# Operational Policy: Workplace Bullying and Harassment (NAG 5)

## Blind & Low Vision Education Network NZ

## Statement of Intent:

The Blind & Low Vision Education Network NZ (BLENNZ) recognises that workplace bullying is a significant hazard in New Zealand and that it can affect staff physically and mentally, and reduce staff engagement and performance.

BLENNZ is committed to creating a safe working environment and a positive culture for all employees and this includes protecting them from bullying and harassment.

BLENNZ will meet its statutory responsibilities under the Health and Safety at Work Act 2015, the Employment Relations Act 2000 and the Human Rights Act 1993 or any of their amendments, in relation to dealing with any breach of legislation.

## Definitions:

Bullying is repeated, unreasonable and unwelcome behaviour directed towards another person. It is a workplace health and safety issue.

Harrasment is one or more specific acts targeted at another person with potential to cause humiliation, offence, or intimidation. It is against the law.

Examples of direct bullying:

* Ridiculing, insulting, teasing, jokes, “funny surprises” and sarcasm
* Persistent and/or public criticism
* Attacking a person’s beliefs, attitude, lifestyle or appearance, gender references, gender identity, sexual orientation, accusations of being mentally disturbed
* Tampering with personal effects, theft, destruction of property
* Encouraging to feel guilty
* Intimidation and acting in a condescending manner
* Suggestive glances, gestures or dirty looks
* Racist comments, jokes and innuendoes
* “Mobbing” together to complain and undermine
* Intruding on privacy e.g. spying, stalking, harassed by calls when on leave or after hours or at weekends.

Examples of indirect bullying:

* Giving unachievable, meaningless or unpleasant tasks
* Impossible deadlines and unmanageable workloads
* Changing goalposts / targets
* Underwork – working below competence
* Making hints or threats about job security
* Unreasonable or inappropriate monitoring
* Undervaluing contributions – not giving credit where credit is due.

What bullying and harassment is not:

* Workplace conflict (interests, values, structure, relationships)
* Warnings or other consequences in line with proper procedure
* Reasonable work demands and pressure
* Setting high performance standards because of quality or safety
* Mutually consented behaviour
* One off instances of rudeness or tactlessness
* Legitimate non abusive expressions of frustration about an employee’s actions or lack of
* Behaviours which fall in the normal range of what can be expected in the workplace
* Firm directions
* Infantile jokes
* Blunt or abrasive management style
* Constructive performance feedback
* Legitimate peer review.

## Policy Guidelines:

1. Bullying and harassment are unacceptable and will not be tolerated.

2. This policy will be discussed annually with all employees at the first staff meeting of each year and recorded in the minutes of the meeting.

3. Through the provision of this policy, all employees will be better informed to recognise bullying and harassment and know what action to take should this occur.

4. Every concern or complaint raised will be treated seriously and dealt with following balanced fair procedures for both the complainant and the alleged bully. These include both low-key and formal solutions depending on the circumstances.

5. Any concerns or complaints about bullying and harassment should be immediately reported to the respective line manager, Co-ordinator or Senior Manager, or to the Principal if the bullying relates to someone in a senior management position. Any concerns or complaints relating to the Principal should be reported to the Chairperson of the Board of Trustees.

6. BLENNZ will take appropriate steps to protect the complainant during the review process.

7. The process for preventing and managing workplace bullying will be as outlined by Worksafe New Zealand.

8. Where appropriate BLENNZ will encourage and facilitate early resolution in an informal way.

9. If a formal approach is undertaken BLENNZ will keep written records and:

* Assist the complainant to make a written complaint focussed on factually describing the behaviour and avoiding emotive labels/commentary
* Inform the alleged perpetrator of the complaint
* Explain to both parties the process, timeframe for investigation, rights to support, requirement for confidentiality and non-victimisation, and possible consequences
* Interview the complainant
* Interview the alleged perpetrator
* Interview any witnesses
* Collect any factual evidence
* Consider the evidence and decide whether the allegations amount to bullying or harassment or something else
* Make recommendations, including whether or not a disciplinary process will proceed, and communicate these to all parties in writing.

10. BLENNZ will implement any recommendations and will also undertake to monitor the ongoing situation.

11. BLENNZ will provide employees affected by workplace bullying or harassment access to free confidential support through the Employment Assistance Programme (EAP Services).

## Supporting Documentation:

[Worksafe NZ website](http://www.business.govt.nz/worksafe/tools-resources/bullying-prevention-tools)

[Diversity Works NZ Website](http://www.eeotrust.org.nz/)

BLENNZ Code of Conduct

BLENNZ Concerns & Complaints Policy

Approved: 

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Next Review: 2024