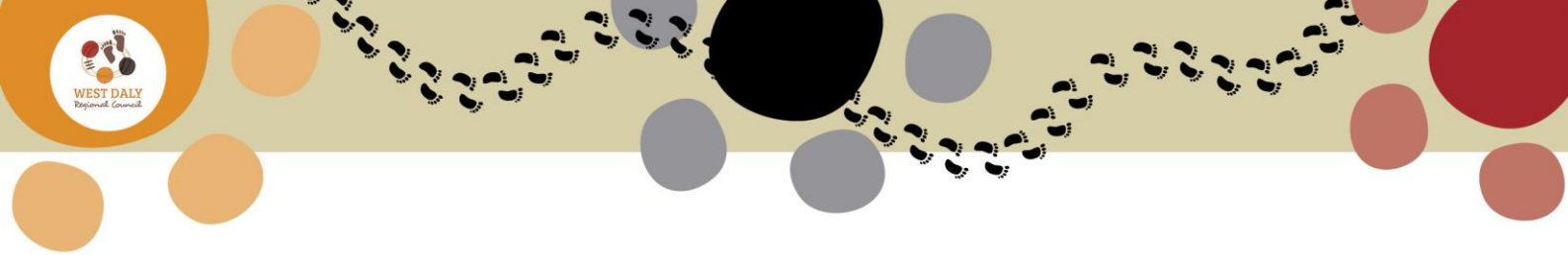
- 4.1. The Council is committed to maintaining confidentiality throughout the investigation process to the extent possible, while still ensuring a thorough and fair investigation.
- 4.2. Information will only be disclosed on a need-to-know basis, and steps will be taken to protect the privacy of all parties involved.

5. Investigation and Resolution

- 5.1. Investigations will be conducted in a fair and impartial manner by People and Culture Manager or delegate.
- 5.2. The findings of the investigation will be presented to the Chief Executive Officer (CEO) for review and appropriate action. The CEO will consider the evidence gathered during the investigation and any relevant policies or laws in determining the appropriate course of action.
- 5.3. Actions taken by the CEO may include:
 - a) **Disciplinary Measures:** If the investigation confirms that bullying, harassment, or discrimination has occurred, the CEO may impose disciplinary measures on the individuals responsible. These measures may range from verbal or written warnings to suspension or termination of employment or contract.
 - b) **Mediation:** In some cases, mediation may be deemed appropriate as a means of resolving the issue and restoring positive working relationships. Mediation will be conducted by trained mediators who are impartial and skilled in facilitating constructive dialogue between the parties involved.
 - c) **Other Interventions:** Depending on the circumstances of the case, the CEO may implement other interventions aimed at addressing the underlying issues and preventing future occurrences of misconduct. This may include additional training and counselling.

6. Support

- 6.1. The Council provides support to individuals who have experienced bullying, harassment, or discrimination, including access to counselling services, Employee Assistance Programs, or other forms of assistance as needed.



6.2. Managers and supervisors are responsible to recognise signs of distress and to provide appropriate support to affected employees.

7. Non-Retaliation

7.1. The Council prohibits retaliation against any individual who reports bullying, harassment, or discrimination in good faith.

7.2. The Council will actively monitor for any signs of retaliation and will take steps to address and prevent it.

8. Training and Awareness

8.1. The Council is committed to providing training and awareness programs to all employees to prevent bullying, harassment, and discrimination and to promote a culture of respect and inclusivity in the workplace.

References

The People and Culture Manager is the Policy Custodian for this policy and is responsible for reviewing the operation of the policy (every 4 years or more frequently as may be required), and for monitoring continuing relevance, effectiveness, and consistency with related documents and the law.

Following approval of this policy document, the People a Culture Manager (or a nominated delegate) is also responsible for ensuring that the implementation and communication plan is implemented and that all Council employees have access to the policy

FURTHER INFORMATION:

For more information, contact the Policy Custodian.

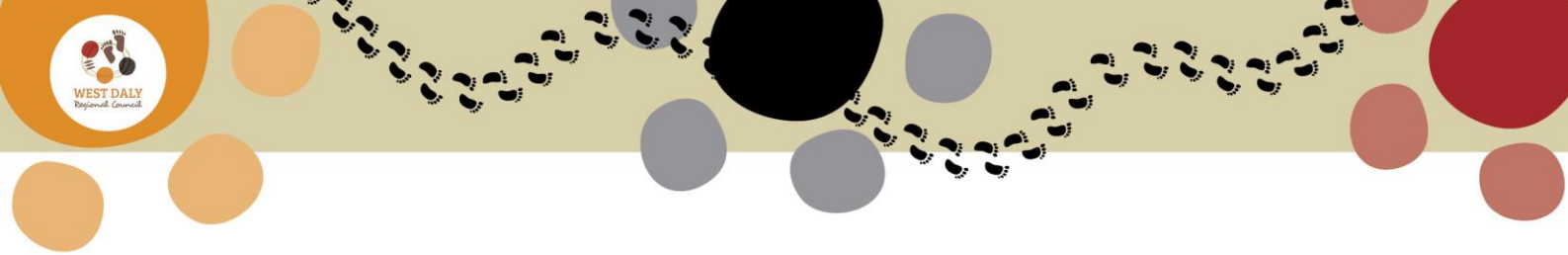
Definitions

In the context of this policy the following definitions apply:

Discrimination: Any act or behaviour that unfairly differentiates or treats individuals unfavourably based on attributes such as race, sex, sexuality, age, pregnancy, parenthood, impairment, religious belief or activity, irrelevant medical record, marital status, breastfeeding, trade union or employer association activity, political opinion, affiliation, or activity, irrelevant criminal record, or association with a person who possesses or is believed to possess any of these attributes.

Bullying: Persistent and unwanted behaviour that intimidates, demeans, or humiliates individuals in the workplace, creating an intimidating, hostile, or offensive work environment. This behaviour may be verbal, physical, or psychological in nature and can include threats, insults, derogatory remarks, exclusion, or spreading malicious rumors.

Harassment: Any unwelcome conduct, whether verbal, physical, or visual, that is based on an individual's protected characteristic (such as race, sex, or disability) and that creates an intimidating,



hostile, or offensive work environment. This can include but is not limited to, unwanted advances, offensive jokes or comments, gestures, or displays of offensive materials.

Sexual Harassment: Unwelcome sexual advances, requests for sexual favours, or other verbal, physical, or visual conduct of a sexual nature that creates an intimidating, hostile, or offensive work environment. This can include but is not limited to, sexual jokes or comments, unwanted touching, suggestive gestures, or displaying sexually explicit materials.

Victimisation: Retaliatory actions taken against an individual who has made a complaint of discrimination, bullying, harassment, or sexual harassment, or who has participated in an investigation related to such a complaint.

Intimidation: Behaviour or actions that instil fear or apprehension in others, creating a hostile or oppressive atmosphere. This can include threats, aggressive gestures, verbal abuse, or any other conduct intended to coerce or manipulate others into submission or compliance.

Related Documents

Council's Policies:

- PC01 Code of Conduct Employee
- HR06 Conflict of Interest Policy
- HR07 Discipline Policy

Northern Territory Legislation:

- *Northern Territory Anti-Discrimination Act 1992*
- *Northern Territory of Australia Return to Work Act 1986*
- *Northern Territory of Australia Return to Work Regulations 1986*


Commonwealth Legislation:

- *Sex Discrimination Act 1984*
- *Racial Discrimination Act 1975*
- *Disability Discrimination Act 1992*
- *Human Rights and Equal Opportunities Act 1986*
- *Fair Work Act 2009*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulations 2011*



Review History

Date	Review details	Action/Resolution/Document ID
January 2019 – V3	Due in January 2022	30 January 2019 - 013/2019
27 March 2024 – V4.0	Due on 27 March 2028	27 March 2024 - OCM-2024/30/ID: 24862

Signature of Endorsement:	
Position:	Acting Chief Executive Officer