



# Workplace Bullying Policy

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# WORKPLACE BULLYING POLICY

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## BULLYING

Bullying is a form of injustice which results in another person being victimized, humiliated or threatened. It can be direct and obvious or indirect and subtle, intentional or unintentional.

In a fast paced, dynamic environment bullying can easily be masked as strong leadership, action oriented behavior or some other worthy attribute but usually leaves an individual feeling devalued and hurt.

It's not that we shouldn't correct one another it's just that we should do it in a way that builds not destroys.



#thestringmovement

## Aim

Hillsong<sup>1</sup> is committed to providing a safe and healthy work environment in which all workplace participants<sup>2</sup> are treated fairly, with dignity and respect. Bullying is a risk to health and safety in the workplace. It is unacceptable and will not be tolerated by Hillsong.

This policy outlines Hillsong's commitment to a safe workplace and is aimed at ensuring, so far as it reasonably can, that workplace participants are not subjected to any form of bullying while in the workplace. It also details the legal responsibilities of Hillsong and workplace participants in relation to preventing bullying in the workplace.

## Commencement of Policy

This policy will commence on 31 March 2014. It replaces all other bullying policies (whether written or not).

## Application of Policy

This policy covers all employees of Hillsong (whether full-time, part-time or casual) and all persons performing work at the direction of, in connection with, or on behalf of Hillsong such as volunteers, contractors, subcontractors, agents, consultants, and temporary staff (collectively 'workplace participants').

This Policy extends to all functions and places that are work related, for example, when visiting the homes of church and community members, attending work lunches, connect group meetings, conferences, church services and supplier functions. This Policy does not form part of any employee's contract of employment. Nor does it form part of any contract for service.

<sup>1</sup>Hillsong includes any entity in the Hillsong Group including but not limited to Hillsong Church Limited and Hillsong CityCare Limited.

## Legal responsibilities

Everyone at the workplace has a legal responsibility to prevent bullying from occurring.

Under relevant health and safety legislation (the 'WHS Legislation') Hillsong has the primary duty to eliminate or minimize, as far as reasonable practicable, the risks to health and safety in the workplace. This duty includes the implementation of strategies to prevent workplace bullying. This policy will assist Hillsong in complying with its legal responsibilities.

Workplace participants are also required under the WHS Legislation to take reasonable care for their own health and safety, as well as that of others in the workplace. They must also comply with any reasonable instruction given by Hillsong. Compliance with this policy will assist workplace participants in meeting their legal responsibilities.

## What is workplace bullying?

Workplace bullying is repeated, unreasonable behavior by an individual or group of individuals, directed towards a workplace participant or a group of workplace participants that creates a risk to health and safety<sup>3</sup>. It includes both physical and psychological risks and abuse.

'Repeated behaviour' refers to the persistent nature of the behaviour and can refer to a range or pattern of behaviours over a period of time (for example, verbal abuse, unreasonable criticism, isolation and subsequently being denied opportunities – i.e. a pattern is being established from a series of events).

'Unreasonable behaviour' means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimize, humiliate, undermine or threaten another person, regardless of what the intention of the behavior is.

## Examples of workplace bullying

Bullying behaviours can take many different forms, from the obvious (direct) to the more subtle (indirect). The following are some examples of both direct and indirect bullying:-

### *Direct bullying:*

- abusive, insulting or offensive language or comments
- spreading misinformation or malicious rumors
- behaviour or language that frightens, humiliates, belittles or degrades, including over criticizing, or criticism that is delivered with yelling or screaming
- displaying offensive material
- inappropriate comments about a person's appearance, lifestyle, age, race or marital status
- teasing or regularly making someone the brunt of pranks or practical jokes
- interfering with a person's personal property or work equipment, or
- harmful or offensive initiation practices

In Victoria, anti-bullying legislation<sup>4</sup> commenced in June 2011 making serious bullying a crime

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<sup>3</sup> s. 789FD Fair Work Amendment Act 2013

<sup>4</sup>s. 21A Crimes Act 1958 (VIC)

punishable by up to 10 years in jail.

The stalking provisions in the *Crimes Act 1958* include behaviour that involves serious bullying. Bullying includes physical bullying, psychological bullying, verbal bullying and cyber bullying. The legislation covers bullying in the community, workplaces, schools, sporting clubs and on the internet including email or social networking sites such as Facebook and Twitter.

Serious bullying may also include conduct or behaviour that is intended, or could reasonably be expected, to cause the victim to have suicidal thoughts or self-harm thoughts.

#### *Indirect bullying:*

- unreasonably overloading a person with work, or not providing enough work
- setting timeframes that are difficult to achieve, or constantly changing them
- setting tasks that are unreasonably below, or above, a person's skill level
- deliberately excluding or isolating a person from normal work activities
- withholding information that is necessary for effective work performance
- deliberately denying access to resources or workplace benefit and entitlements, for example training, leave etc.
- deliberately changing work arrangements, such as rosters and leave, to inconvenience a particular worker or workers
- unjustified criticism or complaints
- excessive scrutiny at work

The above examples do not represent a complete list of bullying behaviours. They are indicative of the type of behaviours which may constitute bullying and therefore unacceptable to Hillsong. A single incident of unreasonable behaviour does not usually constitute bullying. However, it should not be ignored as it may have the potential to escalate into bullying behaviour.

A person's Intention is irrelevant when determining if bullying has occurred. Bullying can occur unintentionally, where actions which are not intended to victimize, humiliate, undermine or threaten a person actually have that effect. Bullying in the workplace is harmful not only to the target of the behaviour but damages Hillsong's culture and reputation.

#### **What does NOT constitute workplace bullying?**

Managing workplace participants does not constitute bullying if it is done in a reasonable manner. Managers have the right, and are obliged to manage their workplace participants. This includes directing the way in which work is performed, undertaking performance reviews and providing feedback (even if negative) and disciplining and counseling staff. Examples of reasonable management practices include:

- setting reasonable performance goals, standards and deadlines in consultation with workers and after considering their respective skills and experience
- allocating work fairly
- fairly rostering and allocating working hours

- transferring a workplace participant for legitimate and explained operational reasons
- deciding not to select a workplace participant for promotion, following a fair and documented process
- informing a workplace participant about unsatisfactory work performance in a constructive way and in accordance with any workplace policies or agreements
- informing a workplace participant about inappropriate behaviour in an objective and confidential way
- implementing organizational changes or restructuring, and
- performance management processes

### What steps will Hillsong take to prevent workplace bullying?

Hillsong will take all reasonable steps to prevent bullying through a risk management process. This process includes:

- identification of bullying risk factors- these are things and situations which could contribute to bullying such as the way in which staff are managed, or organisational change such as redundancies (refer to the common risk factors set out below);
- assessment of the likelihood of bullying occurring from the risk factors identified and their potential impact on the workplace participants or workplace,
- eliminating the risks, as far as reasonably practicable, or controlling, or minimising, them as far as reasonably practicable,
- reviewing the effectiveness of the control methods put in place and the process generally,
- training workers about bullying, how to deal with it and its impact on the workplace.

Hillsong will seek to identify, assess, eliminate and/ or control bullying in the workplace; taking into account the common risk factors (refer below).

### What are some of the common risk factors which may lead to bullying?

Bullying can result from a number of different factors in a workplace, from the general culture to poor management skills. Some risk factors which make bullying more likely to occur are:

- Organizational change – i.e. significant change in the workplace that may lead to job insecurity for example, restructure and redundancy, introduction of technology, change in management.
- The culture – views and beliefs can either expressly or implicitly encourage bullying behaviours, for example, when a supervisor or manager promotes aggressive behaviour as a means of ensuring workplace participants are performing their roles, or adopts a culture in which it is acceptable to ignore such behaviours.
- Negative leadership styles – such as strict, autocratic management styles, which do not allow for flexibility or involvement by employees; or passive, 'laissez-faire' management styles which are characterized by a tendency to avoid decisions, inadequate supervision and little guidance to workers.
- Inappropriate systems of work – this includes excessive workloads, unreasonable timeframes, uncertainty about roles and how they should be performed, and lack of employee support.

- Poor work relationships – this can be characterized by poor communication between workplace participants and management, or negative relationships with supervisors or colleagues, excessive criticism by manager and the exclusion or isolation of workplace participants.
- Workforce characteristics – a workforce can be made up of groups of workplace participants who may be at a higher risk of bullying because of certain characteristics, for example: young workers, new workers, apprentices, injured workers, workers in a minority group (because of their race, disability or gender etc.).

Hillsong will consider these factors when undertaking its risk management process.

## Complaint Procedure

If a workplace participant feels that they have been bullied, they should not ignore it.

Hillsong has a complaint procedure for dealing with bullying (set out below). The complaint procedure has numerous options available to suit the particular circumstances of each individual situation. The procedure should be referred to and followed. Any bullying issue should be brought to Hillsong's attention as soon as possible. There are a number of options available to workplace participants.

### *Confront the issue*

If a workplace participant feels comfortable doing so, they should address the issue with the person concerned. A workplace participant should identify the bullying behaviour, explain that the behaviour is unwelcome and offensive and ask that it stop.

This is not a compulsory step. If a workplace participant does not feel comfortable confronting the person, or the workplace participant confronts the person and the behaviour continues, the worker should report the issue to their manager. If the manager is the alleged perpetrator, then the matter should be reported to a senior manager, or to the Human Resources Manager.

If at any time, a workplace participant is unsure about how to handle a situation they should contact the Human Resources Manager for support and guidance.

### *Report the issue*

There are two complaint procedures that can be used to resolve bullying complaints: informal and formal (detailed further below). The type of complaint procedure used depends on the nature of the complaint that is made. The aim is to ensure that workplace participants are able to return to a productive and harmonious working relationship as soon as possible.

### *Informal complaint procedure*

Under the informal complaint procedure there are a broad range of options for addressing the complaint. The procedure used to address the issue will depend on the individual circumstances of the case. The manager or Human Resources Manager will determine which process to follow. The possible options include, but are not limited to, the manager or the Human Resources Manager:

- a) discussing the issue with the person against whom the complaint is made; and/or
- b) facilitating a meeting between the parties in an attempt to resolve the issue and move forward.

The informal complaint procedure is more suited to less serious allegations that if founded, may not warrant disciplinary action being taken.

### *Formal complaint procedure*

The formal complaint procedure involves the workplace participant making a written complaint and a formal investigation of that complaint. It is appropriate for more serious allegations, or if senior management are involved. Formal investigations may be conducted by Hillsong or by an external investigator appointed by Hillsong.

An investigation generally involves collecting information about the complaint and then making a finding based on the available information as to whether or not the alleged behaviour occurred. Once a finding is made, Hillsong or the external investigator will make recommendations about what actions should be taken to resolve the complaint and any appropriate disciplinary action.

If Hillsong considers it appropriate for the safe and efficient conduct of an investigation, workers may be required not to report for work during the period of an investigation. Hillsong may also provide alternative duties or work during the investigation period. Generally, workplace participants will be paid their normal pay during any such period.

### *Dealing with bullying complaints*

In handling bullying complaints, Hillsong will adopt the following principles:

- Take all complaints seriously
- Act promptly
- Will not victimise any person who makes a complaint, any person accused of bullying, or any witnesses and will direct other workplace participants not to victimise any person involved in a complaint
- Support all parties
- Be impartial
- Communicate the investigation or complaint process to all parties involved, including estimating length of time for resolution
- Maintain confidentiality; Hillsong will endeavour to maintain confidentiality as far as possible, however, it may be necessary to speak with other workers in order to determine what happened, to legal representatives or Hillsong's senior managers. It will also be necessary to speak to those against whom the complaint has been made in order to afford fairness. All workplace participants involved in the complaint must also maintain confidentiality, including the workplace participant who lodges the complaint. Spreading rumours or gossip may expose the workplace participant responsible to a defamation claim
- Act appropriately — if a complaint is made and it appears that bullying has occurred, Hillsong will endeavour to take appropriate action in relation to the complaint
- Keep records — documentation is essential. A record of all meetings and interviews stating who was present and agreed outcomes should always be maintained

### *Possible outcomes*

The possible outcomes of an investigation will depend on the nature of the complaint. Where an investigation results in a finding that a person has engaged in bullying behaviour, that person will be disciplined. The type and severity of disciplinary action will depend on the nature of the complaint

and other relevant factors. Where the investigation results in a finding that the person complained against has engaged in serious misconduct, this may result in instant dismissal. Any disciplinary action is a confidential matter between the affected workplace participant and Hillsong.

Hillsong may take a range of disciplinary action. Examples include, but are not limited to:

- providing training to assist in addressing the problems underpinning the complaint
- monitoring to ensure that there are no further problems
- implementing a new policy
- mentoring and support from senior management
- requiring an apology or an undertaking that certain behaviour stop
- changing work arrangements
- transferring to another work area
- issuing a written warning (this can be a first or final warning depending on the circumstances)
- dismissal

### Management's role

Managers and supervisors have a key role in the prevention of workplace bullying.

Managers and supervisors must:

- ensure that they do not bully workplace participants, other managers, supervisors or church members
- ensure that they do not aid, abet or encourage other persons to engage in bullying behaviour
- ensure all workplace participants who report to them are aware and understand this policy and their responsibility to comply with it
- ensure that all workplace participants who report to them understand that any bullying in any form is unacceptable and will not be tolerated by Hillsong
- act promptly and appropriately if they observe bullying behaviours
- ensure that all workplace participants who report to them understand that they should report any bullying behaviour
- ensure all workplace participants who report to them are aware and understand the complaint procedures
- act promptly if a complaint is made. If this is not possible, or is inappropriate, inform the Human Resources Manager as soon as possible
- ensure confidentiality is maintained if they are involved in any investigations

## Workplace participants role

All workplace participants must:

- understand and comply with this policy
- ensure they do not engage in any conduct which may constitute bullying towards other workplace participants, church members or others with whom they come into contact through work
- ensure they do not aid, abet or encourage other persons to engage in bullying behaviour
- follow Hillsong's complaint procedure if they experience bullying
- report any bullying they see occurring to others in the workplace in accordance with this policy
- maintain confidentiality if they are involved in the incident which has been reported

## Breach of this Policy

Hillsong takes very seriously its commitment to provide, as far as is reasonably practicable, a safe and healthy work environment, free from bullying. All workplace participants are required to comply with this policy.

If an employee breaches this policy, they may be subject to disciplinary action. In serious cases this may include termination of employment. Other workplace participants such as volunteers, agents and contractors (including temporary contractors) who are found to have breached this Policy may have their voluntary service or contracts with Hillsong terminated or not renewed.

If a person makes a false complaint, or a complaint in bad faith (e.g. making up a complaint to get someone else in trouble, or making a complaint where there is no foundation for the complaint), that person may be disciplined and may be exposed to a defamation claim.

## More information

If a workplace participant is unsure about any matter covered by this policy, or requires more information about workplace bullying they should seek the assistance of their manager or the Human Resources Manager. They may also wish to seek external advice from the relevant regulatory authority such as WorkCover/WorkSafe/SafeWork.

## Review

This policy will be reviewed periodically during the Health and Safety Audit Program, through consultation with employees and health and safety coordinators, or when legislative requirements change, or in the event of a serious occurrence involving bullying.

## Variation

Hillsong reserves the right to vary, replace or terminate this policy from time to time.

## Linked Documents

- Personal Grievance Policy
- Anti-Discrimination and Gender Equality Policy