

NEW SOUTH WALES WILDLIFE COUNCIL



Anti- Bullying and Harassment Policy (addendum to NWC Code of Conduct).

Objectives

The Anti-Harassment, Bullying and Discrimination addendum to the Code of Conduct aims to create an environment free from inappropriate behaviours. To achieve this objective the NWC endeavours to:

- Promote, and expect from all members, appropriate standards of conduct at all times
- Implement effective procedures to manage complaints based on the principles of natural justice, procedural fairness, confidentiality and impartiality.

Preamble

The NWC values diversity within the membership. It does not condone harassment, bullying or unlawful discrimination and any instance of these behaviours will be treated as potential misconduct and dealt with under the relevant disciplinary and conflict policies.

The following definitions apply to interactions between individual representatives on the Council and whenever they are representing the NWC externally. Interactions include electronic communications, for example emails and social media such as Facebook.

Definitions:

Harassment:

Harassment is defined as behaviour that is directed at an individual or group that, because of its severity and/or persistence, is likely to create a hostile or intimidating environment and could detrimentally affect an individual's participation in the organisation.

A finding of harassment is determined by the nature and effect of the behaviour, not the intent of the initiator, and what a reasonable person would consider the behaviour to be offensive, humiliating or intimidating.

Bullying:

Bullying is defined as any ongoing, unreasonable behaviour that offends, degrades, intimidates or humiliates a person, for example:

Cruelty, belittlement or degradation

Public reprimand or behaviour intended to humiliate or punish, including:-

- deliberate non-inclusion in meetings/discussions appropriate to another's position within NWC

- ignoring another's input or opinion
- isolation and exclusion from NWC meetings/social events.
- ridicule, insult or sarcasm
- impossible/impractical work demands/deadlines
- trivialisation of views and opinions, or unsubstantiated allegations of misconduct
- undermining of responsibility or abilities
- physical intimidation such as shouting, swearing or offensive gestures
- physical violence such as pushing, shoving or throwing of objects.

Discrimination:

Discrimination is where someone is treated less favourably, or where a requirement of everyone could disadvantage a person, because of their sex, sexual preference, age, race or nationality, religion, disability, pregnancy, marital status, political opinion, or any of the other grounds covered by current anti-discrimination legislation.

[NB: Work Health & Safety legislation and regulations are paramount]

When acting in the course of NWC activities, representatives should treat everyone with respect and courtesy and without any form of discrimination.

Sexual Harassment:

Sexual harassment is any unwelcome sexual behaviour. It may involve a single incident or a series of incidents. The *Sex Discrimination Act 1984* (Cth) and the *Anti-Discrimination Act 1977*(NSW) declare sexual harassment to be unlawful.

It is a person's right to object to any of the following behaviours:

- Sexual or suggestive remarks
- Sexual propositions or repeated requests for dates
- Repeated questions about personal life
- Sexual jokes
- Physical contact such as touching, hugging, brushing up against a person
- Offensive phone calls, reading matter or objects, e-mails, screensavers, social media
- any conduct of a sexual nature after the complainant has told the other person of their discomfort

If the interaction is consensual, welcome and reciprocated it is not sexual harassment.

Principles, Obligations and Responsibilities

1). All representatives

- have a role in ensuring that harassment, bullying and discrimination do not occur
- are expected to take prompt and appropriate action in circumstances where they witness such behaviour or it is drawn to their attention.

Resolution Options

1. The NWC encourages representatives to endeavour to resolve issues through a process of discussion and conciliation where possible. Professional facilitation may be provided by NWC to achieve this, at the discretion of the Management Committee.
2. If these initial options do not work or if they are not appropriate, representatives can make a formal complaint in writing to the Management Committee.
3. In cases of assault or other criminal activity, representatives should contact the Police or appropriate government authority.
4. Complaints of harassment, bullying and /or unlawful discrimination will be treated seriously and will be investigated in line with the procedure laid out in the NWC Constitution.
5. When a representative makes a complaint, the NWC Management Committee will ensure that no bullying, harassment or discrimination is directed against the complainant, either directly or indirectly.
6. Complaints that are frivolous, vexatious, misconceived or lacking in substance will be rejected if a preliminary investigation of the facts indicates this.
7. Before any decision is made, the representative will be informed about the nature and content of the issue and have the right to be heard in line with the NWC Constitution and the current NWC Conflict Management Guidelines.
8. Depending upon the severity or persistence of the issue, a breach of the NWC Code of Ethics, and/or Code of Conduct or Addendum, may result in that representative's expulsion from the NWC Wildlife Council.