

Individual/Organisational name:
National Network of Working Women's Centres (WWC SA, NT WWC, QWWS)

Model Work Health and Safety Code of Practice Preventing and Responding to Workplace Bullying - Public Comment Response Form

Code or Guide

See Page 2 of the draft model Code of Practice

Comments:

- The National Network of Working Women's Centres in SA, NT and Qld (NWWC) believe that the scope and application of this Code and the associated guide are appropriate as a minimum standard across Australia. They are clear and easy to understand, reflect current state of knowledge and developments in relation to preventing and responding to workplace bullying and have an appropriate level of information apart from directing workers to their union for information, support and assistance (more suggestions follow on where to add this).
- The adoption of the Code and the guidance material, along with an appropriate communication strategy, will encourage widespread awareness of the health and safety impacts of workplace bullying and endorse the need to be proactive in preventing workplace bullying.

Model Code of Practice – Preventing and Responding to Workplace Bullying

Chapter 1: Introduction

Comments: (Please include section/page numbers).

Chapter 2: Preventing workplace bullying

Comments:

page 12 2.2 (b) *Design safe systems of work* – add the word 'as' after 'such' in the last dot point

page 13 *Specific workplace bullying control measures (b) Implement hazard reporting and response procedures* – 2nd dot pointvictimisation of those who make reports will **not be tolerated** rather than **will not occur**

Chapter 3: Responding to Workplace bullying

Comments:

page 17 3.4 Actions after reports of bullying are resolved – first sentence should read 'follow up review to ensure the wellbeing of the parties involved and **to** provide support.

Chapter 4: Investigations

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Comments: (Please include section/page numbers).

General Comments

- The Example of A Workplace Bullying Policy provided at Appendix A is adequate for a small business although there is no direction to a worker in this template about where to find the procedures referred to, within the organisation.
- Ideally further templates could be developed before the introduction of the Code but we would not wish to see the adoption and implementation of the Code further delayed while these are developed. Appropriate resources should be made available by the responsible regulator in each State and Territory, in consultation with relevant stakeholders. Working Women's Centres are willing to contribute to the development of further resource material in NT, SA and Qld.
- NWWC's recommend that this Code be implemented from 1 January 2014 to coincide with the new provisions of the Fair Work Commission in relation to 'stop bullying orders' as there will most likely be referral powers between jurisdictions and people will need to understand how these work together.
- A further paragraph regarding the inclusion of a suitable clause into an Enterprise Agreement which applies to the PCBU would entrench the commitment to workplace bullying and harassment. A possible suggestion is 'Clarification and confirmation of mutual commitments to workplace health and safety can be reinforced by the inclusion of a suitable clause in the Enterprise Agreement applicable to the PCBU'.
- We would also like the Code to point users to the administrative arrangements in each state or territory to implement the Code of Practice and if appropriate, how they will take complaints regarding the Code. In our view the Code should outline how employees may make a complaint to the relevant regulating body, should attempts to prevent or address workplace bullying at the enterprise level fail.

Worker's Guide

A Worker's Guide to Managing Workplace Bullying

Comments:

page 1 - 'Workplace Bullying – a Worker's Guide (add apostrophe)

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page 1 – In sentence beginning 'If after reading this Guide....' add 'your health and safety representative and/or your union representative' to the list of people a person can seek assistance from.

Pages 2, 3, 4, 5, 7, 8 and 9– add same wording as above wherever there is reference to speaking with 'your manager, supervisor, human resources officer or grievance officer; friends, family and colleague you trust, ie add 'health and safety rep and union rep'.

Page 6 – **Work Health and Safety Regulator** – it would be good to point readers to a list of the State and Territory regulators as many people will not understand who these are. Possibly a 2 line summary confirming that state law overrides Fed law?? Eg “If you are experiencing bullying or harassment in the workplace, you will need to contact the appropriate work health and safety body in your state” and then refer readers to the page number where these are listed.

Page 6 – in the section 'If Someone has made a complaint that you have bullied them...' we suggest adding an extra dot point that states 'You may suggest to the person to have someone with them ie a support person when you speak to them'. The last dot point in this section should read 'Speak to a counsellor **or** medical practitioner'

page 7 – 2nd box **If you think it's reasonable....** add a dot point 'Suggest they have a support person with them. In the same box the last sentence should read 'You should not take this step if you **do** not feel comfortable or safe to do so.

Page 9 – **WHERE TO GO FOR HELP** - add unions for each/or State council union to refer to relevant union. State and Territory and Working Women's Centres in SA, NT and Qld.