

ANTI-DISCRIMINATION, HARASSMENT & BULLYING POLICY AND PROCEDURES

Version:	002
Applies to:	Board, staff, volunteers, contractors

PURPOSE

This policy applies to all engaged with the HBCAC, BOM, staff including contractors, volunteers, temporary personnel and members of the public utilising the centre and services.

HBCAC endorses diversity, supports equal rights, and does not advocate, support or practice discrimination based on race, religion, age, national origin, language, sex, sexual orientation, or mental or physical disability, whether covered by applicable legislation or not, except where affirmative action may be required to redress individual or social disadvantages of people from disadvantaged groups.

Discrimination

Discrimination occurs when a person or group is subject to a practice or action that is to their disadvantage based upon that person or group having or being believed to have an 'attribute' such as ethnicity or gender.

The list of attributes for which it is unlawful to discriminate includes, but is not limited to;

- gender identity
- impairment or ability
- marital status
- political belief/activity
- pregnancy
- industrial activity
- breastfeeding
- religious belief/activity
- parental or carer status
- physical features
- lawful sexual activity
- age
- employment activities
- race/ethnic origin
- association with a person who has or is assumed to have one of the above attributes

Harrassment

Harrassment is any unwelcome and/or unwanted contact or behaviour that causes a person to be intimidated, humiliated or offended. Accordly an act of harrassment may also amount to bullying and/or discrimination.

Workplace harassment can include physical, verbal or written behaviour such as:

- Telling insulting jokes about particular racial groups;
- Sending explicit or sexually suggestive emails;
- Displaying offensive or pornographic posters or screen savers;
- Making derogatory comments or taunts about someone's race or religion; and/or
- Asking intrusive questions about someone's personal life, including their sex life.

Bullying

Workplace bullying is defined as repeated and unreasonable behaviour directed at an employee/or group of employees, that creates a risk to the health and safety, physical and /or mental of that employee or group of employees.

"Unreasonable behaviour" is behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten.

"Behaviour" includes the actions of individuals or a group, and may involve using a system of work as a means of victimising, humiliating, undermining or threatening.

"Repeated" means a pattern or history of bullying type behaviour can be identified. This does not have to be behaviour of the same type. For example diverse incidents involving an abusive email, exclusion from important information required to do one's job effectively or more easily, and cold or dismissive comments from a person can establish a case for a repeated pattern of behaviour constituting bullying.

"Employee" refers to contractors, volunteers and the employees and contractors of other employers that may be part of the LJACC work environment .

Types of behaviours that can constitute bullying include, but are not limited to:

- Verbal abuse;
- Threats of or actual physical abuse;
- Excluding or isolating employees or volunteers;
- Practical jokes or initiations;
- Constant unwarranted criticism;
- Psychological harassment;
- Disparaging remarks about aspects of a person's private or work life;
- Intimidation;
- Assigning meaningless tasks unrelated to the job;
- Giving employees or volunteers impossible assignments;
- Deliberately changing work rosters to inconvenience particular employees or volunteers ;
- Deliberately withholding information that is vital for effective work performance;

Whilst the formal definition of bullying is 'repeated' behaviour, a single or isolated incident may also be considered as bullying under this document and subject to disciplinary action.

Legitimate workplace change, performance counselling and/or feedback does not necessarily comprise bullying behaviour. An employee may feel unhappy and even dejected about a change in the workplace , about their role or about negative feedback received from the Centre Manager or from the Chair of the Board of Management. This does not constitute

bullying if the situation relates to legitimate and reasonable processes or work directions related to performance management, disciplinary action, and allocation of work and/or restructuring activities

This document sets out

- HBCAC's policy against such discrimination, harassment and bullying.
- The governance structures, responsibilities and processes that have been established to give effect to that policy.

POLICY

HBCAC does not advocate, support or practice discrimination based on race, religion, age, national origin, language, sex, sexual orientation, or mental or physical disability or any other personal attribute protected by law, except where affirmative action may be required to redress individual or social disadvantages.

HBCAC

HBCAC will make all reasonable accommodations to allow people who experience difficulties in their dealings with the organisation to benefit equally from its work.

PROCEDURES

1. The BOM will:

- Regularly review the leadership and commitment given to eliminating discrimination through active promotion of HBCACs Anti-Discrimination, Harassment and Bullying Policy
- Monitor performance by way of periodic management reports and assurances

2. The Centre Manager will:

- Ensure that HBCAC's practices and processes incorporate precautions against discrimination in such areas as hiring, client selection, and program delivery
- Ensure that reasonable accommodations are made to allow diverse groups to access benefits provided by HBCAC
- Where appropriate, ensure that weight is given to the culture and experiences of individuals from disadvantaged groups
- Where appropriate, delegate responsibility for compliance to officers with responsibility for particular sections
- Oversee the performance of subordinate officers in these matters
- Review and report to the Board, as appropriate, on the effectiveness of the management systems established to remove discrimination
- Analyse material breaches and identified compliance system weaknesses for systematic trends and ensure that any adverse trends are addressed
- Promote a culture of effective policy compliance across the organisation

3. All staff and volunteers at all levels will:

- Ensure that they are aware of the organisation's policy against discrimination, harassment and bullying
- Not act in a manner that would be considered to be discriminatory pursuant to this policy or any applicable legislation
- Where appropriate, suggest ways in which practices, systems and procedures could be improved so as to reduce the likelihood of discrimination occurring

IMPLEMENTATION PLAN

The Centre Manager will initially review the organisation's procedures in all areas to ensure that these are in accordance with the principles expressed in this policy, and will report to the BOM on this matter.

The Centre Manager will review any changes to the organisation's procedures in all areas to ensure that these are in accordance with the principles expressed in this policy.

BOM, staff and volunteers will follow all these procedures.

RELATED DOCUMENTS

- Legislative Compliance Policy
- Equal Employment Opportunity Policy
- Sexual Harassment Policy
- Work Health & Safety Policy
- Code of Ethics
- Privacy Policy
- Complaints Policy

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