



# HR Policy Harassment & Bullying

**Policy Number:** HR 21-06-2004

**Version:** 5

**Responsible Person:** BoG Chair

**Approved by BoG on:** 17-07-2023

**Review date:** 07-2024

## INTRODUCTION

Hampton Park Care Group Inc. believes that all people should work in an environment free from bullying.

Hampton Park Care Group Inc. understands that workplace bullying is a threat to the health and wellbeing of its staff, volunteers, contractors and consumers.

Accordingly, Hampton Park Care Group Inc. is committed to eliminating, so far as is reasonably practicable, all forms of workplace bullying by maintaining a culture of openness, support, and accountability.

## PURPOSE

The purpose of this document is to communicate that Hampton Park Care Group Inc. does not tolerate any form of workplace harassment or bullying and to set out the process which is to be followed should any instances of workplace harassment or bullying be reported.

## DEFINITIONS

**Harassment** is difficult to define in terms of what is acceptable or unacceptable behaviour. The defining features are that the behaviour is unwanted by the recipient and would be regarded as harassment and bullying by any reasonable person. It occurs when such behaviour creates an intimidating, hostile or offensive environment for employment, study or social life even if the offence is not intended.

Examples of behaviour, whether intentional or unintentional, that may be considered workplace harassment:

- Sexual Harassment -this involves unwanted sexual attention. It can be physical, ranging from a suggestive look to indecent assault or rape, or verbal or digital ranging from suggestive remarks to aggressively foul language or unwanted demands for sex.
- Racial Harassment -this is any hostile or offensive act or expression by a person of one racial or ethnic origin against a person of another, or incitement to commit such an act. Such behaviour includes





derogatory name-calling, insults and racist jokes, racist graffiti, verbal, digital abuse and threats, physical acts and/or ridicule of an individual for cultural or linguistic differences.

**“Bullying”** is repeated and unreasonable behaviour directed towards a person or group of persons that creates a risk to health and safety. It includes behaviour that could be expected to intimidate, offend, degrade, humiliate, undermine or threaten.

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

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

Examples of behaviour, whether intentional or unintentional, that may be considered to be workplace bullying if they are repeated, unreasonable and create a risk to health and safety include but are not limited to:

- abusive, insulting or offensive language or comments
- unjustified criticism or complaints
- 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 to the detriment of the worker
- spreading misinformation or malicious rumours
- changing work arrangements such as rosters and leave to deliberately inconvenience a particular workers or workers.
- Workplace bullying can be carried out in a variety of ways including through email, text or social media channels.
- Workplace bullying can occur between workers (sideways), from managers to workers (downwards), or workers to supervisors/managers (upwards).

Reasonable management action is not considered to be workplace bullying if it is carried out lawfully and in a reasonable manner in the circumstances. Examples of reasonable management action include but are not limited to:

- setting reasonable performance goals, standards and deadlines
- deciding not to select a worker for promotion where a reasonable process is followed
- informing a worker about unsatisfactory work performance in an honest, fair and constructive way
- taking disciplinary action, including suspension or terminating employment.



## Your place

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Differences of opinion and disagreements are generally not considered to be workplace bullying.

Bullying that directly inflicts physical pain, harm, or humiliation amounts to assault and should be dealt with as a police matter (see below).

### POLICY

Hampton Park Care Group Inc. has a duty of care to provide a safe workplace, and ensure, so far as is reasonably practicable, that workers and other people are not exposed to health and safety risks.

Hampton Park Care Group Inc. accepts and acts on its duty of care. Any reported allegations of workplace harassment or bullying will be promptly, thoroughly, and fairly investigated.

Harassment and bullying complaints will be handled in a confidential and procedurally fair manner. Where confidentiality cannot be guaranteed this will be clearly communicated to the relevant parties.

All parties will be treated with respect.

The person against whom the allegation is made has the right to natural justice (the right to know what is alleged against them, the right to put their case in reply, and the right for any decision to be made by an impartial decision-maker).

### AUTHORISATION

Signature of BoG Chair



Date of approval by BoG

17-07-2023

