



3.35 Preventing and responding to workplace bullying and harassment

Information Sheet

Purpose

The purpose of this Information sheet is to clarify what is/is not workplace bullying and what support and guidance is available to workers. Should you find that further explanation or clarification is required please raise or discuss the matter with your Manager/Supervisor or Fair Treatment Contact Officer ([FTCO](#)).

Q1 What behaviours are expected at the University?

The University has a number of policies, procedures and guidelines which set out the expected behaviours at the University.

- A [Code of Conduct](#) that sets out general principles and expectations of ethical conduct. Staff who are in breach of the Code may be subject to disciplinary procedures as described in the University of [Adelaide Enterprise Agreement](#) as appropriate and relevant.
- The HR [Behaviour and Conduct](#) policy; and
- The HSW Handbook chapter [Preventing and Responding to Workplace bullying and harassment](#).

Q2 What is workplace bullying?

For behaviour to be identified as workplace bullying it must be

- **Repeated** – A pattern of behaviour must be able to be identified. It must be more than once; and
- **Unreasonable** – the behaviour must be considered unreasonable given the circumstances; and
- **Create a risk to health and safety** – it must be likely that exposure to the behaviour in question is likely to create a risk of injury or harm

Depending on the circumstances bullying is considered misconduct or serious misconduct at the University.

Q3 What are some examples of behaviour that might be considered bullying?

As a guide the following behaviours might be considered bullying if repeated as they are viewed as unreasonable and likely to create a risk to health and safety towards a worker or a group of workers.

- Abusive, insulting or offensive language or comments
- Unjustified criticism or complaints
- Continuously and deliberately excluding someone from workplace activities
- Withholding information that is vital for effective work performance
- Setting unreasonable timelines or constantly changing deadlines
- Setting tasks that are unreasonably below or beyond a person’s skill level
- Denying access to information, supervision, consultation or resources such that it is detrimental to the worker
- Spreading misinformation or malicious rumours
- Changing work arrangements, such as rosters and leave, to deliberately inconvenience a particular worker or workers
- Excessive scrutiny at work

Note: behaviour online, using social networks, can also be considered bullying behaviour.

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Q4 What is the difference between bullying, harassment and discrimination?

Discrimination and harassment occurs when someone is treated less favourably than others because they have a particular characteristic or belong to a particular group of people. For example, discrimination and harassment can occur on grounds of

Age	Political belief or activity
Parental or carer status	Physical features
Disability	Race
Gender identity	Religious belief or activity
Industrial activity	Sex or sexuality
Marital status	Pregnancy or breastfeeding
Identity of Spouse	

Sexual harassment is also associated with unwelcome sexual advances, requests for sexual favours or other unwelcome conduct of a sexual nature.

Discrimination and sexual harassment in employment is unlawful under anti-discrimination, equal employment opportunity, workplace relations and human rights laws. It is possible for a person to be bullied, sexually harassed and discriminated against at the same time. However, a person who is harassed or discriminated against can only be bullying if the behaviour is repeated.

Q5 What is NOT bullying?

A number of behaviours/actions are clearly established as not bullying.

These relate to the day to day management tasks and actions required to ensure operational requirements are met.

Provided these tasks and actions are carried out in a reasonable way (i.e. are not combined with other unreasonable behaviours) the following cannot be considered bullying:

- Day to day direction of duty
- Actions and tasks required by [Planning, Development Review](#) (PDR)
- Actions, tasks and decisions made as part of a “major change” process
- Promotion and selection
- Management of poor performance
- Misconduct or serious misconduct.

Q6 Who does the HSW Handbook chapter on Preventing and responding to workplace bullying and harassment apply to?

The responsibilities and duties assigned by the Handbook Chapter apply to workers of the University as defined by the Work Health and Safety (WHS) Act 2012 (SA). This would cover staff, contractors, volunteers, titleholders and labour hire workers.

Students should refer to the [Student Grievance Resolution](#) process should they believe they are being bullied and harassed at the University.

Q7 What can I do if I think I am being bullied or harassed?

There are a number of things you can do. Above all it’s important that you tell someone.

In the event you believe you, or a group of workers, may have been subject to workplace bullying or harassing behaviours, you have two options:

Option 1: Discuss the behaviour with your immediate Supervisor/ Manager (or your Supervisor’s line Manager where applicable)

or

Option 2: Contact a Fair Treatment Contact Officer ([FTCO](#)) for information on this process and/or the definitions (Section 3.35.7).

Following discussion with your Supervisor/Manager or [FTCO](#)

- Consider the information provided and the options available to you.
- Advise your Supervisor/Manager or FTCO, if you wish to resolve your concerns via HR supported mediation by an independent and trained mediator, or to formalise your complaint.

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Q8 What is a Fair Treatment Contact Officer (FTCO)?

A FTCO is a person who has been selected and trained by the University who can be an independent and confidential contact point for anyone who has questions about bullying and harassment processes at the University.

Workers decide which [FTCO](#) they want to discuss their issue(s) with and then approach them (via email or telephone) to make a time to meet. It is **not** the FTCO's role to :

- Advocate on behalf of individuals
- Undertake mediation or investigation
- Provide grievance resolution
- Be involved in cases where there may be a perception, real or otherwise, of conflict of interest.

Q9 What do I do if I am accused of bullying or harassment?

Workers who have been accused of bullying or harassment can discuss the matter with:

- their Manager/Supervisor
- a FTCO
- Human Resources, either through the HR Advisory Team or the Division/Faculty [HSW Manager](#) for advice and assistance.

Q10 Can I still get help from the [Employee Assistance Provider \(EAP\)](#)?

Yes. If you feel that you would like to talk to an external person who can provide free support and counselling to you or your family members the option is open to you.

Further Information

If you require further information, please contact a member of the [HSW Team](#)

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