

Bullying and Sexual 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 or intimidation 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 (Nov 2013)' which states that bullying is:

"repeated and unreasonable behaviour that is directed towards an employee or a group of employees that is 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 employees 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

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
- 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.

Bullying and Sexual Harassment Policy

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 Sexual Harassment Policy:

- Reports of bullying and sexual harassment will be fully and confidentially investigated
- 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
- Maxima will actively promote staff awareness about the need to avoid bullying and sexual harassment and maintain a happy environment

Legislative Obligations

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

Responsibilities

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

Staff

It is the responsibility of any staff member who is subjected to, or who witnesses or is advised of, sexual harassment, bullying or intimidation 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 Sexual 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 or sexual harassment complaint or situation. In all cases the

Bullying and Sexual Harassment Policy

supervisor must notify HR of the complaint and, if necessary, they are to seek guidance from Maxima's Sexual Harassment Officer.

Trainees and Employees

It is the responsibility of any trainee or employee who is subjected to, or who witnesses or is advised of sexual harassment, bullying or intimidation by any person involved in their placement with their Host to inform their Consultant, Sexual 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 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 Sexual Harassment Officer and if they feel comfortable, their Employer or Host Supervisor, of any sexual harassment, bullying or intimidation 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 delegate Maxima staff member will;

- liaise with the Employer or Host to identify, remedy and support the resolution of any bullying or sexual harassment complaint or situation
- Seek support and guidance from Management who seek further organisational support as required.

All complaints, whether verbal or written concerning these behaviours will be promptly and confidentially investigated.

Any employee, trainee or staff member who violates this policy will be subject to appropriate disciplinary action including warnings, counselling, demotion or termination depending on the circumstances and in the case of participants or jobseekers, this could result in the withdrawal of services.

Scope

This applies to all employees, staff, trainees, volunteers, sessional trainers, jobseekers, participants and work experience personnel of Maxima Group Inc.

Associated Policies

Equal Opportunity Policy GP006
