



## Bullying in the workplace

Bullying as defined by SafeWork Australia<sup>1</sup> is repeated and unreasonable behaviour directed towards a worker or group of workers that creates a risk to their health or safety.

Bullying can be instigated by a single person or a group of people. It can be direct or indirect, physical or psychological, and it need not be intentional. Effects of bullying include physical and psychological symptoms. Effects include headaches; sleep disturbances; digestive problems; low self-esteem; anxiety and depression; deterioration of relationships at work, personal relationships and quality of life; high staff turnover and increased personal leave.

**Direct** forms of bullying include:

- abusive, insulting comments or offensive language (including face-to-face, or by phone, email, text message or social media);
- humiliating or putting someone down in front of others;
- spreading malicious rumours or misinformation about someone.

**Indirect** bullying includes:

- changing rosters to deliberately inconvenience a particular worker(s);
- deliberately excluding someone from workplace activities;
- excessive scrutiny at work, unjustified criticism or complaints;
- setting unreasonable timelines or constantly changing deadlines;
- setting tasks that are unreasonably above or beyond a person's skill level;
- withholding information that is vital for effective work performance.

In defining workplace bullying, it is also necessary to clarify what it is **NOT**:

- a single incident of negative behaviour is **not** considered to be workplace bullying, however, it may have the potential to escalate and therefore it should not be ignored.
- low level workplace conflict is **not** considered to be workplace bullying because not all conflicts or disagreements have negative health effects or pose a risk to health and safety. However, if the low level conflict is not managed properly, it can escalate to the point where it does meet the definition of workplace bullying;
- reasonable management actions taken in a reasonable way are also **not** considered to be workplace bullying. Managers and supervisors are sometimes required to undertake management actions to effectively direct and control the way that work is carried out and to provide feedback on a worker's performance. However, these actions must be conducted in a fair and reasonable manner.

Examples of **reasonable management actions** include:

- setting reasonable performance goals, standards and deadlines;
- rostering and allocating working hours, where the requirements are reasonable;
- transferring a worker for operational reasons;



- informing a worker about unsatisfactory work performance when undertaken in accordance with workplace policies or agreements, such as performance management guidelines;
- informing a worker about inappropriate behaviour in an objective and confidential way;
- deciding not to select a worker for promotion where a reasonable process is followed and documented;
- implementing organisational changes or restructuring;
- termination of employment.

### **Risk Management Approach**

The ANMF supports a risk management approach to workplace bullying, in consultation with workers and Health and Safety Representatives (HSRs), which involves:

- employers identifying and assessing both the presence and risk of bullying behaviours by considering risk factors such as: organisational culture; negative leadership styles; inappropriate systems of work (increasing workload, poor change management practices, excessive task demands, inadequate staffing or skill mix, lack of support from management); poor workplace relationships; and workforce characteristics (new, young or injured workers on return to work plans);
- employers implementing appropriate risk control measures to actively create a workplace environment that discourages bullying. These include: prioritising measures that foster and protect the psychological health of workers, ensuring good management practices; effective communication; designing safe systems of work (clearly defined roles and responsibilities, reviewing staff turnover, absenteeism and exit survey /complaint information, reviewing and monitoring workloads and staffing levels); promoting positive leadership styles; providing clarity about staff and team expectations; fostering teamwork and co-operation and preventing and acting upon negative behaviours;
- employers monitoring and periodically reviewing the control measures that have been implemented, in consultation with workers and particularly after a report of bullying, to ensure that they are effective in managing the risks of workplace bullying.

The SafeWork Australia publication *Guide for Preventing and Responding to Workplace Bullying* may assist with this process.

### **It is the policy of the Australian Nursing and Midwifery Federation that:**

1. Workplace bullying is a serious work health and safety (WHS) hazard affecting workers.
2. Workers have a right to be protected against bullying in the workplace. Bullying in the workplace is unacceptable and must not be tolerated.
3. Bullying is a WHS hazard, and should be prevented using a WHS risk management approach. This means that where the risk of bullying occurring is identified, the hierarchy of control must be followed in the control of the hazard, for example, the risk must be eliminated, or if this is not reasonably practicable, reduced, using a risk management approach (see above).
4. Workers who experience or witness bullying behaviour in the workplace should report this behaviour.



ANMF Policy

5. Employers must take appropriate measures to prevent bullying in the workplace, or if it is reported, take appropriate measures to address it and prevent it from recurring.
6. Employers must treat any reports of bullying seriously and respond to them promptly and effectively with procedural fairness and non-victimisation of any party.
7. Employers have an obligation to:
  - (a) provide workers with a working environment that is safe and without risk to health, and which is free from the risk of bullying, including by:
    - i. providing training for managers and supervisors in people management skills and issue resolution;
    - ii. setting clear expectations for managers and supervisors around appropriate workplace behaviour and culture, and ensuring that this is pursued;
    - iii. creating obligations upon managers in relation to people management, for example via key performance indicators and contract clauses;
    - iv. controlling the risk of bullying. This will involve implementing preventative and management procedures and training to eliminate, avoid or minimise the risk of harm occurring through bullying;
    - v. consulting with workers, (HSRs) and Health and Safety Committees on the development and implementation of controls including policies and procedures;
  - (b) have written organisational policies and protocols developed in consultation with workers, union representatives, HSRs, Health and Safety Committees and managers in relation to bullying, and in particular:
    - i. develop and implement a prevention of bullying policy, which outlines behaviour standards, measures to prevent bullying and potential serious consequences of not complying with the policy;
    - ii. develop specific procedures for dealing with reported instances of bullying, including independent external review processes;
  - (c) provide such information, instruction, training and/or supervision as is necessary in order to allow nurses, midwives and assistants in nursing\* to perform their work in an environment that is safe and without risks to health, including by providing:
    - i. education programs for managers and workers that develop an awareness of workers' rights and responsibilities in relation to bullying that includes an understanding of what constitutes bullying and the principles of natural justice, as well as specific training on performance management and dealing with inappropriate workplace behaviours;
    - ii training (including induction and refresher training) for management and other personnel on:
      - the unacceptability of workplace bullying;
      - workplace policies and procedures for prevention, incident reporting and management of workplace bullying including bystander action;
      - what to do if a report is made;
      - ensuring people who have experienced bullying's concerns are taken seriously unless unsubstantiated, following investigation as a neutral act;

\*The term assistant in nursing also refers to care workers (however titled).



- iii information about support mechanisms for victims of bullying;
  - iv whistle blower protections for workers raising issues in good faith;
  - (d) maintain appropriate consultative and representative structures (including HSRs and Health and Safety Committees) to enable proactive and fearless reporting of incidents of bullying to both management and/or HSRs;
  - (e) have a system in place which allows for reporting of bullying where the workers' manager or immediate supervisor are the alleged perpetrator;
  - (f) have an incident management system that informs the complainant of the outcome of any investigation, including those made as a bystander;
  - (g) monitor workplace relations on a continuing basis to ensure that appropriate behaviours are practised; and
  - (h) provide processes within the workplace to provide avenues of complaint and resolution to people who have experienced bullying or other inappropriate workplace behaviours.
8. Workers have an obligation to:
- (a) follow policy and procedures relating to WHS, including relating to aspects of workplace bullying;
  - (b) take reasonable care of their own health and safety and the health and safety of other persons (workers and others) who may be affected by their acts or omissions in the workplace, in relation to bullying behaviours;
  - (c) co-operate with the employer with respect to any reasonable action taken by the employer to provide a safe and secure workplace, and fulfil the employer's duties under WHS legislation;
  - (d) report to management any work-related bullying hazard or incident as soon as they become aware of it in order to enable preventative measures to be implemented;
  - (e) when in management and supervisory positions recognise the causes and signs of bullying behaviours by managers and other workers and review organisational risk factors in consultation with workers, and act to address these through implementation of controls in accordance with the hierarchy of controls;
  - (f) when in management and supervisory positions must also be mindful of their own behaviours and their potential effect on others;
9. Workers who consider they are being subjected to bullying or who witness an incident as a bystander should:
- (a) keep a diary of incidents which are or may be considered bullying including the names of any witnesses;
  - (b) make a report through the workplace incident management system and keep a record of any incident number provided;
  - (c) inform their employer using the local reporting policy and HSR;
  - (d) seek support, guidance and assistance early from the respective ANMF Branch to ensure that an appropriate process is able to be pursued.



*Reviewed and re-endorsed November 2004*  
*Reviewed and re-endorsed December 2007*  
*Reviewed and re-endorsed November 2011*  
*Reviewed and re-endorsed August 2015*  
*Reviewed and re-endorsed August 2018*  
*Reviewed and re-endorsed August 2021*

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**References:**

<sup>1</sup> SafeWork Australia. *Guide for Preventing and Responding to Workplace Bullying*. Available at:  
<https://www.safeworkaustralia.gov.au/bullying>