



Department of  
**Education**

# **Bullying in the Workplace Procedures**

Effective date: 16 October 2018

Version: 3.2

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These procedures must be read in conjunction with the Bullying in the Workplace Policy.

## Table of contents

<b>1. Policy supported</b>	<b>3</b>
<b>2. Scope</b>	<b>3</b>
<b>3. Procedures</b>	<b>3</b>
3.1 Responsibilities of Directors of Education, Executive Directors and Directors	3
3.2 Responsibilities of principals and line managers	4
3.3 Responsibilities of employees	5
3.4 Confidentiality	6
<b>4. Definitions</b>	<b>7</b>
<b>5. Related documents</b>	<b>7</b>
<b>6. Contact information</b>	<b>9</b>
<b>7. History of changes</b>	<b>9</b>
<b>8. Appendices</b>	<b>11</b>
<b>9. More information</b>	<b>12</b>
Procedure review date	12
Procedure last updated	12

**These procedures must be read in conjunction with the Bullying in the Workplace Policy.**

## 1. Policy supported

Bullying in the Workplace Policy

## 2. Scope

These procedures apply to all employees.

### Guidance

These procedures apply to all worksites, including examination centres, off-site and after-hours work-related activities such as training courses, conferences, telephone calls, emails, social media and social functions.

## 3. Procedures

### 3.1 Responsibilities of Directors of Education, Executive Directors and Directors

Directors of Education, Executive Directors and Directors must:

- demonstrate professional and ethical behaviour;
- provide strategic leadership and system-level implementation of measures to facilitate and promote the prevention and effective management of workplace bullying;
- inform principals or line managers of their responsibilities under the Occupational Safety and Health Act 1984 (OSH Act), related legislation and Department policies; and
- address bullying grievances if:
  - grievances have not been resolved at the school or workplace;
  - the principal or line manager is the subject of the grievance; and/or
  - the principal or line manager has a conflict of interest.

## 3.2 Responsibilities of principals and line managers

Principals and line managers must:

- demonstrate professional and ethical behaviour;
- prevent and address workplace bullying by:
  - facilitating a respectful and inclusive workplace culture focused on the care and wellbeing of staff;
  - informing employees of relevant legislation, policies and support services related to workplace bullying in an induction process and, as required, during their employment;
  - monitoring the workplace for conduct that may constitute bullying and addressing any occurrences;
  - addressing unreasonable or inappropriate conduct of visitors;
  - resolving employee grievances in accordance with the [Grievance Framework](#); and
- report incidents of workplace bullying that may constitute misconduct to the Standards and Integrity Directorate, in accordance with [Report staff misconduct \(staff only\)](#).

### Guidance

Further information and examples of bullying behaviour are available in Appendix A – Workplace Bullying Behaviour.

Bullying between staff is managed under the [Grievance Framework](#).

The Grievance Resolution Procedure in the [School Education Act Employees' \(Teachers and Administrators\) General Agreement](#) does not apply to occupational safety and health matters (including bullying); refer to clause 47.2.

Bullying in the workplace is unlawful under the [OSH Act](#). Duties of employers are listed in:

- sections 19, 21 and 23K of the [OSH Act](#); and
- section 3.1 of the [Occupational Safety and Health Regulations 1996](#).

WorkSafe determines non-compliance with provisions of the [OSH Act](#) and Regulations and may issue an improvement notice where bullying incidents are reported. WorkSafe provides information on [bullying](#) and their role in the [Frequently Asked Questions](#).

The authority to manage visitors (including parents/guardians, volunteers, contractors and community members) on Department worksites is governed by section 57A of the [OSH Act](#). Principals can also refer to the Department's [Visitors and Intruders on School Premises Policy](#).

Bullying involving grounds of discrimination, such as a person's race, sexual orientation, age

and sexual or racial harassment, may also be a breach of the [Equal Opportunity Act 1984](#) and [Equal Opportunity, Discrimination and Harassment Policy](#).

The Accountable and Ethical Decision Making online module is a mandatory training requirement for all staff under the [Staff Induction Policy](#). This is available under the Professional Learning tab on Ikon (staff only).

Information and support resources:

- [Keeping our Workplace Safe \(staff only\)](#);
- [Manager Assistance Program \(staff only\)](#) and [Employee Assistance Program \(staff only\)](#); and
- Public Sector Commission guides for agencies: [Managing workplace behaviour](#); and [Prevention of workplace bullying in the WA public sector](#).

### 3.3 Responsibilities of employees

Employees must:

- demonstrate professional and ethical behaviour;
- not place the safety and health of others at risk by engaging in bullying behaviour, as outlined in section 20 of the [OSH Act](#);
- raise and attempt to resolve workplace behaviour issues early using the [Grievance Framework](#);
- report workplace bullying incidents to the principal or line manager (or superordinate if principal or line manager is the subject of the grievance) for a resolution process to be undertaken; and
- cooperate with grievance resolution processes and abide by any grievance resolution agreement, decision or directive.

#### Guidance

Bullying in the workplace is unlawful under the [OSH Act](#).

Bullying between staff is managed under the [Grievance Framework](#).

The Grievance Resolution Procedure in the [School Education Act Employees' \(Teachers and Administrators\) General Agreement](#) does not apply to occupational safety and health matters (including bullying); refer to clause 47.2.

To clarify and address any issue or incident related to bullying behaviour, employees are encouraged to:

- see Appendix A - Workplace Bullying Behaviour;

- talk to an [Equal Opportunity Contact Officer](#) (staff only), who can provide information about bullying, equal opportunity matters and resolution options under the [Grievance Framework](#). See [list of EOCOs](#).
- use informal or formal resolution options in the [Grievance Framework](#); and
- access support where required. For example, the [Employee Assistance Program](#) (staff only) provides independent confidential counselling sessions (face-to-face, telephone or Skype) for employees, their partners and dependent children under 25 years of age. Six free sessions a year are available per person. [Employee Assistance Program brochure](#) T: 1300 307 912.

Expected standards of professional and ethical behaviour are detailed in [Commissioner's Instruction No 7: Code of Ethics](#) and the Department's:

- [Code of Conduct and Standards](#) (staff only)
- [Staff Conduct and Discipline Policy](#); and
- [Equal Opportunity, Discrimination and Harassment Policy](#).

Workplace bullying involving misconduct may be referred by the principal or line manager to the Department's Standards and Integrity Directorate for assessment or investigation. Where a breach of discipline has occurred, disciplinary action under section 80A of the [Public Sector Management Act 1994](#) may be taken. Refer to [Report staff misconduct](#) (staff only)

Information and resources:

- [Dealing with bullying at work – A guide for workers](#); and
- [WorkSafe Bullying and Frequently Asked Questions](#).

### 3.4 Confidentiality

Principals, line managers and employees must maintain confidentiality in relation to a grievance, with information only divulged to those involved in the grievance process, with due regard to the requirements of the [Freedom of Information Act 1992](#).

## 4. Definitions

### Superordinate

The person to whom an individual's line manager reports or a more senior manager.

### Workplace bullying

Bullying is repeated unreasonable or inappropriate behaviour directed towards an employee, or group of employees, that creates a risk to health and safety.

## 5. Related documents

### Relevant legislation or authority

[Commissioner's Instruction No. 7: Code of Ethics](#)

[Corruption and Crime Commission Act 2003 \(WA\)](#)

[Equal Opportunity Act 1984 \(WA\)](#)

[Freedom of Information Act 1992 \(WA\)](#)

[Industrial Relations Act 1979 \(WA\)](#)

[Occupational Safety and Health Act 1984 \(WA\)](#)

[Occupational Safety and Health Regulations 1996 \(WA\)](#)

[Public Interest Disclosure Act 1986 \(WA\)](#)

[Public Sector Management Act 1994 \(WA\)](#)

[Public Sector Standards in Human Resource Management](#)

### Related Department policies

[Employee Performance](#)

[Equal Opportunity, Discrimination and Harassment](#)

[Occupational Safety and Health](#)

[Staff Conduct and Discipline](#)

[Staff Induction](#)

[Telecommunications Use](#)

[Visitors and Intruders on School Premises](#)

### **Other documents**

[Code of Conduct and Standards \(staff only\)](#)

[Code of Practice: Occupational Safety and Health in the Western Australian Public Sector](#)

[Code of Practice: Violence, Aggression and Bullying at Work](#)

[Dealing with bullying at work – A guide for workers](#)

[Grievance Framework](#)

[Keeping our Workplace Safe \(staff only\)](#)

[Managing workplace behaviour – A guide for agencies, Public Sector Commission](#)

[Prevention of workplace bullying in the WA public sector – A guide for Agencies, Public Sector Commission](#)

[Strategic directions for public schools 2020-2024](#)

[Substantive Equality Guidelines](#)

[Work safety notices – Improvement and prohibition notices](#)



## 6. Contact information

### Policy manager:

Director, Workforce Policy and Coordination

### Policy contact officer:

Manager, Workforce Policy

T: 9264 5081

### Other:

Standards and Integrity (staff only)

T: 1800 655 985

Employee Assistance Program (staff only)

T: 1300 307 912

## 7. History of changes

<b>Effective date</b>	8 February 2013
<b>Last update date</b> <b>Procedure version no.</b>	1.6
<b>Notes</b>	Changes to policy resulting from publication of Grievance Framework guideline. Changes approved by Corporate Executive 16 November 2012. D12/0812988
<b>Effective date</b>	8 February 2013
<b>Last update date</b>	11 July 2013
<b>Procedure version no.</b>	1.6

<b>Notes</b>	Amendments of references to documents as per D13/0222254.
<b>Effective date</b>	8 February 2013
<b>Last update date</b>	18 December 2014
<b>Procedure version no.</b>	1.7
<b>Notes</b>	Contact details updated D14/0555685.
<b>Effective date</b>	10 March 2015
<b>Last update date</b> <b>Procedure version no.</b>	2.0
<b>Notes</b>	Major review. Procedures endorsed for publishing by Director General at Corporate Executive on 1 December 2014.
<b>Effective date</b>	10 March 2015
<b>Last update date</b>	22 January 2016
<b>Procedure version no.</b>	2.1
<b>Notes</b>	Minor changes to guidance in s3.3, contact information and updated links D16/0025669
<b>Effective date</b>	10 March 2015
<b>Last update date</b>	9 March 2017
<b>Procedure version no.</b>	2.2
<b>Notes</b>	Minor changes to replace references to Substantive Equality Policy with Substantive Equality Guidelines and updated links D17/0104478 and D17/0104471.
<b>Effective date</b>	16 October 2018
<b>Last update date</b> <b>Procedure version no.</b>	3.0

<b>Notes</b>	Major review of Workplace Bullying Policy and Procedures, renamed Bullying in the Workplace. Endorsed by the Director General at Corporate Executive on 19 September 2018.
<b>Effective date</b>	16 October 2018
<b>Last update date</b>	22 April 2020
<b>Procedure version no.</b>	3.1
<b>Notes</b>	Minor changes to update links, related documents and include additional guidance information. D20/0201954
<b>Effective date</b>	16 October 2018
<b>Last update date</b>	13 January 2021
<b>Procedure version no.</b>	3.2
<b>Notes</b>	Minor changes to replace the Regional Executive Director position title with Director of Education D20/0647278.

## 8. Appendices

Appendix A: [Workplace Bullying Behaviour](#) (PDF file - 48.1kB)

## 9. More information

### Supporting content

#### Policy

[Bullying in the Workplace Policy](#)

#### Procedure review date

16 October 2021

#### Procedure last updated

13 January 2021

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