

## Bullying, Harassment and Discrimination Policy

### Purpose and Scope

This document is intended to provide educational direction regarding conduct in our operating environments, and behaviour in line with CRANAplus values and ethos.

CRANAplus holds all Stakeholders (inclusive of employees, contractors, volunteers, board members and community stakeholders) within our CRANAplus Community accountable to this policy, and to demonstrate values of *Integrity, Inclusiveness, Respect, Accountability, Social Justice, Excellence and Safety*.

CRANAplus is committed to providing safe operating and service environments and cultural practices, that are demonstrative of CRANAplus values of Inclusiveness, Integrity, Respect, Accountability, Social Justice, Safety, and Excellence.

CRANAplus recognizes that bullying, harassment and/or discrimination can exist through both direct, and indirect (passive) behaviors or actions, and commits to managing behaviour impacting or presenting risk to our safety and values culture.

This policy document articulates CRANAplus' position on bullying, harassment and discrimination to ensure that all stakeholders are aware of their rights and responsibilities in prevention and/or management of such behaviour or actions.

Stakeholders are protected by this policy whether they feel bullied by collegial relationships, members of community, a supervisor or manager, or other agents of CRANAplus.

CRANAplus takes a strong position on nil bullying, harassment or discrimination, and will enact our position, policies and practices to their full extent.

This policy should be read in conjunction with CRANAplus' Equal Opportunity and Fair Treatment policy, and Federal, State, and Territory legislation relating to workplace safety.

### Prevention of Workplace Bullying, Harassment, and Discrimination,

CRANAplus advocates the prevention of bullying and/or harassing, and discriminatory behaviour, by promoting a safe and inclusive workplace environment by:

- Promoting organizational values of Integrity, Inclusion, Respect, Accountability, Safety, Social Justice, and Excellence in all that we do.
- Educating our workforce regarding workplace discrimination, bullying, harassment, and industry definitions, trends, and prevention.
- Educating our workforce on the importance of wellbeing, wellness, safety and rights and responsibilities in the workplace.
- Voicing a safety culture inclusive of accountability: that employees have a responsibility to call out behaviour not in line with CRANAplus values and culture.
- Managing all allegations, incidents, or complaints of discrimination, bullying and/or harassment in accordance with our policies and procedures.

CRANaplus is clear that workplace conduct, behaviour, and values application extend across a variety of working environments inclusive of offices, working from home, communication platforms, work or social events, and other environments where workplace duties, responsibilities, and communications are undertaken.

CRANaplus extends to include organizational or team social functions, or conversations where colleagues are discussing, exchanging opinion, or sharing information relating to their colleagues or work environment that has a probability to result, or has resulted, in having a negative impact to workplace relationships, wellbeing or safety.

## **Workplace Bullying**

Workplace bullying is repeated, and unreasonable behaviour directed towards an individual, or group of individuals, that creates a risk to their wellbeing, health, and safety.

*Repeated behaviour* refers to persistent nature of a behaviour and can refer to a range of behaviours over time.

Single incidents of unreasonable or inappropriate behaviour will be taken seriously and managed accordingly in relation to the circumstances and context.

*Unreasonable behaviour* refers to behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating, or threatening.

Bullying behaviour can be direct or indirect and include (but is not limited to) behaviour that is offensive, or intended to punish, degrade, intimidate, ridicule, insult, isolate, defame, humiliate or embarrass, whether it is intended to be visible to the individual or not.

Bullying can include verbal or non-verbal, written, physical, social, psychological, or other actions that may negatively impact an individuals' wellbeing or safety.

CRANaplus holds a strong position on malicious gossip. Whether initiated or extended across email, web chat, social media, or in conversations inside or outside of work, it is not acceptable. If you are discussing personnel associated with CRANaplus in a derogatory or negative manner, and the result of that content is deemed to cause, or have the ability to cause, reasonable harm to an individual's wellbeing, reputation, health, or safety, it will be managed in accordance with this policy.

### What is not workplace bullying?

Workplace conflict, differences of opinions and disagreements are generally not workplace bullying. People can have differences or disagreements without engaging in repeated or unreasonable behaviour.

Reasonable management action that is carried out in a reasonable way is not considered workplace bullying. A Manager may make decisions about performance, take disciplinary action, or direct and control the way that work is carried out.

CRANaplus' values guide how we conduct ourselves in the workplace.

## **Discrimination**

Unlawful discrimination will not be tolerated by CRANaplus.

Discrimination occurs when a person, or a group, is treated less favourably than another person or group because of their background, certain personal characteristics, or a prescribed *attribute* that is protected under law. This is known as '*direct discrimination*'.

'*Indirect discrimination*' occurs when there is an unreasonable rule, practice, decision, or policy that is the same for everyone but has an unfair effect on a person or group that share a particular protected attribute.

An '*attribute*' includes another person's race, colour, sex, sexual orientation, gender identity, intersex status, social origin, religion, family or carer's responsibilities, age, physical or mental disability, marital status, political opinion, pregnancy, breastfeeding status, or personal association with a person or people identified by reference to any of these attributes.

Some limited exceptions or exemptions apply when a rule or policy is reasonable, having regard to the circumstances of the person or environment. For example, workplace health and safety, or reasonable management direction, or consultation.

CRANApplus considers our practices and policies in their application across our workforce community and is guided by our values of inclusiveness and social justice.

## **Harassment**

CRANApplus has a zero tolerance for behaviours or actions demonstrative of harassment, sexual harassment, vilification, victimisation, or associated discrimination.

*Harassment* is understood to include unsolicited behaviour that may demean, upset, intimidate, offend, or victimize a person based on their personal *attribute* or characteristics.

*Vilification* is an act that could encourage other to have serious contempt for a person / group of people because of a personal attribute or characteristic.

*Victimisation* involves a person being treated badly or unfairly, or threatened to be treated as such, because they are about to, or have made a complaint, or helped someone else make a complaint.

Acts of harassment usually centre around unwanted, offensive, and/or intrusive behaviour with a sexual, racial, physical, or discriminatory component, and may, or may not, be accompanied by an expressed or implied threat.

Actions or behaviours can be written, physical, verbal, or visual in nature. Harassment may, or may not be, deliberate or intentional, and could be a singular incident or several incidents occurring over a period.

CRANApplus has a zero tolerance for hostile work environments where racially or sexually crude conversations, innuendo or offensive jokes are part of the accepted culture.

*Sexual harassment* refers to any unwelcome conduct of a sexual nature, where it is reasonable to expect that the other person would be offended, afraid or humiliated.

A person can be sexually harassed by another person of the same or a different sex, gender, or identity.

Sexual harassment can include:

- Unwelcome touching or kissing
- Commenting on a person's appearance
- Comments, jokes, or name calling,
- Leering or staring
- Sexual pictures, objects, emails, text messages, or literature
- Direct or implied propositions, or requests for activities or dates
- Asking about a persons' sexual history or sexual activities

It is important to be aware of *Sex-based Harassment* which is unwelcome conduct based on the sex of the person, but not necessarily sexual in nature.

Sexual harassment in connection to employment may be treated in line with serious misconduct and can be a valid reason for dismissal.

Behaviour or actions that are considered criminal behaviour, will be reported to the police. I.e. violence, abuse, stalking, or threatening.

### Shared Accountability

CRANAplus expects our personnel to practice mutual accountability and respect. This includes an onus on everyone to identify and take appropriate action to report, resolve, and/or support each other, to enact our shared safety culture.

This requires an awareness for passive or condoning support in relationships or teams that may not meet the definitions outlined in this policy, but that can be reasonably viewed as inappropriate behavior, or behaviors not in line with CRANAplus Values.

Examples may include condoning or partaking in gossip, unconscious vilification that undermines relationships, or unproductive actions without seeking professional resolve etc.

### **How to report behavior, and available supports**

Any person who feels impacted by or has experienced conduct that is in breach of this policy, or is not in line with CRANAplus values, is encouraged to immediately raise this with a CRANAplus Executive, or appropriate representative of CRANAplus.

Access to CRANAplus' People & Culture Advisor or Executive can be initiated directly or via [peopleandculture@crana.org.au](mailto:peopleandculture@crana.org.au)

If you think you have made a mistake, and wish to seek advice or support to resolve, please contact your Manager, or People & Culture, who can offer advice, and support you to reach a resolution.

If you observed a behaviour or action that you do not feel is in line with CRANAplus values or this policy, you can request support or a confidential discussion with your Manager or People and Culture at any time.

CRANAplus values accountability, and we expect that our stakeholders will hold each other accountable for behaviours within our shared culture.

Employee Assistance Program (EAP) counselling is available to contact for a confidential session to debrief or seek support.

### **Managing Breaches of this policy**

Employees are governed by further organisational policies managing disciplinary action in accordance with breaches. Our wider stakeholder community will be managed in line with organisational practices and natural justice.

CRANAplus holds a zero tolerance of bullying, harassment, discrimination, or inappropriate or unreasonable behaviour toward our workforce community.


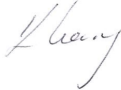
Zero tolerance means the high potential for instant dismissal (misconduct) should allegations be proven or upheld depending on the severity and nature of the breach, risk to safety, reputation, or dissolve trust in the working relationship.

We take allegations seriously, and procedural fairness and natural justice will be afforded in all cases.

Likewise, CRANAplus recognises the impact and seriousness of frivolous or malicious complaints; those made intentionally without foundation to cause detriment or mischief, and they will be managed accordingly.

### **Related Documents**

- Equal Opportunity and Fair Treatment Policy
- CRANaplus Values
- Disciplinary Policy
- Employee Grievance Resolution Policy

 <b>Chief Executive Officer</b> Katherine Isbister Authorisation of CEO, or Delegated Member Original Date Authorised: 14 October 2022	 <b>Executive Director, People &amp; Culture</b> Katherine Leary Authorisation of Responsible Person Original Date Authorised: 14 October 2022
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### **Version History**

<b>Version</b>	<b>Date</b>	<b>Adjustment</b>	<b>Approved</b>
V2.2	17.10.22	Adjustment to EDCS position title	EDPC
V3	March 2023	Alignment to legislation definition changes and widened scope to wider workforce community.	EDPC & CEO