

Bullying and Harassment Policy

Policy

Maxima are strongly committed to maintaining a safe and positive working and education environment based on mutual respect for all colleagues and those accessing our services within our locus of control. Bullying, harassment and sexual harassment will not be tolerated in any form.

Definitions

Bullying

Maxima has based its definition of "Bullying" on that of 'Safe Work Australia – Guide for preventing and responding to workplace bullying' (May 2016)' which states that bullying is:

"repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety."

It should be noted that within Maxima's context, those accessing our services, such as trainees, students and jobseekers and those providing voluntary services and/or labour should be regarded in the same light as workers within the definition.

Repeated

Refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

Unreasonable

Means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Staff, employee, trainee, participant and jobseeker

As defined within the Quality Manual (vii) DEFINITIONS.

Harassment

A form of discrimination designed to humiliate, offend, intimidate or otherwise make a person feel unwelcome or inadequate and includes sexual harassment.

Sexual Harassment

A subset of harassment that involves verbal or physical conduct of a sexual nature that is unwanted and that adversely affect's a person's employment/work environment.

Examples

Examples, whether intentional or unintentional, that may be considered workplace bullying if they are repeated, unreasonable and create a risk to health and safety could include but are not limited to:

- Abusive, insulting or offensive language
- Unjustified criticism or complaints
- Deliberately withholding information that is vital for effective work performance

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- Unreasonable timelines and constantly changing deadlines
- Excluding or isolating someone from workplace activities
- Changing work arrangements to deliberately inconvenience a particular worker or workers
- Spreading of misinformation or malicious rumours
- Derogatory or abusive text messages, comments, emails and social media comments regarding other staff, trainees, jobseekers or students within or outside of working hours.

Sexual harassment is unwelcome conduct of a sexual nature. It can include:

- Unwelcome sexual advances
- Requests for sexual favours
- Verbal or physical conduct of a sexual nature
- Reciting or emailing of sexist jokes.

Principles

The following principles underpin the Bullying and Harassment Policy:

- Reports of bullying, harassment and sexual harassment will be fully and confidentially investigated in a prompt manner
- Employees, trainees, jobseekers and students have a right to a workplace and training environment where they are treated with dignity and respect
- All employees, trainees, jobseekers and students have a responsibility to contribute to a safe and supportive work and training environment
- Positive, supportive and constructive relations are integral to the way Maxima conducts its operations
- Maxima will support open and respectful communication
- Any staff member, trainee, on-hire employee, jobseeker or participant who is found to have violated this policy will be subject to appropriate disciplinary action and, in the case of participants or jobseekers, this could result in the withdrawal of services
- Maxima will actively promote staff awareness about the need to avoid bullying, harassment and sexual harassment and maintain a happy environment.

Legislative Obligations

All forms of harassment, sexual harassment and bullying, as defined above, are illegal under Federal and State laws.

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Responsibilities

All employees, trainees, jobseekers and students are responsible for ensuring they are not involved in any form of harassment, sexual harassment or bullying of any person providing or accessing services within our locus of control.

Staff

It is the responsibility of any staff member who is subjected to, witnesses, or is advised of, harassment, sexual harassment or bullying by a fellow staff member, manager, supervisor or any other person associated with the workplace, inclusive of sites where services are delivered, to inform their Supervisor, Maxima's Bullying & Harassment Officer, or another member of the management team with whom they feel comfortable, of the situation. The staff Contact Officer is also trained and available to give guidance on matters of concern under this policy.

Managers and supervisors are responsible for taking appropriate and timely action to identify, remedy and support the resolution of any bullying, harassment or sexual harassment complaint or situation. In all cases the supervisor must notify HR of the complaint and, if necessary, they are to seek guidance from Maxima's Bullying & Harassment Officer.

Trainees and On-Hire Employees

It is the responsibility of any trainee or on-hire employee who is subjected to, witnesses, or is advised of, harassment, sexual harassment or bullying by any person involved in their placement with their Host to inform their Consultant, Bullying & Harassment Officer or Monitoring Officer and if they feel comfortable their Host Supervisor, of the situation.

Where consent has been provided and it is appropriate, or where the Consultant deems the situation as sufficiently serious, the Consultant will;

- liaise with the Host to identify, remedy and support the resolution of any bullying, harassment or sexual harassment complaint or situation
- Seek support and guidance from their Manager who will liaise with Senior Management as required.

Jobseekers and Participants

Jobseekers and participants are encouraged and supported to inform their Consultant, Trainer or Bullying & Harassment Officer and if they feel comfortable, their Employer or Host Supervisor, of any harassment, sexual harassment or bullying they are subjected to, are advised of, or witness. Jobseekers and participants will be provided with information, support and referral to advocacy and other services as appropriate.

Where consent has been provided and it is appropriate, or where the Consultant or Trainer deems the situation as sufficiently serious, a delegated Maxima staff member will;

- liaise with the Employer or Host to identify, remedy and support the resolution of any bullying, harassment or sexual harassment complaint or situation

Seek support and guidance from Management who seek further organisational support as required.

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Scope

This applies to all staff members, trainees, on-hire employees, jobseekers, participants and work experience personnel of Maxima Group Inc.

Associated Documents

- Equal Opportunity Policy GP 006
- Disciplinary Action / Termination GP 005
- Bullying & Harassment Procedure GPR 013