



Respect at Work Policy

Version: 2; Adopted: 26 May 2023

1. Intent

This policy aims to provide a framework that ensures all employees are treated fairly and with respect.

The objectives of this policy are to:

- Provide a physically and psychologically safe and productive workplace for our employees, free from discrimination, harassment, bullying and workplace violence.
- Promote the principles of equity, diversity, respect and tolerance in all work and management practices.
- Raise organisational awareness in regard to psychosocial workplace risks, discrimination, harassment, bullying, workplace violence and the information contained in this policy.
- Create a culture where all employees acknowledge, support and champion the principles of a workplace free from discrimination, harassment, bullying psychosocial risks and workplace violence and are encouraged to report behaviour, workplace interactions, and or various working environments that breaches this policy.

2. Scope

This policy applies to current and prospective employees and extends to cover councillors, apprentices, trainees, volunteers, contractors, service providers and visitors.

This policy applies to interactions either in person or via any form of communication including email, text message or social media.

This policy is not limited to the workplace or work hours. This policy extends to all functions and places that are work related; for example, work lunches, conferences, end of year parties and client functions.

3. Framework

Discrimination, harassment, bullying physical and psychological hazards and workplace violence can have a serious impact on the health, safety and wellbeing on employees, and can damage Council's culture and reputation. Council views such behaviours as unacceptable and they will not be tolerated under any circumstances.

Council aims to ensure that all employment related decisions such as recruitment, selection, learning, training, development and promotional opportunities are made based on merit and that the conditions of employment are fair and equitable.

Council is committed to providing a confidential grievance process where employees can access accurate advice, support and make complaints about issues relating to health, safety, wellbeing, equity, diversity and respect in the workplace.

4. Accountabilities

Council has a legal responsibility to prevent harm to employees relating from discrimination, harassment, psychosocial risks, bullying and victimisation in the workplace.



Everyone within the workplace also has an individual responsibility and a duty of care to ensure a safe and healthy workplace.

4.1. GENERAL MANAGER

- Ensure the policy framework promotes a workplace free from psychosocial risks, discrimination, harassment, bullying and victimisation.
- Ensure processes are implemented and resources available for effective identification, assessment and elimination or minimisation of workplace physical and psychological hazards.
- Ensure processes are in place for the monitoring and periodic review of prevention and control measures for workplace risks.
- Model appropriate workplace behaviour and monitor the workplace environment to ensure the behaviour of others is in accordance with this policy.
- Ensure managers and supervisors support, manage and apply this policy within their area.
- Ensure Council's EEO Management Plan is implemented.

4.2. MANAGERS AND SUPERVISORS

- Understand this policy and its associated procedures, including the Grievance and Dispute Procedures of the Local Government (State) Award 2020t ("the Award").
- Make available education, information and support regarding the policy and its associated procedures.
- Model appropriate workplace behaviour and monitor the workplace to ensure the behaviour of others is in accordance with this policy.
- Apply the policy and its associated procedures fairly, reasonably and consistently, including making decisions relating to employment, training, promotion and reward that are equitable and based upon merit and promptly address behaviours that may constitute discrimination, harassment, bullying or workplace violence.
- Ensure risks relating to the health, wellbeing and safety of workers are identified, assessed and regularly reviewed.
- Ensure appropriate controls are in place to eliminate (or minimize as far as reasonably practicable) any physical or psychosocial risks, that could arise from the design or management of work, the work environment, plant at work and work interactions or behaviour.

4.3. EMPLOYEES

- Understand and follow the requirements of the policy and its associated procedures, including the Grievance and Dispute Procedures of the Award.
- Participate in the identification of risk hazards and controls, and report issues at work to the relevant supervisor.
- Seek information, guidance and support where necessary to understand the policy and its associated procedures.
- Perform tasks in line with information, instruction and training provided.
- Genuinely and respectfully participate in the process of contributing to a workplace free from discrimination, harassment, bullying, psychosocial risks and victimisation, including behaving with respect and reporting breaches of this policy.

4.4. HUMAN RESOURCES

- Provide information, guidance and support to management and employees.
- Administer the process and maintain the records with respect to EEO Management Plan and any related grievances.
- Report to management and employees on the EEO Management Plan.

4.5. RTW COORDINATOR

- Support injured workers and managers through recovery at work process
- Notify Council insurer within 48 hours of becoming aware that a work-related injury has occurred

4.6. HEALTH AND SAFETY COMMITTEE

- Participate in the identification of workplace hazards including psychosocial and physical risks, and identify control measures where needed.
- Help review the effectiveness of control implementation for the prevention of workplace risk.

5. Definitions

Term	Definition
Bullying	<p>Repeated, unreasonable behaviour directed towards a person or a group of people that creates a risk to health and safety.</p> <p>Repeated bullying includes behaviour that is persistent in nature, and may be a range or pattern of behaviours over a period of time.</p> <p>Unreasonable behaviour includes behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, intimidate or threaten another person.</p> <p>Fair and reasonable management action does not constitute bullying.</p>
Discrimination	<p>Treating a person, or group of people, less favourably because of their background or certain personal characteristics. Grounds of discrimination are set by law, and may include age, disability, race, sex, pregnancy, marital or relationship status, family responsibilities, sexual orientation, gender identity or intersex status.</p>
Equal Employment Opportunity (EEO)	<p>The principle which ensures that all employees and potential employees are treated equally and fairly.</p>
Harassment	<p>Any uninvited or unwelcomed behaviour that involves verbal, written, visual or physical affronts against another person. Harassment can involve unwelcome and offensive behaviour that relates to the ground listed in, but not limited to, the definition of Discrimination.</p> <p>Fair and reasonable management action does not constitute harassment.</p>
Merit	<p>An assessment of each person's skills and abilities against the needs of the job and disregarding personal characteristics that are irrelevant for the job. Merit recognises knowledge, skills and experience gained both inside and outside formal employment.</p>
Sexual Harassment	<p>Unwelcome conduct of a sexual nature that a reasonable person would expect to be offensive, intimidating, humiliating or threatening.</p>
Vexatious complaints	<p>Complaints that are frivolous, made maliciously and without grounds.</p>
Victimisation	<p>Treating a person, or group of people, less favourably because they have made a complaint, intend to make a complaint or are involved in a complaint.</p>

Workplace Violence	Threatening or physically attacking a person in the workplace. Threatening includes a statement or behaviour that causes the person to believe that they are in danger of being physically attacked. Physically attacking includes the direct or indirect application of force by a person to the body of, or the clothing or equipment worn by another person.
Psychosocial Hazard	A PSYCHOSOCIAL HAZARD is one that arises from or relates to; The design or management of work, a work environment, plant at the workplace, workplace interactions or behaviours. It may cause psychological harm, whether it may also cause physical harm. Source; Work Health and Safety Regulation 2017 (NSW)
Psychosocial incident	A specific incident that causes exposure to a psychosocial hazard.

6. Linkages

6.1. APPLICABLE LEGISLATION

This policy is to be read in conjunction with the following:

- Age Discrimination Act 2004 (Cth)
- Anti-Discrimination Act 1977 (NSW)
- Australian Human Rights Commission Act 1986 (Cth)
- Disability Discrimination & Other Human Rights Legislation Amendment Act 2009
- Industrial Relations Act 1996 (NSW)
- Local Government Act 1993 (NSW)
- Local Government (State) Award 2020
- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Work Health Safety Act 2011 (NSW)
- Work Health Safety Regulation 2017
- Workplace Relations Act 1996 (Cth)


6.2. RELATED POLICIES AND PROCEDURES

Please refer to the following policies/procedures:

- Code of Conduct
- EEO Management Plan
- Performance, Development, Support and Management Policy and Procedure
- Recruitment, Selection, Appointment and Onboarding Policy and Procedure
- Salary System Administration Policy and Procedure
- Staff Development Policy
- Managing Psychological Hazards at Work
- Grievance Policy

7. Review

This policy was developed as part of a Bourke, Brewarrina and Walgett Joint Project (2018).



This Policy will be reviewed every 2 years or as required in the event of legislative changes. Any amendment to the Policy must be by way of a Council Resolution or the approval of the General Manager.

7.1. POLICY AMENDMENTS

Version	Date Approved	Resolution No	Description of Changes
1	22 February 19	14/19	
2	26 May 2023	62/23	Update legislative requirements for managing psychosocial risks. Legislation updates for Award, WHS Regulations