

Bullying and Harassment Policy and Procedures

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| Policy Name | Bullying and Harassment Policy |
| Effective Date | 1 April 2019 |
| Date Last Reviewed | November 2025 |
| Scheduled Review Date | November 2027 |
| Responsible Person | CEO |

Introduction

The National Science Youth Forum (NYSF) is committed to fostering a safe, positive and respectful environment for all staff, volunteers, participants and other stakeholders. This commitment is underpinned by the NYSF Code of Conduct and NYSF Values and Behaviour Framework, which outlines the standards of conduct expected across all aspects of our work and programs.

NYSF will not tolerate bullying, harassment, unlawful discrimination, or victimisation in any form. All complaints will be treated seriously, confidentially (where possible), and in accordance with the principles of procedural fairness. No person will be disadvantaged, threatened, or otherwise victimised for raising a concern or supporting another individual in relation to bullying or harassment.

This policy aligns with NYSF's obligations under the Fair Work Act 2009, relevant anti-discrimination laws, and work health and safety legislation in each jurisdiction where we operate.

Summary of Key Points

The Bullying and Harassment Policy and Procedures aim to create a safe and respectful workplace environment while providing clear guidelines for handling incidents of bullying and harassment. This policy, and the associated procedures, defines the framework for addressing bullying and harassment issues within the NYSF. It operates within the overarching NYSF Code of Conduct and NYSF Values and Behaviour Framework (see Appendix 1), which sets the expected standards of behaviour and provides the foundation for this policy.

Policy Purpose and Principles:

- **Fair and Safe Workplace:** NYSF is dedicated to maintaining a workplace that is fair, safe, and free from bullying, harassment, and unlawful discrimination, promoting positive working relationships.
- **Definition of Workplace Bullying:** The policy defines workplace bullying as unreasonable behaviour that poses health and safety risks, distinguishing it from reasonable management action.

- Scope: The policy applies beyond the physical workplace, encompassing work-related events and electronic communication. It is applicable to employees, volunteers, program participants, and other stakeholders.
- Duty of Care: NYSF has a duty of care to provide a safe environment and promptly investigates allegations of bullying or conduct risking health and safety.
- Confidentiality: Complaints are treated confidentially, with reasons for any deviations from confidentiality communicated to relevant parties.

Procedures for Addressing Bullying and Harassment:

- Employees are informed that reasonable management action is not considered bullying or harassment if carried out respectfully and for proper purposes.
- Managers ensure employees understand that bullying and harassment can manifest physically, verbally, in writing, or through electronic and social media platforms, or in more subtle forms such as exclusion, ignoring, or deliberate isolation.
- Managers ensure employees understand that talking about staff to other staff in a negative way can be workplace bullying if it is repeated, unreasonable behaviour that humiliates, demeans, or intimidates a person and creates a risk to their health and safety. This can include spreading rumours or gossip, making insulting comments, undermining someone's work or offering unsolicited advice as to how they could do their work better.
- Communication and/or contact outside of the workplace that offends employees may be deemed workplace-related bullying.
- Single incidents of bullying-type behaviour, although not meeting the bullying definition, may still necessitate a response.
- Bullying and harassment may not be intentional, underscoring the importance of being mindful of cultural sensitivities.
- Special consideration is given when working with minors to avoid inappropriate behaviours, such as physical contact.

Complaint Resolution:

- Informal complaints are encouraged and involve explaining rights and responsibilities, with a commitment to taking concerns seriously.
- Individuals unsure about filing a formal complaint can start with an informal complaint and decide later whether to escalate it.
- Managers may handle complaints informally by discussing the behaviour or facilitating a meeting between parties. Bringing parties together may not be suitable if there is an imbalance of power.
- It is not mandatory for individuals to personally file complaints; third parties can report behaviour they have witnessed or are aware of.

Formal Investigation of Allegations:

- Allegations warranting a formal investigation are treated as disciplinary matters, following the NYSF Codes of Conduct Policy and Procedures.
- The CEO appoints an investigator to conduct the investigation, produce findings, and provide recommendations.
- Investigations adhere to principles of procedural fairness, ensuring awareness of allegations and the opportunity to respond, with impartiality.

- Upon completion, investigators make findings based on the balance of probabilities, making recommendations to the CEO. Severe cases may result in employment termination or cessation of involvement with NYSF for volunteers, program participants, and stakeholders.

Volunteers and Legislation:

- Volunteers may be protected by anti-discrimination legislation in specific states, and the Fair Work Act 2009 addresses bullying behaviour nationally.
- Volunteers can seek remedies through the Fair Work Commission if they reasonably believe they have been subjected to bullying while volunteering.

Policy

Purpose

1. This policy and procedures set out the types of behaviours and conduct that constitute bullying and harassment and establishes procedures for handling complaints of bullying and harassment in the workplace.
2. NYSF is committed to providing a workplace and program environment free from bullying, harassment and unlawful discrimination. The NYSF has a primary duty of care to ensure, so far as is reasonably practicable, that employees, volunteers, participants and other individuals are not exposed to health and safety risks arising from the workplace, including bullying and harassment. NYSF aims to ensure all those participating in the workplace and its programs are treated with respect, dignity and fairness with the aim of creating an environment which promotes positive working relationships.
3. The purpose of this policy and procedures is to ensure that all employees understand what constitutes bullying, how complaints can be made, and how NYSF will respond.
4. This policy and procedures apply to employees, Board members, volunteers, stakeholders and program participants in any NYSF-related setting.

Definition of Workplace Bullying

5. Workplace bullying is defined as unreasonable behaviour directed towards a worker or group of workers that creates a risk to health and safety, including mental or physical health. Reasonable management action carried out in a reasonable manner does not constitute workplace bullying (per Work Safe Australia). NYSF regards bullying as behaviour that could reasonably be expected to intimidate, offend, vilify, degrade, humiliate, undermine or threaten others.
6. Harassment is unwanted conduct that offends, humiliates, or intimidates a person, and relates to a protected attribute such as sex, age, race, disability, sexual orientation, gender identity, or religion. Sexual harassment includes unwelcome sexual advances, requests for sexual favours, or other unwelcome conduct of a sexual nature.
7. This policy and procedures apply in any situation connected to work, volunteering or program participation but are not limited to the workplace or working hours and will include all work-related events which include, but is not limited to, programs run at external venues, functions, meetings and conferences as well as social events. Bullying and harassment can occur through a variety of ways other than through face to face or verbal communications, such as electronic communications, social media, or in more subtle forms such as exclusion, ignoring, deliberate isolation, or treating some staff in a highly positive way and not others.
 - Managers ensure employees understand that talking about staff to other staff in a negative way can be workplace bullying if it is repeated, unreasonable behaviour that humiliates, demeans, or intimidates a person and creates a risk to their health and safety. This can include spreading rumours or gossip,

making insulting comments, undermining someone's work or offering unsolicited advice as to how they could do their work better.

8. NYSF has a duty of care to provide a safe workplace for employees, program participants, and other stakeholders participating in our program. NYSF will ensure so far as reasonably practicable that employees, program participants and other stakeholders involved in our programs are not exposed to health and safety risks.
9. Any allegations of bullying or other conduct that risks health and safety will be promptly, thoroughly, and impartially investigated. Complaints about bullying and harassment will be treated confidentially and will be addressed in a procedurally fair manner. If confidentiality cannot be guaranteed, the reasons for this will be communicated to the relevant parties.

Responsibilities

10. All employees, volunteers, participants, and stakeholders must:
 - a. Treat others with dignity, respect, and fairness.
 - b. Not engage in bullying, harassment, or unlawful discrimination.
 - c. Report concerns promptly and cooperates in investigations.
11. Managers and leaders must:
 - Model appropriate standards of behaviour.
 - Act promptly on concerns raised.
 - Ensure staff and volunteers understand their rights and responsibilities.
 - Take reasonable steps to prevent bullying and harassment.
12. The CEO and Board are responsible for ensuring this policy is implemented, reviewed, and resourced appropriately.

Commitment to Support

13. All individuals involved in a complaint may seek assistance from a support person at any stage of the process. Information about external support services (e.g., counselling, hotlines, Employee Assistance Program) will be made available.

Procedures

14. Employees should be aware that reasonable management action does not constitute bullying and/or harassment. Legitimate management action is not harassment, nor is it disrespectful or discourteous – even if an action causes offence or distress, provided:
 - a. It is intended for a proper purpose such as performance feedback, counselling or correcting unacceptable workplace behaviour, setting realistic performance goals, standards and deadlines; allocating tasks; providing constructive feedback; commencing a performance management process; and
 - b. It is undertaken in a reasonable way with respect and courtesy.
15. Managers should ensure that employees understand that bullying, harassment and unlawful discrimination can include conduct that is physical, verbal, written or delivered via electronic or social media platforms, or in more subtle forms such as exclusion ignoring, deliberate isolation (e.g. inviting all but 1 or a few people to a morning tea), or treating some staff in a particular way (friendly, engaging and positive) but not another staff member and/or their team

16. Managers ensure employees understand that talking about staff to other staff in a negative way can be workplace bullying if it is repeated, unreasonable behaviour that humiliates, demeans, or intimidates a person and creates a risk to their health and safety. This can include spreading rumours or gossip, making insulting comments, or undermining someone's work or offering unsolicited advice as to how they could do their work better.
17. Employee communication and/or contact outside of the workplace and outside of working hours may be viewed as bullying and harassment with a connection to the workplace if it contains material that offends employees.

Single Incident

18. Because the definition of bullying requires repeated behaviour (i.e., more than one single act or occasion), a single incidence of bullying-type behaviour will not be considered bullying. However, a single incident of bullying-type behaviour that is disrespectful or inappropriate may nonetheless require a response.

Unintentional Behaviour

19. Bullying and harassment does not have to be intentional. A person's actions may offend others, even if it unintentional. For that reason, employees must be mindful of cultural sensitivities and avoid making comments or generalisations that may offend.
20. Employees and volunteers should be particularly aware of the sensitivities of working with minors, such as the inappropriateness of any physical contact with minors (including hugging or touching).

Informal Complaint Procedure

21. Where an employee, volunteer, program participant or other stakeholder makes an informal complaint, the manager receiving the complaint will explain the rights and responsibilities of the person concerning their complaint. Employees, volunteers, program participants and stakeholders have a right to feel safe in the workplace and to have their concerns taken seriously.
22. An informal complaint procedure may be used for less serious allegations of bullying, or to determine whether the complaint warrants a formal investigation being undertaken. An individual who is unsure of whether to make a formal or informal complaint, can make an informal complaint first, with the option to escalate the complaint to a formal complaint after speaking with their Manager, the COO/CFO or the CEO. If a complainant is uncomfortable speaking to their Manager, the COO/CFO or the CEO, they may contact one of the Board Members to raise their concerns.
23. In the first instance, a complaint may be handled informally by the appropriate manager, either by discussing the complaint directly with the respondent or by facilitating a meeting with the individuals involved in an attempt to reach a resolution. It may not always be desirable or appropriate to bring the parties together, particularly if the complainant perceives there to be an imbalance of power between the parties.
24. It is not a requirement for an individual to make a complaint personally before NYSF acts upon alleged bullying and harassment behaviour. Third parties can make a complaint concerning behaviour they have witnessed or have been made aware of.

Formal Investigation of Allegations of Bullying and Harassment

25. If the CEO determines that an allegation of bullying and harassment warrants a formal investigation, the matter will be dealt with as a disciplinary matter, as detailed in the NYSF Codes of Conduct Policy and Procedures.

26. The CEO will appoint an impartial investigator to investigate the matter on their behalf and provide a report outlining their findings and recommendations.
27. Investigations will be undertaken in accordance with the principles of procedural fairness which ensure that the person against whom a complaint has been made is aware of the nature of the allegations against them and is given an opportunity to respond to the allegations; and that the investigator acts without bias.
28. Investigations should commence within ten business days of a formal complaint being received, and complainants will be updated on progress.
29. Upon completion of an investigation, the investigator will make a finding on the balance of probabilities in relation to the alleged behaviour. The investigator will then make recommendations to the CEO concerning whether the allegation/s of bullying and harassment are substantiated and if so, any recommendation for further action. In severe cases of bullying or harassment, the employee's employment may be terminated, or, in the instance of volunteers, program participants and other stakeholders, their involvement with NYSF may ceased.

Possible Outcomes

30. Outcomes may include:

- Apology or mediation.
- Formal warning.
- Training, coaching, or counselling.
- Adjustments to duties or reporting lines.
- Termination of employment, or cessation of involvement with NYSF for volunteers, participants, or stakeholders

Volunteers and Discrimination, Bullying and Harassment Legislation

31. In the Australian Capital Territory, Queensland, South Australia and Tasmania, volunteers are generally protected by anti-discrimination legislation. In other states and territories, volunteers may still be protected from discrimination under other laws.
32. The *Fair Work Act 2009 (Cth)* has provisions relating to bullying behaviour, which can apply to volunteers nationally.
33. Volunteers can seek a remedy from the Fair Work Commission if they reasonably believe they have been bullied during their volunteering.

Appendix 1

NYSF Values and Behaviours Framework

| Value (grouping) | Demonstrated behaviours |
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| Trust | <ul style="list-style-type: none"> • Direct communication with the person you need to speak with (no “triangling”). • Ask questions, rather than jump to judgements or make assumptions. Be curious and adopt a problem-solving approach. |

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| | <ul style="list-style-type: none"> • Feel safe enough to be able to share viewpoints and feelings honestly during performance reviews, exchanges and/or at meetings. • Trust that colleagues can manage their own work time effectively and complete their work responsibly. • State upfront if items/issues to be discussed are sensitive and meant to be confidential. • No sharing of personal / intellectual property information with people outside the organisation (e.g., HR, Finance, Partnerships matters). |
| Build a positive, inclusive culture | <ul style="list-style-type: none"> • Avoid cliques. • Openly share information wherever possible and appropriate. • Allow visibility of your work, actions and priorities. • Adopt a way of being that is warm, engaging and interested in others. • Support each other, genuinely interested. • Create a safe environment to engage in respectful dialogue especially around conflicting ideas. Debate the ideas, not attack the person. Problem solve, not blame. • We foster a culture of trust where everyone feels safe, respected, and empowered to speak up. Concerns are heard without judgment, and support is provided with empathy and confidentiality. |
| Honest and truthfulness | <ul style="list-style-type: none"> • Be up front about the situation. Don't wait to be asked. Being truthful about what is <i>actually</i> happening and the status of projects. Not about excuses, be honest about what challenges are being faced. • Don't say what you think others want to hear if it is not true. |
| Accountability and clarity of expectations | <ul style="list-style-type: none"> • Consistently and regularly define and clarify task parameters. What does success look like? What is the timeframe? Who needs to be consulted for this to be acceptable? What is the approval process? What standard is required (adequate - > gold standard)? • What is each person/team's responsibility in achieving the outcome? • Work to defined roles and responsibilities. • Be clear about why someone is cc'd into messaging. • Define and record agreed actions. • Do your allocated action, or if it is more challenging than thought, advise internal stakeholders and seek to redefine the task. |
| Loyalty | <ul style="list-style-type: none"> • Commitment to the #1 Team first and foremost, then to individual teams. • Don't throw others under the bus. If one part is not working, the whole #1 Team is accountable in the eyes of external stakeholders. • Actively minimise and break down silos between teams. |
| Recognition | <ul style="list-style-type: none"> • Understand and tailor recognition to suit the individual. • Support for flexible work to improve work/life balance. |
| Kindness, care and compassion Act with intention | <ul style="list-style-type: none"> • Resolve conflict with curiosity, lack of assumptions or judgements and compassion. • Problem-solving not blame. • Avoid triangling (see above in positive culture). • Apologise if something has gone wrong – quickly. • Act to support others in need, whether it is your direct responsibility or not. |

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| Respect | <ul style="list-style-type: none"> • Assume that others are doing their best. • Do what you say you will do, or if things change update others quickly. • Have an explicit intention to communicate, taking into account people's different thinking and communication styles, their type of work etc. • Ask for help ahead of time! |
| Personal wellbeing Health and family | <ul style="list-style-type: none"> • Respect and support others to care for their personal needs. No judgement. • Personal needs differ. • Take personal responsibility to take annual leave, sick leave etc. Don't wait until burnt out or really unwell. • Respect privacy. • Support for flexible work. • See Trust, above. |
| Responsiveness Working effectively | <ul style="list-style-type: none"> • Document processes. • Agree on core systems to be used to program and track work. Ensure training for all team members to be able to use effectively. • Undertake regular planning. • Focus on time management – do priority tasks first. • Negotiate with stakeholders to ensure that tasks are well defined and resources are adequate to achieve the desired results. Timeliness vs Cost vs Quality trade-offs. • At regular exec team meetings, check task list, update progress and problem-solve where tasks may be falling behind. |