

# Workplace Bullying and Harassment Plan

SAMPLE

## Table of Contents

Purpose and Scope .....	4
Definitions.....	4
Workplace Bullying.....	4
Harassment.....	5
Sexual Harassment.....	5
Psychosocial Hazards.....	5
Legal and Regulatory Framework.....	5
Roles and Responsibilities.....	6
Officers (e.g. Directors, Senior Executives).....	6
Managers and Supervisors.....	6
Workers.....	6
Health and Safety Representatives (HSRs).....	7
Consultation, Communication and Worker Participation.....	7
Risk Management for Bullying and Harassment.....	8
Hazard Identification.....	8
Risk Assessment.....	8
Risk Control.....	9
Review of Controls.....	9
Behaviour Standards and Code of Conduct.....	10
Expected Behaviours.....	10
Unacceptable Behaviours.....	10
Reporting Bullying and Harassment.....	10
Reporting Options.....	11
Manager Response to Reports.....	11
Response and Investigation Process.....	11
Initial Assessment.....	11
Informal Resolution.....	11
Formal Investigation.....	12
Outcomes and Corrective Actions.....	12
Confidentiality, Privacy and Records.....	13

Support, Early Intervention and Recovery.....	13
Support for Affected Workers.....	13
Early Intervention .....	13
Recovery and Return to Work .....	14
Training, Awareness and Competency.....	14
Induction .....	14
Ongoing Training.....	14
Monitoring, Review and Continuous Improvement .....	15
Implementation Checklist.....	15
Sample Risk Register Template – Bullying and Harassment .....	16
Sample Incident / Complaint Record Template .....	16
Sample Training Record Template .....	16
Plan Administration .....	16

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## Purpose and Scope

This Workplace Bullying and Harassment Plan sets out how [Company Name] will prevent, identify and respond to workplace bullying and harassment in order to protect workers and others from psychosocial harm and to comply with applicable work health and safety (WHS) legislation.

This plan applies to:

- All workers engaged by [Company Name], including employees, contractors, labour hire workers, apprentices, trainees, volunteers and work experience students.
- All officers and managers of [Company Name].
- Visitors, clients and other persons at workplaces controlled by [Company Name].

It covers conduct that occurs:

- At any [Company Name] workplace or work location.
- During work-related activities including work travel, conferences, training, functions and social events.
- Through work-related communication channels, including email, phone, messaging platforms and social media where there is a work connection.

## Definitions

### Workplace Bullying

Workplace bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety.

- **Repeated behaviour** means persistent behaviour and can involve a range of behaviours over time.
- **Unreasonable behaviour** means behaviour that a reasonable person, having regard to the circumstances, would see as victimising, humiliating, undermining or threatening.

Examples of workplace bullying may include (if repeated or part of a pattern):

- Verbal abuse, insults or offensive language.
- Spreading malicious rumours or gossip.
- Excluding someone from work-related activities without a legitimate reason.
- Unjustified criticism, monitoring or performance management.
- Deliberately changing work arrangements to make work more difficult.
- Cyberbullying via email, text messages or social media with a work connection.

Reasonable management action carried out in a reasonable way is not bullying. This may include:

- Setting reasonable performance goals, standards and deadlines.
- Allocating work and giving fair and constructive feedback.
- Implementing disciplinary processes for misconduct.

## Harassment

Harassment is any unwanted behaviour that offends, humiliates or intimidates a person and that a reasonable person would anticipate may cause offence, humiliation or intimidation.

Harassment may be based on protected attributes such as sex, race, disability, age, religion, sexual orientation, gender identity or other characteristics, and may also breach anti-discrimination law.

Examples include:

- Offensive jokes, comments or slurs.
- Displaying offensive material (including posters, emails, images or social media posts).
- Intrusive questions about a person's private life.
- Unwelcome physical contact.

## Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature in relation to a person, in circumstances where a reasonable person would have anticipated that the person would be offended, humiliated or intimidated.

Examples include:

- Unwelcome touching, hugging or kissing.
- Requests for sex or sexual favours.
- Sexually explicit emails, messages, images or jokes.
- Staring or leering in a sexual way.

## Psychosocial Hazards

Psychosocial hazards are aspects of work design, systems of work, management of work, the work environment, plant or workplace interactions that may cause psychological or physical harm.

Bullying and harassment are key psychosocial hazards and must be managed using the WHS risk management process.

## Legal and Regulatory Framework

[Company Name] will manage bullying and harassment in accordance with relevant legislation and guidance, including (as applicable to each jurisdiction):

- Work health and safety Acts and Regulations in the relevant state or territory.

- Codes of Practice and guidelines on managing psychosocial hazards and workplace bullying.
- Federal and state/territory anti-discrimination and sexual harassment legislation.
- Fair Work Act provisions relating to workplace bullying and general protections.

[Company Name] acknowledges its primary duty of care to ensure, so far as is reasonably practicable, the health and safety of workers and others by eliminating or minimising risks associated with bullying and harassment.

## Roles and Responsibilities

### Officers (e.g. Directors, Senior Executive )

Officers of [Company Name] must exercise due diligence to ensure that bullying and harassment risks are effectively managed. This includes:

- Ensuring adequate resources and processes are in place to implement this plan.
- Gaining an understanding of bullying and harassment risks relevant to [Company Name].
- Monitoring and verifying the effectiveness of control measures, reporting and investigation processes.

### Managers and Supervisors

Managers and supervisors are responsible for implementing this plan in their areas of control. They must:

- Model respectful behaviour at all times.
- Clearly communicate that bullying and harassment are not tolerated.
- Identify and manage psychosocial hazards, including workload, role clarity and work relationships.
- Act promptly on reports or observations of bullying or harassment.
- Support workers to raise concerns without fear of victimisation.
- Participate in and facilitate training and consultation.

### Workers

All workers have a duty to take reasonable care for their own health and safety and that of others, and to comply with reasonable instructions, policies and procedures.

Workers must:

- Treat others with dignity, courtesy and respect.
- Not engage in bullying or harassment.
- Report bullying and harassment concerns as early as possible.