



Department of
Education

Bullying in the Workplace Procedures

Effective date: 16 October 2018

Version: 3.2

Accurate at the time of printing 29/07/2021.

These procedures must be read in conjunction with the Bullying in the Workplace Policy.

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These procedures must be read in conjunction with the Bullying in the Workplace Policy.

1. Policy supported

Bullying in the Workplace Policy

2. Scope

These procedures apply to all employees.

Guidance

These procedures apply to all worksites, including examination centres, off-site and after-hours work-related activities such as training courses, conferences, telephone calls, emails, social media and social functions.

3. Procedures

3.1 Responsibilities of Directors of Education, Executive Directors and Directors

Directors of Education, Executive Directors and Directors must:

- demonstrate professional and ethical behaviour;
- provide strategic leadership and system-level implementation of measures to facilitate and promote the prevention and effective management of workplace bullying;
- inform principals or line managers of their responsibilities under the Occupational Safety and Health Act 1984 (OSH Act), related legislation and Department policies; and
- address bullying grievances if:
 - grievances have not been resolved at the school or workplace;
 - the principal or line manager is the subject of the grievance; and/or
 - the principal or line manager has a conflict of interest.

3.2 Responsibilities of principals and line managers

Principals and line managers must:

- demonstrate professional and ethical behaviour;
- prevent and address workplace bullying by:
 - facilitating a respectful and inclusive workplace culture focused on the care and wellbeing of staff;
 - informing employees of relevant legislation, policies and support services related to workplace bullying in an induction process and, as required, during their employment;
 - monitoring the workplace for conduct that may constitute bullying and addressing any occurrences;
 - addressing unreasonable or inappropriate conduct of visitors;
 - resolving employee grievances in accordance with the [Grievance Framework](#); and
- report incidents of workplace bullying that may constitute misconduct to the Standards and Integrity Directorate, in accordance with [Report staff misconduct \(staff only\)](#).

Guidance

Further information and examples of bullying behaviour are available in Appendix A – Workplace Bullying Behaviour.

Bullying between staff is managed under the [Grievance Framework](#).

The Grievance Resolution Procedure in the [School Education Act Employees' \(Teachers and Administrators\) General Agreement](#) does not apply to occupational safety and health matters (including bullying); refer to clause 47.2.

Bullying in the workplace is unlawful under the [OSH Act](#). Duties of employers are listed in:

- sections 19, 21 and 23K of the [OSH Act](#); and
- section 3.1 of the [Occupational Safety and Health Regulations 1996](#).

WorkSafe determines non-compliance with provisions of the [OSH Act](#) and Regulations and may issue an improvement notice where bullying incidents are reported. WorkSafe provides information on [bullying](#) and their role in the [Frequently Asked Questions](#).

The authority to manage visitors (including parents/guardians, volunteers, contractors and community members) on Department worksites is governed by section 57A of the [OSH Act](#). Principals can also refer to the Department's [Visitors and Intruders on School Premises Policy](#).

Bullying involving grounds of discrimination, such as a person's race, sexual orientation, age and sexual or racial harassment, may also be a breach of the [Equal Opportunity Act 1984](#) and [Equal Opportunity, Discrimination and Harassment Policy](#).

The Accountable and Ethical Decision Making online module is a mandatory training requirement for all staff under the [Staff Induction Policy](#). This is available under the Professional Learning tab on Ikon (staff only).

Information and support resources:

- [Keeping our Workplace Safe \(staff only\)](#);
- [Manager Assistance Program \(staff only\)](#) and [Employee Assistance Program \(staff only\)](#); and
- Public Sector Commission guides for agencies: [Managing workplace behaviour](#); and [Prevention of workplace bullying in the WA public sector](#).

3.3 Responsibilities of employees

Employees must:

- demonstrate professional and ethical behaviour;
- not place the safety and health of others at risk by engaging in bullying behaviour, as outlined in section 20 of the [OSH Act](#);
- raise and attempt to resolve workplace behaviour issues early using the [Grievance Framework](#);
- report workplace bullying incidents to the principal or line manager (or superordinate if principal or line manager is the subject of the grievance) for a resolution process to be undertaken; and
- cooperate with grievance resolution processes and abide by any grievance resolution agreement, decision or directive.

Guidance

Bullying in the workplace is unlawful under the [OSH Act](#).

Bullying between staff is managed under the [Grievance Framework](#).

The Grievance Resolution Procedure in the [School Education Act Employees' \(Teachers and Administrators\) General Agreement](#) does not apply to occupational safety and health matters (including bullying); refer to clause 47.2.

To clarify and address any issue or incident related to bullying behaviour, employees are encouraged to:

- see [Appendix A - Workplace Bullying Behaviour](#);
- talk to an [Equal Opportunity Contact Officer](#) (staff only), who can provide information about bullying, equal opportunity matters and resolution options under the [Grievance Framework](#). See [list of EOCOs](#).
- use informal or formal resolution options in the [Grievance Framework](#); and
- access support where required. For example, the [Employee Assistance Program \(staff only\)](#) provides independent confidential counselling sessions (face-to-face, telephone or Skype) for employees, their partners and dependent children under 25 years of age. Six free sessions a year are available per person. [Employee](#)

Assistance Program brochure T: 1300 307 912.

Expected standards of professional and ethical behaviour are detailed in Commissioner's Instruction No 7: Code of Ethics and the Department's:

- Code of Conduct and Standards (staff only)
- Staff Conduct and Discipline Policy; and
- Equal Opportunity, Discrimination and Harassment Policy.

Workplace bullying involving misconduct may be referred by the principal or line manager to the Department's Standards and Integrity Directorate for assessment or investigation. Where a breach of discipline has occurred, disciplinary action under section 80A of the Public Sector Management Act 1994 may be taken. Refer to Report staff misconduct (staff only)

Information and resources:

- Dealing with bullying at work – A guide for workers; and
- WorkSafe Bullying and Frequently Asked Questions.

3.4 Confidentiality

Principals, line managers and employees must maintain confidentiality in relation to a grievance, with information only divulged to those involved in the grievance process, with due regard to the requirements of the Freedom of Information Act 1992.

4. Definitions

Superordinate

The person to whom an individual's line manager reports or a more senior manager.

Workplace bullying

Bullying is repeated unreasonable or inappropriate behaviour directed towards an employee, or group of employees, that creates a risk to health and safety.

5. Related documents

Relevant legislation or authority

Commissioner's Instruction No. 7: Code of Ethics

Corruption and Crime Commission Act 2003 (WA)

Equal Opportunity Act 1984 (WA)

Freedom of Information Act 1992 (WA)

Industrial Relations Act 1979 (WA)

Occupational Safety and Health Act 1984 (WA)

Occupational Safety and Health Regulations 1996 (WA)

Public Interest Disclosure Act 1986 (WA)

Public Sector Management Act 1994 (WA)

Public Sector Standards in Human Resource Management

Related Department policies

Employee Performance

Equal Opportunity, Discrimination and Harassment

Occupational Safety and Health

Staff Conduct and Discipline

Staff Induction

Telecommunications Use

Visitors and Intruders on School Premises

Other documents

[Code of Conduct and Standards \(staff only\)](#)

[Code of Practice: Occupational Safety and Health in the Western Australian Public Sector](#)

[Code of Practice: Violence, Aggression and Bullying at Work](#)

[Dealing with bullying at work – A guide for workers](#)

[Grievance Framework](#)

[Keeping our Workplace Safe \(staff only\)](#)

[Managing workplace behaviour – A guide for agencies, Public Sector Commission](#)

[Prevention of workplace bullying in the WA public sector – A guide for Agencies, Public Sector Commission](#)

[Strategic directions for public schools 2020-2024](#)

[Substantive Equality Guidelines](#)

[Work safety notices – Improvement and prohibition notices](#)

6. Contact information

Policy manager:

Director, Workforce Policy and Coordination

Policy contact officer:

Manager, Workforce Policy

T: 9264 5081

Other:

Standards and Integrity (staff only)

T: 1800 655 985

Employee Assistance Program (staff only)

T: 1300 307 912

7. History of changes

Effective date	8 February 2013
Last update date Policy version no. Notes	Changes to policy resulting from publication of Grievance Framework guideline. Changes approved by Corporate Executive 16 November 2012. D12/0812988
Effective date	8 February 2013
Last update date	11 July 2013
Policy version no. Notes	Amendments of references to documents as per D13/0222254.

Effective date	8 February 2013
Last update date	18 December 2014
Policy version no. Notes	Contact details updated D14/0555685.

Effective date	10 March 2015
Last update date Policy version no. Notes	Major review. Procedures endorsed for publishing by Director General at Corporate Executive on 1 December 2014.

Effective date	10 March 2015
Last update date	22 January 2016
Policy version no. Notes	Minor changes to guidance in s3.3, contact information and updated links D16/0025669

Effective date	10 March 2015
Last update date	9 March 2017
Policy version no. Notes	Minor changes to replace references to Substantive Equality Policy with Substantive Equality Guidelines and updated links D17/0104478 and D17/0104471.

Effective date	16 October 2018
Last update date Policy version no. Notes	Major review of Workplace Bullying Policy and Procedures, renamed Bullying in the Workplace. Endorsed by the Director General at Corporate Executive on 19 September 2018.

Effective date	16 October 2018
Last update date	22 April 2020
Policy version no.	

Notes	Minor changes to update links, related documents and include additional guidance information. D20/0201954
Effective date	16 October 2018
Last update date	13 January 2021
Policy version no. Notes	Minor changes to replace the Regional Executive Director position title with Director of Education D20/0647278.

8. Appendices

Appendix A: [Workplace Bullying Behaviour](#) (PDF file - 48.1kB)

9. More information

Supporting content

Policy

[Bullying in the Workplace Policy](#)

Procedure review date

16 October 2021

Procedure last updated

13 January 2021
