



# Prevention and Management of Workplace Bullying Policy

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## 1. Purpose

WA health staff have the right to work in a positive workplace where contributions are valued, teamwork is promoted, and respectful interactions are expected. The WA health system is committed to providing a safe, equitable and respectful workplace in which all staff are treated with dignity and respect. As part of this commitment, WA health has zero tolerance for workplace bullying involving staff members, including behaviour directed at other staff, patients, clients, or members of the public.

The *Prevention and Management of Workplace Bullying Policy* (policy) sets out the minimum mandatory requirements to prevent workplace bullying and to respond effectively when concerns arise, to promote a safe and respectful working environment. This reinforces the expectations of appropriate and ethical workplace behaviour as prescribed in the [MP 0124/19 Code of Conduct Policy](#).

Workplace bullying is unacceptable and will not be tolerated. All reports will be taken seriously and managed appropriately in line with procedural fairness and legislative requirements.

Under the *Work Health and Safety Act 2020* (WHS Act), both WA health entities and their staff share responsibility for eliminating, or, where this is not reasonably practicable, minimising the risks associated with workplace bullying and harassment. Staff also have a duty to take reasonable care to ensure their behaviour does not adversely affect their own mental health and safety, or that of other persons.

This policy is a mandatory requirement for Health Service Providers under the *Work Health and Safety Policy Framework* pursuant to section 26(2)(c) of the *Health Services Act 2016* (HS Act).

This policy is also a mandatory requirement for the Department of Health pursuant to section 29 of the *Public Sector Management Act 1994*.

## 2. Applicability

This policy is applicable to WA health entities.

The requirements contained within this policy are applicable to the services purchased from contracted health entities where it is explicitly stated in the contract between the contracted health entity and the State of Western Australia or Health Service Provider. The State of Western Australia or Health Service Provider contract manager is responsible for

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Compliance with this document is mandatory.

ensuring that any obligation to comply with this policy by the contracted health entity is accurately reflected in the relevant contract and managed accordingly.

### **3. Policy Requirements**

WA health entities and staff must actively prevent bullying in the workplace by implementing the following requirements.

#### **3.1 Roles and Responsibilities**

##### **3.1.1 WA health entity responsibilities**

To prevent workplace bullying, WA health entities must take a proactive, organisation-wide approach. This includes:

- implementing a risk management approach to preventing workplace bullying and related behaviour.
- ensuring expected standards of behaviour are clearly communicated and well understood.
- establishing and maintaining appropriate work systems to prevent and manage workplace bullying such as:
  - local policies and procedures consistent with this policy,
  - documented processes for reporting, responding to and managing workplace bullying, and
  - mechanisms to monitor, review and evaluate the effectiveness of systems for managing workplace bullying.
- ensuring staff, including leaders, receive appropriate training in what constitutes acceptable behaviours in the workplace.
- implementing, monitoring and reviewing control measures to manage risks, and ensure their ongoing effectiveness.

##### **3.1.2 Leadership responsibility**

Leaders are accountable for ensuring workplace bullying risks are effectively managed within their areas of responsibility. To embed effective implementation, WA health entity leaders must:

- demonstrate and promote a respectful workplace culture by leading by example and reinforcing zero tolerance for workplace bullying.
- ensure staff are aware of the requirements of this policy and related procedures.
- actively monitor workplace environments to identify and address emerging bullying risks.
- encourage and support staff to raise concerns and ensure access to appropriate support.
- ensure all reports are addressed promptly, fairly and in accordance with procedural fairness.
- oversee the effective operation of local systems and processes for managing workplace bullying.

### 3.1.3 Staff responsibility

All staff members must:

- contribute to a zero tolerance workplace culture towards bullying.
- refrain from behaviour that may constitute workplace bullying.
- act respectfully and ethically, considering the impact of their behaviour on others.
- not engage in, or support workplace bullying.
- report and/or seek to resolve bullying concerns through appropriate informal or formal processes.
- follow their WA health entities' policies and procedures regarding the prevention and management of workplace bullying.

### 3.2 Reporting Workplace Bullying

WA health entities must ensure that local policies and procedures:

- are clear and accessible.
- include information about the available internal pathways for reporting workplace bullying.
- encourage staff to raise concerns as early as possible.
- include processes for managing perceived or actual conflicts of interest, including alternative reporting pathways where the line manager is involved.
- include reasonable attempts to resolve reported bullying matters internally, where appropriate and safe to do so, before referral to external agencies. This does not apply where the alleged behaviour is serious, systemic, or may constitute notifiable and reportable misconduct, and does not limit a staff member's right to access external reporting pathways at any time.
- align with the external reporting pathways as outlined in [MP 0124/19 Code of Conduct Policy](#).

### 3.3 Managing Workplace Bullying

WA health entities must ensure that all reports of workplace bullying are managed promptly, sensitively and fairly, in accordance with the principles of procedural fairness.

In managing workplace bullying reports, WA health entities must:

- receive and acknowledge reports appropriately, ensuring staff have access to clear information about reporting options and that reports are treated seriously and without bias.
- prioritise the wellbeing of impacted staff, including advising of available support services and implementing interim measures where necessary to manage risks.
- assess the matter on a case-by-case basis to determine the most appropriate management pathway, having regard to the nature, seriousness and circumstances of the reported behaviour. This may include:
  - informal resolution or early intervention,
  - administrative or management action,
  - management as a grievance under [MP 0116/19 Grievance Resolution Policy](#), and/or
  - manage in accordance with [MP 0127/20 Discipline Policy](#) for Health Service Providers or [Department of Health Discipline Policy](#).

- where workplace bullying allegations raise concerns of serious misconduct, systemic issues, or potential corrupt conduct, ensure timely consultation with appropriate integrity or workforce functions and escalation in accordance with legislative and policy obligations.
- where allegations involve reprisal or may constitute a protected disclosure, matters must be managed in accordance with the *Public Interest Disclosure Act 2003*.
- ensure actions are proportionate and timely, and focused on stopping the behaviour and preventing further occurrences.
- communicate decisions and outcomes appropriately, advising impacted staff of relevant outcomes to the extent lawful, appropriate and necessary. This may include confirming that the matter has been reviewed or investigated and outlining any actions relevant to the impacted person's safety and wellbeing, noting that specific employment or disciplinary outcomes relating to another person cannot usually be disclosed.
- confidentiality must be maintained to the extent that is lawful and practicable, noting that information may need to be disclosed to ensure procedural fairness, safety and effective management of the matter.
- maintain accurate and confidential records of reports, actions taken, communications, and outcomes.

#### 4. Compliance Monitoring

The Systemwide Governance and Reform Unit, on behalf of the System Manager, will monitor WA health entities' compliance and performance with this policy by requesting annual bullying incident data including incidents reported to WHS, Human Resources and Integrity units by 31 July for the preceding financial year. This data will be used to monitor trends and identify system-level risks or emerging issues requiring escalation or targeted intervention.

The System Manager may also request relevant local policies, procedures or supporting documentation to confirm alignment with policy requirements.

#### 5. Related Documents

The following documents are mandatory pursuant to this policy:

- N/A

#### 6. Supporting Information

The following information is not mandatory but informs and/or supports the implementation of this policy:

- [Managing bullying risks in the workplace](#); WorkSafe WA
- [Workplace behaviour: Code of practice](#); WorkSafe WA
- [Psychosocial Hazards in the workplace: Code of practice](#); WorkSafe WA
- [Leadership Expectations](#); Public Sector Commission

## 7. Definitions

The following definition(s) are relevant to this policy.

Term	Definition
Leaders	For the purposes of this policy, a <i>leader</i> is any person who has formal or informal responsibility for directing, supervising, managing, or influencing the work or behaviour of others. This includes, but is not limited to, executives, managers, supervisors, team leaders, clinical leads, and persons acting in these roles.
Procedural Fairness	Rules of common law relating to how a Decision Maker should act when making decisions that may adversely impact upon a person's rights or interests to ensure there is a fair and equitable process.
Notifiable and Reportable Conduct	<p>Notifiable and reportable conduct means conduct by a staff member that:</p> <ul style="list-style-type: none"> <li>• is suspected on reasonable grounds to constitute or may constitute professional misconduct or unsatisfactory professional performance by registered health practitioners – as defined in Schedule Part 1, section 5 of the <i>Health Practitioner Regulation National Law (WA) Act 2010 (National Law)</i></li> <li>• relates to mandatory notifications to the Australian Health Practitioner Regulation Agency (AHPRA) under the National Law</li> <li>• involves all suspected criminal offences</li> <li>• involves a charge for a serious offence</li> <li>• involves a breach of discipline</li> <li>• involves suspected minor or serious misconduct as defined in accordance with section 4 of the <i>Corruption, Crime and Misconduct Act 2003</i></li> <li>• involves a matter reportable to the Ombudsman under Division 3B the <i>Parliamentary Commissioner Act 1971</i>.</li> </ul>
Serious Misconduct	<p>Pursuant to the <i>Corruption, Crime and Misconduct Act 2003</i>, misconduct occurs if a public officer —</p> <ol style="list-style-type: none"> <li>a) corruptly acts or corruptly fails to act in the performance of the functions of the public officer's office or employment or</li> <li>b) corruptly takes advantage of the public officer's office or employment as a public officer to obtain a benefit for himself or herself or for another person or to cause a detriment to any person or</li> <li>c) whilst acting or purporting to act in his or her official capacity, commits an offence punishable by two or more years' imprisonment.</li> </ol> <p>Corrupt conduct tends to show a deliberate intent for an improper purpose or an improper motivation. Corrupt conduct may involve an exercise of a public power or function, but for private benefit. It may involve conduct such as the deliberate failure to perform the functions of office</p>

	properly, or the exercise of a power or duty for an improper purpose.
Staff Member	For the purposes of this policy, staff member means: a) a person employed in a Health Service Provider by an employing authority pursuant to the <i>Health Services Act 2016</i> and includes: (i) the chief executive of the Health Service Provider; (ii) a health executive employed in the Health Service Provider; (iii) a person employed in the Health Service Provider under section 140 of the <i>Health Services Act 2016</i> ; (iv) a person seconded to the Health Service Provider under section 136 or 142 of the <i>Health Services Act 2016</i> ; b) a person engaged under a contract for services by a Health Service Provider pursuant to the <i>Health Services Act 2016</i> ; c) a person employed in the Department of Health by or under an employing authority pursuant to the <i>Public Sector Management Act 1994</i> .
WA health entities	WA health entities include: (i) Health Service Providers as established by an order made under section 32 (1)(b) of the <i>Health Services Act 2016</i> ; a) Department of Health as an administrative division of the State of Western Australia pursuant to section 35 of the <i>Public Sector Management Act 1994</i> .
WA health system	The WA health system is comprised of: (i) the Department; (ii) Health Service Providers (North Metropolitan Health Service, South Metropolitan Health Service, Child and Adolescent Health Service, WA Country Health Service, East Metropolitan Health Service, PathWest Laboratory Medicine WA, Quadriplegic Centre and Health Support Services); and (iii) contracted health entities, to the extent they provide health services to the State.
Workplace	A workplace is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work.
Workplace Bullying	Repeated and unreasonable behaviour directed towards a staff member or a group of staff that creates a risk to health and safety. Examples include, but are not limited to, abusive, insulting or offensive language or comments, aggressive and intimidating conduct, and deliberately excluding someone from work-related activities.  Reasonable actions by line managers and supervisors to allocate work and give feedback on a staff member's performance carried out in a reasonable manner is not considered to be workplace bullying.

## 8. Policy Contact

Enquiries relating to this policy may be directed to:

Title: Director, Systemwide Governance and Reform

Directorate: Systemwide Governance and Reform

Email: [system-wide.whs@health.wa.gov.au](mailto:system-wide.whs@health.wa.gov.au)

## 9. Document Control

Version	Published date	Review date	Amendment(s)
MP 0117/19	13 August 2019	December 2021	Original version
MP 0117/19 v.2.0	27 May 2022	May 2025	Policy review and amendments as below. <ul style="list-style-type: none"> <li>Broadened the applicability of the policy to include Department of Health and contracted health entities.</li> <li>Replaced references of the <i>Occupational Safety and Health Act 1984</i> with the current <i>Work Health and Safety Act 2020</i>.</li> <li>Included additional support resources in the Advice and Support section.</li> <li>Updated the links to reflect new revisions of the Supporting Information documents.</li> <li>Included new definitions for Employing authority, Health Service Provider, Staff member (in replacement of Employee) and WA health system.</li> </ul>
MP 0117/19 v.2.1	23 August 2022	May 2025	Amendment as below. <p>Amendment to update the policy Contact Section from Executive Director, Governance and System Support to Director, Workforce and Employment.</p>
MP 0117/19 v.2.2	22 August 2023	May 2025	Amendment as below. <ul style="list-style-type: none"> <li>New paragraph outlining legislation pertinent to policy included in Purpose section, noting the <i>Work Health and Safety Act 2020</i> and the <i>Industrial Relations Act 1979</i>.</li> <li>Reference to <i>Industrial Relations Act 1979</i> included in Policy Requirements section 3.1.</li> <li>Replaced Code of practice: <i>Violence, aggression and bullying at work (2022)</i> with <i>Code of practice – Workplace behaviour (2022)</i>.</li> <li>New supporting information link included: Stop bullying or sexual harassment applications – WA Industrial Relations Commission.</li> </ul>
MP 0117/19 v.2.3	6 September 2023	May 2025	Amendment as detailed below. <p>Mandatory policy transferred from the Employment Policy Framework to the new Work Health and Safety Policy Framework.</p>
MP 0117/19 v.3.0	11 June 2026	June 2029	Policy review and amendments as below. <ul style="list-style-type: none"> <li>Title: amended from <i>Prevention of Workplace Bullying Policy</i> to <i>Prevention and Management of Workplace Bullying Policy</i></li> <li>Purpose: updated to further highlight WA health system's commitment to zero-tolerance for workplace bullying.</li> <li>Policy Requirements: new sub-section added for leadership responsibilities, reporting workplace bullying and managing workplace bullying.</li> <li>Compliance monitoring: updated to include new reporting requirements:</li> </ul>

- Supporting information: removal of WA Public Sector Commission, *Prevention of workplace bullying in the WA public sector: A guide for agencies (2020)*, WA Industrial Relations Commission, Form 14 – Application for an Order to Stop Bullying or Sexual Harassment (or Both), Government of Western Australia, Department of Mines, Industry Regulation and Safety, *Code of practice – Workplace behaviour (2022)*. Inclusion of Managing bullying risks in the workplace; WorkSafe WA, Workplace behaviour: Code of practice; WorkSafe WA, Psychosocial Hazards in the workplace: Code of practice; WorkSafe WA, Leadership Expectations; Public Sector Commission.  
Definitions added for new terms: leaders, procedural fairness, notifiable and reportable conduct, serious misconduct, WA health entities, workplace, workplace bullying
- Policy contact updated to reflect current policy ownership and System-wide Work, Health and Safety, and Reform generic email

Note: Mandatory policies that exceed the scheduled review date will continue to remain in effect.

## 10. Approval

<b>Approval by</b>	Dr David Russell-Weisz, Director General, Department of Health
<b>Approval date</b>	7 August 2019

**This document can be made available in alternative formats on request for a person with a disability.**

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