

Prevention of bullying and harassment

ANU is committed to ensuring staff and students are treated with integrity and respect. All members of ANU have the right to work and study in an environment free from discrimination, harassment and bullying.

The ANU [Code of Conduct](#) sets standards for personal and professional behaviour and requires staff to treat students, other staff members and members of the community with respect, and to refrain from bullying or harassing behaviour.

This Fact Sheet sets out some information for ANU staff to assist with understanding what is and isn't workplace bullying, how to prevent bullying and promote a positive workplace culture, what is unlawful harassment, what to do if you think you are being bullied or harassed, and people to go to for support and advice.

What is workplace bullying?

Bullying can occur in any work-related context not just on University campus. For example it could include behaviour on field trips and excursions, at conferences or work functions. Anyone in the workplace can engage in bullying behaviour or be subject to bullying including a manager, a supervisor or a co-worker. The unreasonable behaviour could also be directed at a staff member by students.

Workplace bullying occurs when:

- an individual or group of individuals repeatedly behaves unreasonably towards a worker or a group of workers at work, and
- the behaviour creates a risk to health and safety ([Fair Work Act 2009 \(Cth\) s 789FD\(1\)](#)).

Bullying behaviour may be subtle and not easy to observe for other people or it may be overt and noticeable to others. The types of behaviours that could be considered as bullying include, but are not limited to, the following:

- aggressive and intimidating conduct
- belittling or humiliating comments
- victimisation
- spreading malicious rumours
- practical jokes
- exclusion from work-related events, and
- unreasonable work expectations.

Workplace bullying often results in significant negative consequences for an individual's health and wellbeing such as depression, anxiety, sleep disruption, nausea and physiological complaints.

What isn't workplace bullying?

Behaviour will not be considered bullying if it is reasonable management action carried out in a reasonable manner ([Fair Work Act 2009 \(Cth\) s 789FD\(2\)](#)). Examples of *management action* include, but are not limited to:

- performance reviews,

- meetings to address underperformance,
- counselling or discipline of an employee for misconduct,
- workplace change and restructures, and
- modifying an employee's duties including transfer or redeployment.

What is considered *reasonable management action* will depend on context and circumstances including such things as:

- what led to the management action being taken,
- what happened while the action was being taken, and
- what were the consequences of the management action.

Whether the action is carried out in a *reasonable manner* will also depend on the circumstances such as what gave rise to the management action and the way the action impacts on the staff member. Other matters that may also be relevant include:

- individual circumstances of the employee
- whether established policies and procedures were followed, and
- whether any investigation was taken in a timely manner.

In summary, action such as legitimate comment, criticism and advice, including relevant negative comment or feedback, from supervisors or academics on the work, study performance or behaviour of an individual or group, and carried out in a reasonable manner, would not be workplace bullying.

How to prevent bullying in the workplace

All members of ANU play a role in preventing and managing bullying at work. Below are some of the approaches that you can use to foster a positive workplace culture based on respect in which bullying behaviour is not tolerated:

- be proactive in communicating standards of expected behaviour as set out in the [ANU Code of Conduct](#),
- treat everyone with dignity and respect and cultivate productive, respectful working relationships,
- manage workplace stressors and risks and ensure work goals are appropriate and realistic,
- provide regular and respectful performance feedback,
- identify and act to address bullying behaviours early, and
- follow the ANU policy and procedures if standards of expected behaviour are not met.

What is unlawful harassment?

Unlawful harassment can occur in an employment or education context. A staff member or student can experience unlawful harassment by a student or group of students, a co-worker or group, an academic, a supervisor, a contractor or a service provider.

Harassment is unlawful if it is directed at a person because of their race, colour, national or ethnic origin; sex; disability; sexuality; or any other personal characteristic protected under anti-discrimination legislation.

Sexual harassment is unwelcome sexual advance or unwelcome conduct of a sexual nature which makes the other person feel offended, humiliated or intimidated. Sexual harassment could involve sexually

suggestive comments or jokes, intrusive questions about your private life, inappropriate staring, unwelcome or inappropriate physical contact or sexually explicit messages or images.

I think I am being bullied or harassed. What should I do?

The following people are available to speak to for support and advice on the appropriate action to take.

- your direct supervisor (or their supervisor if the matter directly involves them)
- [local area human resources](#)
- [Human Resource Division](#)
- [Work Environment Group](#)
- [Advisor to Staff](#), or
- your representative association.

Depending on the concerns that you raise, there are a number of relevant policies and procedures for responding to concerns of bullying and harassment. An initial discussion with one of the contacts listed above will aim to gather required information to determine the appropriate action to take and assist with resolution.

In addition, if you are concerned about the effects on your health and wellbeing, you can also speak to

- [Advisor to Staff](#)
- [Employee Assistance Program](#), or
- your personal doctor.

For more information see the [Prevention of discrimination, harassment and bullying procedure](#).