

Workplace Bullying Policy

Our commitment

The New England Conservatorium of Music (NECOM) is committed to providing a safe and healthy workplace free from bullying.

Staff are protected by this policy whether they feel bullied by a supervisor, another staff member, client, contractor or member of the public.

NECOM will treat reports of workplace bullying seriously. We will respond promptly, impartially and confidentially.

This policy will be made available to all workers including contractors. New workers will be given a copy of this policy at their induction. Managers will remind workers of the policy from time to time.

Expected workplace behaviours

Under work health and safety laws workers and other people at our workplace must take reasonable care that they do not adversely affect the health and safety of others.

NECOM expects people to:

- behave in a responsible and professional manner
- treat others in the workplace with courtesy and respect
- listen and respond appropriately to the views and concerns of others
- be fair and honest in their dealings with others.

This policy applies to behaviours that occur:

- in connection with work, even if it occurs outside normal working hours
- during work activities, for example when dealing with clients
- at work-related events, for example at conferences and work-related social functions
- on social media where workers interact with colleagues or clients and their actions may affect them either directly or indirectly.

What is workplace bullying?

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

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

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

Single incidents of unreasonable behaviour can also present a risk to health and safety and will not be tolerated.

What is not workplace bullying?

Reasonable management action taken by managers or supervisors to direct and control the way work is carried out is not considered to be workplace bullying if the action is taken in a reasonable and lawful way.

Reasonable management practices include:

- a direction to carry out reasonable duties and instructions
- a direction to comply with NECOM's rules, resolutions, policies and procedures
- setting reasonable goals, standards and deadlines
- rostering and allocating reasonable working hour
- transferring a worker for operational reasons
- deciding not to appoint or promote a worker for reasonable reason
- performance managing workers in accordance with NECOM's policies and procedures
- providing informal and formal feedback regarding behaviour and conduct in a reasonable way
- implementing organisational change or restructuring, or
- terminating a worker's employment or instituting other disciplinary measures in accordance with NECOM's policies and procedures.

What can you do?

If you feel you are being bullied and are not comfortable dealing with the problem yourself, or your attempts to do so have not been successful, you should raise the issue with the Director, the Program Manager or the Finance and Administration Manager of NECOM. If you are a member of the union you may also raise any issues with your delegate.

If you witness unreasonable behaviour you should bring the matter to the attention of your manager as a matter of urgency.

If your issue is about the Director, you may bring the matter to the Chairman and this will be dealt with by the Chairman of the Board of Directors, his/her nominee(s) or the Personnel Committee.

How we will respond

If workplace bullying or unreasonable behaviour is reported or observed we will take the following steps:

1. The responsible manager will speak to the parties involved as soon as possible, gather information and seek a resolution to satisfactorily address the issue for all parties.
2. If issues cannot be resolved or the unreasonable behaviour is considered to be of a serious nature, an impartial person will be appointed to investigate. Both sides will be able to state their case and relevant information will be collected and considered before a decision is made.

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3. The NECOM Chairman, Board a/or Personnel Committee will be informed of proceedings and may assist to bring about resolution.
4. All complaints and reports will be treated in the strictest of confidence. Only those people directly involved in the complaint or in resolving it will have access to the information.
5. All documents relating to the complaint will be confidential and kept in a locked and secure office.
6. There will be no victimisation of the person making the report or helping to resolve it.
7. Complaints made maliciously or in bad faith will result in disciplinary action.

Consequences of breaching this policy

Appropriate disciplinary action will be taken against a person who is found to have breached this policy. These measures will depend on the nature and circumstance of each breach and could include:

- a verbal or written apology
- one or more parties agreeing to participate in counselling or training
- a verbal or written reprimand
- dismissal of the person engaging in the bullying behaviour.

If bullying has not been substantiated

If the investigation finds bullying has not occurred or cannot be substantiated, NECOM may still take appropriate action to address any workplace issues leading to the report.

References

Workplace Health and Safety Act 2011 (including amendments)

Workplace Health and Safety Regulation 2011

Guide for Preventing and Responding to Workplace Bullying (Safe Work Australia)

Dealing with Workplace Bullying – a Workers Guide (Safe Work Australia)

Guide to Anti-Bullying (Fair Work Commission)

Staff Handbook (NECOM)

Workplace Health & Safety Policy (NECOM)

Grievance Policy (NECOM)

(Policy presented to NECOM Board Wed 18 February 2015, amended 27 February 2015)

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