



## Workplace Bullying Policy

### 1. Purpose

- 1.1 2 HHH FM Limited ('Triple H FM') aims to provide a safe and healthy work environment, so far as is reasonably practicable, in which all workers 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 Triple H FM.
- 1.2 This Policy outlines the Triple H FM's commitment to a safe workplace and is aimed at ensuring, so far as it reasonably can, that employees are not subjected to any form of bullying while at work. It also details the legal responsibilities of Triple H FM and workplace participants in relation to preventing bullying in the workplace.

### 2. Commencement of Policy

- 2.1 This Policy will commence on 18 June 2019. It replaces all other bullying policies (whether written or not).

### 3. Scope

- 3.1 This Policy covers all employees, presenters, members and volunteers of Triple H FM (whether full-time, part-time or casual) and all persons performing work or volunteer work at the direction of, in connection with, or on behalf of Triple H FM (for example contractors, subcontractors, agents, consultants, and temporary staff) (collectively '**workplace participants**').
- 3.2 This Policy extends to all functions and places that are work related, for example, work lunches, conferences, Christmas parties, members meetings, board meetings and client functions. This Policy does not form part of any employee's contract of employment. Nor does it form part of any contract for service.

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#### **4. Legal responsibilities**

- 4.1 Everyone at the workplace has a legal responsibility to prevent bullying from occurring.
- 4.2 Under relevant health and safety legislation (the 'WHS Legislation') Triple H FM has the primary duty to eliminate or minimise, as far as reasonable practicable, the risks to health and safety in the workplace. This duty includes the implementation of strategies to prevent workplace bullying. This policy will assist Triple H FM in complying with its legal responsibilities.
- 4.3 Workplace participants are also required under the WHS Legislation to take reasonable care for their own health and safety, as well as that of others at Triple H FM's workplace. All workplace participants must also comply with any reasonable instruction given by Triple H FM.

#### **5. What is workplace bullying?**

- 5.1 Workplace bullying is repeated, unreasonable behaviour by an individual or group of individuals, directed towards a worker or a group of workers that creates a risk to health and safety. It includes both physical and psychological risks and abuse.
- 5.2 'Repeated behaviour' refers to the persistent nature of behaviour and can refer to a range or pattern of behaviours over a period of time (for example, verbal abuse, online messages whether through social media or email, unreasonable criticism, isolation and subsequently being denied opportunities — i.e. a pattern is being established from a series of events).
- 5.3 'Unreasonable behaviour' means behaviour that a reasonable person, having regard to all the circumstances, would view as unreasonable in the circumstances and may result in that employee feeling victimised, humiliated, undermined or threatened by that behaviour, regardless of what the intention of the behaviour is.

#### **6. Examples of workplace bullying**

- 6.1 Bullying behaviours can take many different forms, from the obvious (direct) to the more 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

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- 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.
- i) inappropriate messaging online through social media, email and alike

***Indirect bullying:***

- a) unreasonably overloading a person with work, or not providing enough work
- b) setting time frames 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 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 work arrangements, such as rosters and leave, to inconvenience a particular worker or workers

- 6.2 The above examples do not represent a complete list of bullying behaviours. They are indicative of the type of behaviours that may constitute bullying and therefore are unacceptable to Triple H FM.
- 6.3 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.
- 6.4 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 actually have that effect.
- 6.5 Bullying in the workplace is harmful not only to the target of the behaviour but damages Triple H FM's culture and reputation. It is unacceptable and will not be tolerated.

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## **7. What does not constitute workplace bullying?**

- 7.1 Managing workplace participants does not constitute bullying, if it is done in a reasonable manner. The Board and Managers have the right, and are obliged to, manage workplace participants. This includes directing the way in which work is performed, undertaking performance reviews and providing feedback (even if negative) and disciplining and counselling staff. Examples of reasonable management practices include:
- a) setting reasonable performance goals, standards and deadlines in consultation with workers and after considering their respective skills and experience
  - b) allocating work fairly
  - c) rostering and allocating working hours in a fair and reasonable manner
  - d) transferring a workplace participant for legitimate and explained operational reasons
  - e) deciding not to select a workplace participant for promotion, following a fair and documented process
  - f) informing a workplace participant about unsatisfactory work performance in a constructive way and in accordance with any workplace policies or agreements
  - g) informing a workplace participant about inappropriate behaviour in an objective and confidential way
  - h) implementing organisational changes or restructuring, and
  - i) conducting performance management processes.

## **8. What steps will Triple H FM take to prevent workplace bullying?**

- 8.1 Triple H FM will take all reasonable steps to prevent bullying through a risk management process. This process includes, but is not limited to:
- a) identification of bullying risk factors —these are issues and situations which could contribute to bullying, such as the way in which staff are managed, or organisational changes such as redundancies (refer to the common risk factors set out below);
  - b) assessment of the likelihood of bullying occurring from the risk factors identified and their potential impact on the workplace participants or workplace;
  - c) eliminating the risks, as far as reasonably practicable, or controlling, or minimising, them as far as reasonably practicable;

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- d) reviewing the effectiveness of the control methods put in place and the process generally; and
- e) informing and training workplace participants about bullying, how to deal with it and its impact on the workplace.

8.2 Triple H FM will use the Workplace Bullying Assessment Checklist to facilitate the risk management process. This checklist has been developed to assist Triple H FM to identify, assess and eliminate bullying in the workplace, taking into account the common risk factors (refer below).

## 9. What are some of the common risk factors which may lead to bullying?

9.1 Bullying can result from a number of different factors in a workplace, from the general culture to poor management skills. Some risk factors which make bullying more likely to occur are:

- a) organisational change — i.e. significant change in the workplace that may lead to job insecurity for example, restructure and redundancy, introduction of technology, change in management.
- b) the culture— Triple H FM's values, views and beliefs can either expressly or implicitly encourage bullying behaviours, for example, when a company promotes aggressive behaviour as a means of ensuring its workers are performing their roles, or adopts a culture in which it is acceptable to ignore such behaviours.
- c) negative leadership styles— such as strict, autocratic management styles, which do not allow for flexibility or involvement by employees; or passive, 'laissez-faire' management styles which are characterised by a tendency to avoid decisions, inadequate supervision and little guidance to workers.
- d) inappropriate systems of work— this includes excessive workloads, unreasonable timeframes, uncertainty about roles and how they should be performed, and lack of support.
- e) poor work relationships— this can be characterised by poor communication between workplace participants and management, or negative relationships with supervisors or colleagues, excessive criticism by manager and the exclusion or isolation of workers.
- f) workforce characteristics— groups of workplace participants may be at a higher risk of bullying because of certain characteristics: for example, young workers, new workers, apprentices, injured workers, workers in a minority group because of their race, disability, religion, gender or sexual preference.

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9.2 Triple H FM will consider these factors when undertaking its risk management process.

## 10. Dealing with bullying complaints

10.1 In handling bullying complaints, Triple H FM 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 workplace participants 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 estimating length of time for resolution.
- g) Maintain confidentiality — Triple H FM will endeavour to maintain confidentiality as far as possible. However, it may be necessary to speak with other workers in order to determine what happened, to legal representatives or Triple H FM's senior managers. It will also be necessary to speak to those against whom the complaint has been made in order to afford fairness. All workplace participants involved in the complaint must also maintain confidentiality, including the workplace participant who lodges the complaint. Spreading rumours or gossip may expose the workplace participant responsible to a defamation claim.
- h) Act appropriately — if a complaint is made and it appears that bullying has occurred, Triple H FM will endeavour to take appropriate action in relation to the complaint.
- i) Keep records — documentation is essential. A record of all meetings and interviews stating who was present and agreed outcomes should always be maintained.

## 11. Possible outcomes

11.1 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.

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Any disciplinary action is a confidential matter between the affected workplace participant and Triple H FM.

11.2 Triple H FM 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 Board or a person allocated by The Board;
- e) requiring an apology or an undertaking that certain behaviour stop;
- f) changing work arrangements;
- g) transferring to another work area;
- h) issuing a written warning (this can be a first or final warning depending on the circumstances);
- i) dismissal.

## **12. Station Manager's role**

12.1 The Station Manager has a key role in the prevention of workplace bullying.

12.2 The Station Manager must:

- a) ensure that they do not bully workplace participants, clients or customers
- b) ensure that they do not aid, abet or encourage other persons to engage in bullying behaviour
- c) ensure all workplace participants who report to them are aware and understand this policy and their responsibility to comply with it
- d) ensure that all workplace participants who report to them understand that any bullying in any form is unacceptable and will not be tolerated by Triple H FM
- e) act promptly and appropriately if they observe bullying behaviours
- f) ensure that all workplace participants who report to them understand that they should report any bullying behaviour
- g) ensure all workplace participants who report to them are aware and understand the complaint procedures
- h) act promptly if a complaint is made. If this is not possible, or is inappropriate, inform the Members Committee or The Board as soon as possible.

## **13. Workplace participant's role**

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- 13.1 All workplace participants must:
- a) understand and comply with this Policy
  - b) sign the workplace participant acknowledgement to this policy
  - c) ensure they do not engage in any conduct which may constitute bullying towards other workplace participants, customers/clients or others with whom they come into contact through work
  - d) ensure they do not aid, abet or encourage other persons to engage in bullying behaviour
  - e) follow Triple H FM's complaint procedure if they experience bullying
  - f) report any bullying they see occurring to others in the workplace in accordance with this policy
  - g) maintain confidentiality if they are involved in the incident which has been reported.

#### **14. Breach of this Policy**

- 14.1 Triple H FM takes very seriously its commitment to provide, so far as is reasonably practicable, a safe and healthy work environment, free from bullying. All workplace participants are required to comply with this policy.
- 14.2 If an employee breaches this policy, they may be subject to disciplinary action. In serious cases this may include termination of employment. Agents and contractors (including temporary contractors) who are found to have breached this Policy may have their contracts with Triple H FM terminated or not renewed.
- 14.3 If a person makes a false complaint, or a complaint in bad faith (e.g. making up a complaint to get someone else in trouble, or making a complaint where there is no foundation for the complaint), that person may be disciplined and may be exposed to a defamation claim.

#### **15. More information**

- 15.1 If a workplace participant is unsure about any matter covered by this policy, or requires more information about workplace bullying they should seek the assistance of The Station Manager, or of The Members Committee. They may also wish to seek external advice from the relevant regulatory authority, such as WorkCover/WorkSafe/SafeWork.

#### **16. Review**

- 16.1 This procedure will be reviewed annually during Triple H FM's WHS Audit Program, through consultation with employees and health and safety

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representatives, or when legislative requirements change, or in the event of a serious occurrence involving bullying.

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