



Policy

Workplace Harassment, Sexual Harassment, Bullying & Violence

Endorsed by: Goulburn Options Board

Document Owner: CEO

Section 1: Preamble

This Policy follows from the Duty of Care Board Policy and ensures compliance with Goulburn Option's legal responsibilities.

Goulburn Options is committed to ensuring that incidents of harassment, bullying or violence will be efficiently managed in accordance with the relevant legislation and related policies and procedures.

An action or actions will be considered workplace harassment, sexual harassment, bullying or occupational violence if it would reasonably be expected that a person subjected to those actions would consider them to be so, even if it was not the intent of the person performing those actions.

Any report made will be treated in the strictest of confidence. However, making a report which is deliberately misleading or vexatious is viewed as serious misconduct, which may result in disciplinary actions including, but not limited to, the termination of employment.

Section 2: Policy Statement

Goulburn Options values and respects the diversity of its workforce and is committed to providing a healthy and safe workplace free from all forms of harassment, bullying and violence against employees, contractors, students, job candidates, volunteers, visitors and other persons who interact with and have dealings with Goulburn Options.

All members of the Goulburn Options workforce are required to treat others with dignity, courtesy and respect.

The Goulburn Options Board acknowledges a duty of care and commits to ensuring compliance with practices that promote a safe and healthy work culture and environment free of harm.

In addition, this policy also applies to:

- board members
- management
- how Goulburn Options provides services to participants and how it interacts with other members of the public
- on-site, off-site or after-hours work; work-related social functions; conferences – wherever and whenever employees may be because of their Goulburn Options duties
- employee's treatment of other employees, of participants and of other members of the public encountered during their Goulburn Options duties

By implementing this policy, Goulburn Options will attract and retain a talented workforce, create a positive work environment for its workforce and embed a culture free from any form of harassment or violence in the workplace.

Compliance reporting in relation to this policy forms a part of Goulburn Option's Risk Management Framework to ensure visibility of presenting issues, incidents, associated remedial actions and to contribute to improvements to further reduce the risk of further incident.

Section 3: Guiding Principles

The following principles apply to all complaints:

- For the purpose of this policy, 'workforce' refers to all employees, volunteers, Board Directors, students and contractors
- Confidentiality is to be maintained at all times
- The complaint will be actioned in a timely manner
- The complainant has the option, other than their immediate Manager or Team Leader, to lodge a complaint with the General Manager
- All parties will exercise impartiality during the process
- The right to a support person for both the complainant and the respondent at any time during the process
- A right of reply
- Recommendations that are reasonable and commensurate with findings
- Decision makers must act fairly, without bias, be impartial, provide reasons for decisions and provide all parties with a reasonable timeframe within which the stages of the process will be concluded
- All decisions, the reason for the decisions and the evidence upon which they are made must be capable of review, and
- The complainant or respondent may be stood down during the process, taking into consideration workplace health, safety and continuation of business activities

Section 4: Workforce Rights and Responsibilities

All members of the Goulburn Options workforce are entitled to:

- Work free from any form of harassment and violence including but not limited to bullying or sexual harassment
- The right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised

All members of the Goulburn Options workforce must:

- Follow the standards of behaviour outlined in this policy, the Code of Conduct and in line with Goulburn Options values
- Ensure they complete the appropriate training made available relating to this policy and specifically training related to harassment, bullying and workplace violence
- Offer support to people who experience bullying or any form of harassment, including providing information about how to make a complaint
- Avoid gossip and respect the confidentiality of complaint resolution procedures
- Treat everyone with dignity, courtesy and respect

Section 5: Additional Responsibilities of Managers and Team Leaders

Managers and Team Leaders must also:

- Model appropriate standards of behaviour
- Take steps to ensure that the workforce is educated and aware of obligations under this policy and the law
- Intervene quickly and appropriately when they become aware of inappropriate behaviour
- Act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard
- Help the workforce resolve complaints informally
- Refer formal complaints about breaches of this policy to the appropriate Manager or Team Leader for investigation
- Ensure members of the Goulburn Options workforce who raise an issue or make a complaint are not victimised

Section 6: Unacceptable Workplace Conduct

Bullying, harassment, sexual harassment and violence are unacceptable at Goulburn Options and are unlawful under the following legislations:

- Sex Discrimination Act 1984 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Age Discrimination Act 2004 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)
- Fair Work (Commonwealth Powers) Act 2009 (Cth)
- Fair Work Commission Amendment (Anti-Bullying and Other Measures) Rules 2013
- Fair Work Amendment Bill 2013 (Cth)
- Equal Opportunity Act 2010 (Cth)
- Racial and Religious Tolerance Act 2001
- Racial Discrimination Act 1975
- Victorian Charter of Human Rights and Responsibilities Act 2006
- Occupational Health and Safety Act 2004
- Occupational Health and Safety Regulations 2017
- “Brodies Law” June 2011
- Crimes Act 1958
- Crimes Amendment (Bullying) Bill 2011

Members of the Goulburn Options workforce (including managers) found to have engaged in such conduct might be counselled, warned or disciplined. Severe or repeated breaches can lead to formal disciplinary action up to and including termination of employment.

Section 7: Harassment

Harassment occurs when uninvited or unwelcome behaviour causes someone, or a group of people, to feel intimidated, insulted or humiliated. It can occur in a single incident or a series of incidents. Harassment may also be experienced as a result of witnessing behaviour not directed at that person e.g. overhearing an unacceptable joke. Each person perceives things differently as their values and experiences are unique to them. They therefore, may react differently to how someone might expect them to react.

Racial harassment is another form of harassment. It describes any unwelcome conduct in relation to a person's colour, race, nationality, social or ethnic origin or extraction. It can range from relatively minor abuse to physical violence. It can be discriminatory remarks, behaviours or practices which show racial intolerance against another person or a group of people.

Section 8: Sexual Harassment

Sexual harassment is a specific and serious form of harassment. It is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, spoken or written.

The lack of any objection to any of the examples provided does not mean consent to the behaviour.

Sexual harassment is covered in the workplace when it happens at work, at work-related events, between people sharing the same workplace, or between colleagues outside of work.

All members of the Goulburn Options workforce have the same rights and responsibilities in relation to sexual harassment

A single incident is enough to constitute sexual harassment – it doesn't have to be repeated.

All incidents of sexual harassment require employers and managers to respond quickly and appropriately. Goulburn Options recognises that comments and behaviour that do not offend one person can offend another. This policy requires all members of the Goulburn Options workforce to respect other people's boundaries.

Section 9: Bullying

If someone is being bullied because of a personal characteristic protected by equal opportunity law, it is a form of discrimination.

Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, or unfair work practices. Under Federal law, this behaviour does not have to be repeated to be discrimination – it may be a one-off event.

Bullying is unacceptable in Goulburn Options and may also be against occupational health and safety law.

Section 10: Violence

Occupational violence is any incident where a member of Goulburn Options' workforce is physically attacked or threatened with physical violence in the workplace.

This definition expressly includes domestic or family violence that extends to the workplace, for example employees who are married or in a personal relationship and an act of violence or threatened violence occurs within this relationship on Goulburn Options premises.

Any act of violence that takes place in the workplace will be investigated internally and may also involve external parties such as the Police.

Section 11: Victimisation

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to act because it would be discrimination, sexual harassment or victimisation. Victimisation is against the law.

It is also victimisation to threaten someone (such as a witness) who may be involved in an investigation.

Victimisation is a very serious breach of this policy and is likely (depending on the severity and circumstances) to result in formal discipline against the perpetrator. Goulburn Options has a zero-tolerance approach to victimisation.

Section 12: Gossip

It is unacceptable for any member of the Goulburn Options workforce to speak with other employees, contractors, participants, suppliers or others associated with or working on behalf of Goulburn Options about any complaint.

Breaching the confidentiality of a formal complaint investigation or inappropriately disclosing personal information obtained in a professional role (for example, as a manager) not only compromises the integrity of an investigation but is also a serious breach of this policy and may lead to formal disciplinary action.

Section 13: Resolving Issues at Goulburn Options

Goulburn Options encourages any member of the workforce who believes they have been harassed, sexually harassed, bullied or been subject to any violence or threatened violence against them in the workplace to take appropriate action. This may involve discussing the issue with a manager or a more senior employee. How to make a complaint is dealt with in the Procedures document associated with this policy. Complaints can be made verbally or in written form. If the matter is deemed serious, Goulburn Options may contact the relevant law enforcement provider.

Members of the workforce who do not feel safe or confident taking such action may seek assistance from the General Manager for advice and support or action.

Section 14: Investigations

All members of the Goulburn Options workforce are required to participate in, and co-operate with, any investigation, disciplinary or grievance process as requested by Goulburn Options.

Section 15: Other Relevant Goulburn Options Documentation

Members of the Goulburn Options workforce, especially Managers and Team Leaders, are encouraged to read this policy in conjunction with other relevant Goulburn Options documentation, including:

- Occupational Health and Safety policy
- Workplace Complaint Resolution policy and procedure
- Managing Underperformance and Disciplinary procedure
- Vision and Values statements
- Enterprise bargaining agreements
- Service agreement (Any document that outlines the rights of participants to complain about the service they are receiving.)
- Code of Conduct

Section 16: More Information

Any query about this policy or need for more information can be addressed by contacting the document owner as listed at the top of this policy document.

Section 17: Exclusions

There are no exclusions to this policy, however some forms of harassment may also be deemed discrimination and are covered by the Goulburn Options Equal Opportunity and Cultural Inclusion policy.

Section 18: Roles and Delegations

Role	Responsibilities and Accountabilities
CEO	• Responsible for content and implementation • Approve document content • Approve training • Review any claims of bullying and harassment
Organisational Managers	• Ensuring the principles of this policy and underpinning legislation are applied in the workplace
Managers & Team Leaders	• Investigate any claims that breach this policy • Identifying matters which breach this policy • Ensure workforce compliance with this policy • Advise HR of any claims of bullying, harassment and violence • Ensure workforce complete all required training
Workforce	• Ensure compliance with this policy and associated policies and procedures • Report any behaviour that they may consider to be bullying, harassment or violence to their Manager, Team Leader or Human Resources immediately

Section 19: Related Documentation

Document Name	Document Type
Duty of Care Policy	Board Policy
Equal Opportunity and Diversity	Board Policy
Code of Conduct	Policy
Workplace Harassment, Sexual Harassment, Bullying & Violence Procedure	Procedure
Incident Management Policy	Policy
Grievance Policy	Policy
Complaint and Feedback Policy	Procedure

Section 20: Definitions

Term	Definition
Harassment	Harassment is when a person is treated less favourably on the basis of certain personal characteristics, such as race, sex, pregnancy, marital status, breastfeeding, age, disability, sexual orientation, gender identity or intersex status. Some limited exceptions apply. Harassment can include behaviour such as: • Telling insulting jokes about particular racial groups • Sending explicit or sexually suggestive emails or text messages • Displaying racially offensive or pornographic posters or screen savers • Making derogatory comments or taunts about someone's race • Asking intrusive questions about someone's personal life, including his or her sex life.
Bullying	An individual or group repeatedly behaving unreasonably towards a worker, or group of workers, creating a risk to health and safety. Bullying can take place: • Between Management and members of the workforce • Between team members; or • Between a member of the workforce and a participant. Bullying may occur: • Down the reporting line, conducted by management towards their team; • Up the reporting line, directed at management from their team; or • 'Horizontally', from one person in the workplace to another person in the workplace
Sexual Harassment	Sexual harassment is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, verbal or written. It can include: • Comments about a person's private life or the way they look • Sexually suggestive behaviour, such as leering or staring • Brushing up against someone, touching, fondling or hugging • Sexually suggestive comments or jokes • Displaying offensive screen savers, photos, calendars or objects • Repeated requests to go out • Requests for sex • Sexually explicit emails, text messages or posts on social networking sites. • Sexual assault. • Sexual harassment is not consensual interaction, flirtation or friendship. Sexual harassment is not behaviour that is mutually agreed upon.
Occupational Violence	Occupational violence (OV) refers to violence, usually in the form of physical abuse or threat that creates a risk to the health and safety of an employee or multiple employees
Bullying Behaviour	May include but not limited to the following • Sarcasm and other forms of demeaning language

Workplace Harassment, Sexual Harassment, Bullying & Violence

	• Threats • Shouting or verbal abuse • Coercion • Isolating or blaming others • Ganging up • Constant unconstructive criticism • Deliberately withholding information and/or support that a person needs to undertake their role • Abusive, insulting or offensive language • Inappropriate comments about a person's appearance, lifestyle or their family • Unwelcome teasing or making someone bear the brunt of pranks/practical jokes • Excluding or isolating a person • Psychological harassment • Intimidation • Displaying written or pictorial material which degrades or offends a person • Sabotaging a person's personal effects or work equipment.
Harassing Behaviour	May include but not limited to the following • Pictures, graffiti or written materials which are offensive or obscene • Phone calls, letters or messages including text messages on mobile phones, on electronic mail or IT networks which are threatening, abusive or offensive • Insulting or threatening gestures • Continual exclusion of a person or group from normal conversations that are work and not work-related assignments, social activities and networks in the workplace • Interference with a person's workspace, work materials, equipment or property • Continual unjustified and unnecessary comments about a person's work or capacity for work • Dismissive treatment or material expressing prejudice or stereotypical assumptions about the group to which a person may belong • Offensive physical contact or coercive behaviour which is intended to be derogatory or intimidating • Persistent following or stalking within the workplace, or to and from work.
Sexual Harassing Behaviour	May include but not limited to the following: • sexist material displayed publicly, circulated or placed in someone's workplace, • sexually offensive gestures, • sexual or physical contact such as slapping, kissing or touching, • intrusive questions about sexual activity, • indecent exposure and repeated sexual invitations when the person has refused similar invitations before.
Occupational Violent Behaviour	May include but not limited to the following: • Verbal or physical threats • Abusive language or gestures • Assaults or attempted assaults
Workplace	Includes any Goulburn Options premises, service delivery outlets such as community spaces and places, Goulburn Options functions and activities, and approved working from home arrangements
Workforce	Includes employees, volunteers, students, Board Directors and Contractors

Date of Last Review:	March 2025	Date of Next Review:	March 2027
-----------------------------	------------	-----------------------------	------------