

Information Sheet: Preventing and responding to workplace bullying and harassment

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.

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?

Behaviour is identified as workplace bullying when it is:

- **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
- **A risk to health and safety** – It is likely that exposure to the behaviour will 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 Soups | |

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?

Where you believe that you have been subjected to inappropriate conduct (including sexual misconduct, bullying, harassment or discrimination), you can contact the Integrity Unit for advice or to make a report as either a disclosure or a complaint.

Q8 What do I do if I am accused of bullying or harassment?

If you have been accused of bullying or harassment, you can discuss the matter with the Integrity Unit who can provide advice and support options.

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Q9 Can I get help from the [Employee Assistance Program \(EAP\)](#)?

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.

Q10 Where do I obtain further information on the Preventing and responding to workplace bullying and harassment?

Should you find that further explanation or clarification is required, please contact your manager/supervisor, [HR Advisory](#), or the [Integrity Unit](#). If you require further information on implementation of the Bullying & Harassment procedure, please contact a member of the [HSW Team](#).

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