

BULLYING POLICY & PROCEDURES



INTRODUCTION

Bats Qld regards the dignity and autonomy of all people as a core value of the organisation. Bullying behaviour is based on the misuse of power in human relationships, and negates the dignity and autonomy of its victims.

Bats Qld regards the health and safety of its volunteers as a primary responsibility. Bullying can affect health and wellbeing.

Bats Qld is fully committed to eliminating, as far as possible, all forms of bullying in the organisation through a culture of openness, support, and accountability.

PURPOSE

The purpose of this document is to outline Bats Qld's position on bullying and to document the process which is to be followed should any instances of bullying be reported.

DEFINITIONS

"Unreasonable behaviour" is behaviour that is offensive, humiliating, intimidating, degrading or threatening. It includes, but is not limited to,

- Verbal abuse
- Initiation pranks
- Excluding or isolating volunteers
- Giving a person the majority of an unpleasant or meaningless task
- Humiliation through sarcasm, or belittling someone's opinions
- Constant criticism or insults
- Spreading misinformation or malicious rumours
- Deliberately setting procedures to inconvenience certain volunteers
- Displaying written or pictorial material which may degrade or offend certain volunteers

"Bullying" is repeated, unreasonable behaviour directed towards a person or group of persons. It includes behaviour that could be expected to intimidate, offend, degrade, humiliate, undermine or threaten.

"Repeated ... behaviour" refers to the nature of the behaviour, not the specific form of that behaviour. "Repeated unreasonable behaviour" may thus be a pattern of diverse incidents.

Bullying can occur at any level of the organisation, can be experienced by both men and women and may involve a member, coordinator or one of the Executive Committee.

Formerly agreed behaviour may be found to be bullying when it continues after a request from the recipient for the behaviour to stop, or at the point it becomes intimidating, offensive or humiliating.

There are bound to be occasional differences of opinion, conflicts and problems in every organisation. Only when the treatment of another person is unreasonable, offensive or harmful does bullying exist.

Similarly, the exercise of a mentor or coordinator giving direction and control of responsibilities, and giving feedback on performance, is not bullying insofar as the mentor/coordinator actions are intended to assist a member to improve their tasks, their performance, or the standard of their behaviour. If a member has performance problems, however, these should be identified and dealt with in a constructive way that is neither humiliating nor threatening.

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

POLICY

Bats Qld has a duty of care to provide a safe working environment. Bats Qld accepts and acts on its duty of care. Any allegations of workplace bullying that are reported must be investigated.

All incidences of bullying will be dealt with promptly, thoroughly, and fairly.

Complaints will be treated in confidence, and where confidentiality cannot be guaranteed this will be clearly indicated to the complainant.

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)

RESPONSIBILITIES

It is the obligation and responsibility of every person to ensure that our working environment is free from bullying. The responsibility lies with every Volunteer to ensure that discrimination or victimisation does not occur.

It is the responsibility of the Executive Committee to ensure that:

- They understand, and are committed to, the right of all volunteers to attend and perform their duties without fear of being bullied in any form
- All applicable occupational health and safety legislation is observed
- All volunteers are regularly made aware of their obligations and responsibilities in relation to providing an environment free from bullying
- They provide an environment which discourages bullying, and set an example by their own behaviour
- All complaints are treated seriously and confidentially
- They take immediate and appropriate corrective action if they become aware of any offensive action
- Guidance and education is provided, where requested and/or appropriate, to cases and subsequent decisions relating to bullying
- Ongoing support and guidance is provided to volunteers in relation to the prevention of bullying
- This policy is given to all volunteers.

It is the responsibility of all volunteers to ensure that:

- They understand and are committed to the rights and entitlements of all volunteers to perform their duties without fear of bullying in any form
- They provide an environment which discourages bullying
- They immediately report any offensive action directed at themselves or others

PROCEDURES

Complaints Procedures

Volunteers who believe they are the subject of bullying should take firm, positive and prompt action.

If deemed appropriate, the volunteer should make the perceived bully (or bullies) aware that they find their behaviour offensive, unwelcome and unacceptable, and that it needs to stop immediately.

If the behaviour continues, or if the volunteer feels unable to speak to the person(s) directly, they should contact their Mentor, Coordinator or a member of the Executive Committee.

The person chosen will provide support and ascertain the nature of the complaint and the wishes of the complainant. The complainant does not have to request a full formal investigation if they will be satisfied by less formal treatment of the issue.

Informal Intervention

The person chosen will explain the volunteer's rights and responsibilities under Bats Qld policy and procedures.

Informal intervention may be done through a process of either mediation or conciliation. During informal intervention the respondent will be made aware of the allegations being made against them and given the right to respond. Interventions at this stage should adopt a confidential, non-confrontational approach with a view to resolving the issue.

This procedure will be complete when the alleged harasser respects the individual's request to cease unwanted and unwelcome behaviour, or when the complainant accepts that the behaviour is not properly described as bullying. If neither of these outcomes occurs, the organisation's formal procedure should be followed.

Formal Complaints Procedure

Proceeding with a formal complaint requires the consent of the person complaining, particularly as witnesses may become involved. The formal procedure will be coordinated by the Executive Committee.

The Executive Committee should clarify the complaint and obtain a step-by-step account of the incident. In serious cases, more than one interview may be necessary.

The Executive Committee will document all such interviews accurately and avoid irrelevant information. This record will include parties involved, timing, location, and nature of conduct complained against.

Records are to be kept and filed in a confidential and secure place. These records should be kept for a period of seven years. The Executive Committee will organise an investigation, which in most cases will involve (but is not be limited to):

- A private interview to ascertain the facts and to find what the complainant expects to happen as a result of making the complaint;
- An interview with the alleged harasser(s) to ascertain their defence;
- Interviews with other employees, volunteers or individuals who may be able to assist; and
- Examination of any relevant documents.

All relevant evidence should be considered by the person conducting the investigation. Such evidence may include:

- Supporting (or contradictory) evidence provided by medical practitioners, counsellors, family members, friends, or other volunteers;
- Records kept by the person claiming to have been bullied;
- Information on whether the evidence was presented by the parties in a credible and consistent manner;
- Information on the absence of evidence where it should logically exist.

It may be necessary to provide affected volunteers with alternative working arrangements to avoid further conflict while the bullying complaint is being investigated.

The person conducting the investigation should keep all affected parties informed and document all investigation actions and outcomes.

On completion of the investigation, the complainant and the Executive Committee will determine a course of action to be taken. Possible courses of action may include, but will not be limited to, any combination of the following:

- Disciplinary action against the bully or bullies (e.g. suspension, or dismissal);
- Formal apologies and undertakings that the behaviour will cease;
- Conciliation/mediation conducted by an impartial third party, where the parties to the complaint agree to a mutually acceptable resolution;

Determination of whether bullying has occurred will rest solely on the weight of the evidence. If it is determined that bullying has taken place then outcomes will depend upon factors such as:

- The severity and frequency of the bullying;
- The wishes of the person who was subjected to the offensive behaviors;
- Whether the bully could have been expected to know that such behaviour was a breach of policy;
- The level of contrition shown by the bully;
- Whether there have been any prior incidents or warnings.

The Executive Committee will advise all relevant parties of the outcome.

If there is insufficient proof to decide whether or not bullying has occurred, the manager concerned will:

- Remind those involved of expected standards of conduct;
- Conduct further training awareness raising sessions for staff and volunteers;
- Monitor the situation carefully.

The Executive Committee will monitor the outcome to ensure that the offensive behaviour has ceased, and that neither party has been victimised. This may involve follow-up interviews. If there has been any substantiated victimisation, appropriate disciplinary procedures will be followed.

Procedures for Dealing with Criminal Conduct

Some forms of severe bullying (physical attack, for example, or obscene phone calls) may constitute criminal conduct. While Bats Qld is committed to treat most complaints about bullying at an organisational level as far as possible, this type of conduct is not suited to internal resolution. Such complaints should be treated by the criminal justice system. Volunteers should be advised of the option of police support or intervention. It is not the obligation or duty of the organisation to report such matters to the police on behalf of the complainant.

AUTHORISATION

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Bats Qld (Flying Foxes & Microbats Inc.)