

POLICY

Bullying, Harassment & Violence

Responsibility of: Human Resource Division
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1 POLICY

This policy outlines the responsibilities and management for preventing bullying, harassment and violent behaviour in DET workplaces.

DET workplaces will aim to prevent all instances of bullying, harassment and violent behaviour through the implementation of risk management strategies. However if incidents do occur they will be taken seriously, handled quickly and dealt with in an appropriate manner.

2 BUSINESS NEED

The Workplace Health and Safety Act (2007) imposes a statutory duty of care on DET to ensure, so far as reasonably practicable, that DET employees and others are not exposed to risks to health or safety. Effective planning and management will reduce the likelihood of incidents of bullying, harassment or violence occurring, minimise the impact on persons involved, and mitigate the long and short-term effect of such incidents.

3 RESPONSIBILITIES

Principals / Managers, in consultation with employees and relevant groups (i.e. police), must:

- ensure all employees and other relevant stakeholders are aware of the department's zero-tolerance approach to bullying, harassment and violence. Records of consultation should be kept on file for future reference;
- promote a violence-free workplace and aim to prevent instances of bullying and harassment through training and other risk management strategies;
- manage and respond to all incidents in accordance with this policy;
- ensure 'at risk' employees are treated appropriately in the workplace ;
- develop and implement a plan within the workplace that includes measures to address **prevention, preparedness, response** and **recovery** in relation to bullying, harassment and violence;
- monitor and review the plan to ensure its continued relevance to the workplace;
- provide staff with professional learning in conflict resolution and tension de-escalation skills; and
- ensure all incidents are reported.

All employees are responsible for:

- ensuring they are conversant with the workplace's bullying, harassment and violence management plan and the information in this policy;
- following agreed directions or procedures in the event of an incident;

- reporting all incidents of bullying, harassment and violent behaviour, whether it be as an involved party or as a witness, to the principal or manager using the agreed communication mechanism;
- ensuring their behaviour is above reproach. Violent and bullying behaviours by any employee will not be tolerated;
- communicating and reinforcing the shared values of the workplace with all sections of the community where relevant, and
- demonstrating a high level of interpersonal skills appropriate to interacting with members of the community in potentially aggressive or violent situations.

Third Parties must:

- follow the Safe Schools NT Code of Behaviour and take responsibility for their behaviour and actions; and
- understand that bullying, harassment and violent behaviour towards any other person will not be tolerated.

4 DEFINITIONS

'At risk' employees

These employees may represent a minority in the workplace due to factors such as: age, gender, ethnicity, disability, parental status, religion or political view. They may also be new employees, apprentices, trainees, contractors or casuals.

Bullying

The less-favourable treatment of a person by one or more persons, which harms, intimidates, threatens, victimises, undermines, offends, degrades, insults or humiliates, whether in front of another person or alone. DET adopts the comprehensive definition of bullying as contained in the Office of the Commissioner for Public Employment (OCPE) Framework for Preventing and Eliminating Workplace Bullying in the NT Public Sector.

Note: bullying is not occasional differences in opinions and non aggressive conflicts or problems in work relationships. Workplace counselling or managing poor performance is not bullying.

Harassment

Behaviour is perceived to be offensive, abusive, belittling or threatening, that is unwelcome, unsolicited, unreciprocated and usually repeated. It may be indirect, unintentional or deliberately directed at an individual or group of people.

Manager: A person who has authority within a workplace such as director, assistant director, general manager, school principal, line manager or supervisor.

Violence¹

The attempted or actual exercise by a person of any force so as to cause injury to an employee, including any threatening statement or behaviour which gives the employee reasonable cause to believe he or she is at risk. This can include (but is not limited to):

- injuring another person physically through direct contact (i.e. kicking, punching, pushing) or indirect contact (i.e. using weapons or throwing objects);
- behaviour that creates a reasonable fear of injury to another person, including verbal threats or threatening behaviour;
- intimidation, bullying and harassing behaviours, including cyber-bullying;
- behaviour that evokes extreme emotional distress in another individual;
- intentionally damaging property in a violent manner;
- retaliating against any employee who, in good faith, reports a violation of this policy.

¹ From *An overview of occupational violence*: NOHSC (1999).

Please note: In some circumstances the perpetrator of violence may not have the mental capacity to form intent, however is physically capable of violence (i.e. some special needs children)

Physical attack

The direct or indirect application of force by a person to the body of, or to clothing worn by, or equipment of, another person, where that application creates a risk to health and safety.

Third party

Individuals who are not Northern Territory Government employees such as students, parents, relatives, acquaintances, or strangers.

Threat

A statement or behaviour that causes a person to believe they are in danger of being physically attacked

Workplace

A location, either permanent or temporary, where an employee performs any work-related duty. This includes, but is not limited to, schools, DET leased buildings and surrounds, alternate work locations/site visits, travel to and from work assignments, school camps, excursions and community visits.

5 RELATED POLICIES

Code of Conduct for schools, Policy & Guideline
Complaints Policy
Emergency Preparedness and Continuity Management
Emergency Management Framework
Inappropriate workplace behavior - DET Employees, Guideline
Inappropriate workplace behavior - Third Parties, Guideline
Police in schools, Guidelines
[Safe Schools NT Code of Behaviour](#)
School Emergency Management Plan

6 REFERENCE DOCUMENTS

Public Sector Employment and Management Act
Employment Instruction 11- Equal employment opportunity Management Program (EQMP)
[NTPS Principles and Code of Conduct](#)
NT Workplace Health & Safety [Act](#) (2007)
NT WorkSafe [Bulletin 15.01.07](#) Work Environment – Violence in the Workplace

7 PROCEDURE

In consultation with employees and other relevant stakeholders, the principal or manager is responsible for ensuring that strategies are in place to prevent bullying, harassment and violent incidents where possible, the workplace is prepared for such incidents and that there are measures in place to respond to and recover from incidents.

Strategies or plans must be documented and communicated to all employees and relevant stakeholders and should be in accordance with workplace Emergency Preparedness and Continuity Management.

- 1. Prevention** – measures to identify risks and eliminate or reduce the incidence or severity of incidents.

Risk management should include the following steps:

- a. Identify who is at risk and the types/areas of work where employees may be exposed.** I.e. identify employees that are more likely to be involved in an incident than others because of the type of work they do or their work location. Identify areas of the school or workplace that are most likely to be affected, i.e. front counters, first point of contact.
 - b. Assess the nature and severity of the risks.** Consideration should be given to known behaviour patterns, current student behaviour management plans, previous occurrences, likely triggers, stress or other pressures that may be present. Consider how likely the risk is to eventuate into a violent incident.
 - c. Implement controls to minimise the chance of an incident occurring.** Controls may include:
 - i. consulting with employees and others regarding DET's commitment to providing a safe workplace and zero tolerance stance on bullying, harassment and violence;
 - ii. physical changes to work environment;
 - iii. changes to systems of work (i.e. guidelines for after hours work or working off-site);
 - iv. provision of training to employees to identify potential situations and take appropriate action before the situation escalates; and
 - v. development and implementation of student behavioural management plans, with appropriate consequences for violent behaviour by a student.
- 2. Preparedness** – measures to ensure that workplaces are capable of coping with an incident.

Ensure employees, especially those in identified high risk areas, are trained or have appropriate instruction on how to react to high-risk situations. Actions could include:

- determining courses of action and conducting drills and role plays to ensure all staff are aware of procedures and responsibilities in the event of an incident;
 - responding immediately if allegations of bullying and harassment are reported;
 - selecting appropriate staff who have clear guidelines to follow, or training all staff in high risk areas;
 - training employees to improve their ability to diffuse potentially violent situations. Interpersonal skills training such as conflict resolution, mediation, and or aggression management may be useful;
 - determining how and when to summon assistance to prevent situations escalating and monitoring of potential situations.
- 3. Response** – measures taken during and immediately after emergencies to ensure the effects are minimised and appropriate responses are initiated.

Response mechanisms may include:

- monitoring potential high risk situations;
- immediate action taken to ensure safety of staff and other stakeholders, i.e. lock down or evacuation of areas;
- systems for alerting co-workers or police that urgent help is required;
- provision and use of additional personal protection, such as personal alarms;
- provision of support to victim/s, contact with relevant personnel within DET, police, other workplace members, mechanisms to advise and update employees, students and other stakeholders on a situation (i.e. incident form, report format).

4. **Recovery** – measures that support resumption of 'business as usual' as soon as possible after an incident has occurred, including a **review** of the effectiveness of the responses to adjust processes as necessary to improve emergency management. Use lessons learned from the incident to update policies with new controls to minimise potential re-occurrence. DET's [Employee Assistance Program](#) providers may be contacted at this stage to provide counselling and/or debrief sessions in the workplace.

Actions taken against the perpetrator following an incident may include;

- formal disciplinary action or termination of employment (employee only);
- formal letter to the perpetrator referring to this policy and requesting the behaviour to cease immediately;
- prohibiting the perpetrator from entering DET workplaces; and/or
- legal action or police involvement.

If further information is required regarding appropriate action, contact your HR Consultant.