

Harassment and Bullying Policy

Introduction

IBRS is committed to providing its employees with a safe work environment that is free from inappropriate behaviour. The Company's policy is that no form of harassment or bullying will be tolerated.

Disciplinary action up to and including dismissal may be taken against any employee who:

- participates in harassing, discriminatory or bullying behaviour; or
- victimises or retaliates against an employee who has lodged a complaint about harassment, discrimination or workplace bullying.

Scope

All employees, independent contractors and third party hired staff have a duty to comply with this policy and to treat their colleagues with respect and dignity.

Definitions

For the purposes of this policy, harassment is defined as unwanted conduct, including failure to act, by an individual or group of employee(s) directed towards a fellow employee (or group of employees) which creates a work environment that is intimidating, hostile or offensive. It is most typically associated with sex, race, ethnic background or disability and is an offence under discrimination and workplace legislation.

Bullying is repeated unreasonable behaviour directed toward a worker or group of workers that creates a risk to health and safety.

IBRS has a responsibility under workplace health and safety legislation to ensure the health, safety and welfare of employees and others in the workplace. Individual employees may also be liable to prosecution under the health and safety legislation should harassment or bullying result in injury to staff.

Forms of Harassment and Bullying

This policy covers:

- any behaviour or series of behaviours that unfairly or unreasonably offends, humiliates, intimidates, belittles, undermines, scares, excludes, or embarrasses anyone it is directed at, or anyone who sees or overhears it
- any behaviour or series of behaviours which may constitute any form of

discrimination.

The following are types of behaviour which are unacceptable and may constitute harassment or bullying. The list is not intended to be exhaustive.

- unwelcome physical contact
- unwelcome verbal or non verbal conduct including offensive personal remarks or bad language
- sexual attention which the individual finds intimidating, offensive or which causes them discomfort
- suggestions that sexual favours may further an employee's career or that refusing may hinder it
- conduct which shows lack of respect for individuals, such as display of pornographic or suggestive material
- verbal abuse – yelling, screaming, offensive language
- the reciting of sexist or other discriminatory jokes
- intimidating behaviours
- threatening
- victimisation
- humiliation
- excluding or isolating employees.

IBRS recognises that workplace harassment and bullying may involve comments and behaviours that offend some people and not others. IBRS management acknowledges that individuals may react differently to comments and behaviour and therefore expects its employees to maintain a standard of behaviour that is respectful of everyone at all times.

Violence in the Workplace

“Occupational violence” can be defined as any incident where an employee is physically attacked or threatened in the workplace.

Incidents of occupational violence may, in fact, constitute criminal assault and therefore IBRS may report any such instances to the relevant authorities.

Procedure

IBRS will take all reasonable steps to minimise any form of workplace harassment or bullying. In the event that bullying or harassment does occur, the Company will deal with complaints in

a timely, sensitive and confidential manner and will adopt appropriate measures to ensure that it does not re-occur.

Workers found guilty of bullying or harassment may be subject to disciplinary measures. In serious cases this may lead to dismissal.

Allegations and incidents of workplace harassment and bullying are most effectively resolved if they are dealt with at an early stage, rather than left until the matter has become serious and attitudes entrenched. IBRS asks all employees to report instances of workplace harassment or bullying as soon as they occur.

IBRS recognises the rights of the person accused of workplace harassment or bullying to be treated with natural justice. This includes the right to know full details of allegations against them, a right of reply to those allegations, a presumption of innocence until evidence against them shows otherwise and the benefit of any reasonable doubt.

IBRS will treat all complaints of workplace harassment and bullying seriously and take immediate action to investigate and resolve any complaint quickly, fairly and confidentially. Employees and other workers are expected to avoid idle gossip about complaints to prevent a lowering of morale as well as potential defamatory proceedings being taken against them.

Informal Resolution Process

Using the informal resolution process, the complainant, may approach the individual who is the subject of the complaint and request that the offending behaviour stop. Alternatively, a Manager/Supervisor who observes unacceptable conduct occurring may take independent action even though no complaint has been made.

If the complainant consents, a mediation meeting may be organised where an independent party will assist to resolve the issue(s).

The basic principles behind the informal resolution process are that:

- participation is voluntary;
- both parties are required to be committed to resolving the issue;
- the focus is placed on the behaviour that is of concern rather than on the individual or parties responsible for the behaviour
- a non-blaming approach is used which attempts to change the behaviour rather than disciplining the individual or parties responsible
- the individuals are responsible for their own behaviour and discussing how the situation may be resolved.

Where an issue is resolved informally, no written records will be kept on file and no disciplinary action will be taken against the alleged harasser/bully.

Formal Resolution Process

If informal attempts have been unsuccessful or if the behaviour is too serious to be dealt with using the informal resolution process, an employee may lodge a formal complaint.

On receipt of a written formal complaint IBRS will conduct an impartial and confidential investigation of the complaint to establish the facts. The usual sequence of events is as follows:

- the complainant is interviewed
- the allegations are conveyed to the alleged perpetrator in full
- the alleged perpetrator is given the opportunity to respond to the allegations
- statements from any witnesses and other relevant evidence are gathered
- a finding is made as to whether the complaint has substance
- a report documenting the investigation process, the evidence, the finding and recommended outcome(s) is submitted to the senior management
- IBRS implements the recommended outcome/s or decides on an alternative course of action.

During any meetings or discussions, all parties will have the right to be represented or accompanied by a person of their choosing such as a union representative, family member or friend.

Following the investigation, the employee who has made the complaint will be informed of what action (if any) is going to be taken by IBRS and the reasons for such action or lack of action being taken.

Outcomes can include any combination of the following:

- counselling
- disciplinary action (demotion, transfer, suspension, dismissal)
- formal apology
- conciliation/mediation conducted by an impartial third party where the parties to the complaint agree to a mutually acceptable resolution
- re-crediting any leave taken as a result of the discrimination or harassment
- official warnings that are noted on the perpetrator's personnel file

- disciplinary action against the person who complained if there is strong evidence that the complaint was vexatious or malicious.

Outcomes will depend on factors such as:

- the severity and frequency of the bullying or harassment
- the weight of the evidence
- whether the harasser could have been expected to know that such behaviour was a breach of policy
- whether there have been any prior incidents or warnings.

If there is insufficient proof to decide whether or not bullying or harassment occurred, employees will be reminded of expected standards of conduct.

All employees are expected to:

- respect cultural and social differences among colleagues and clients
- inform anyone observed behaving in an unwelcome or unacceptable manner that their behaviour is offensive. If you're not comfortable doing this, then speak to your manager and ensure they are aware of the situation
- not act in a manner which encourages an environment in which bullying or harassment is likely to occur

What is not Harassment and Bullying

It is important for employees to be aware that workplace harassment and bullying does not include

- the legitimate exercise of authority by a Manager/Supervisor to direct and control how an employee performs their duties whilst at work
- reasonable and appropriate feedback and management of an employee's poor workplace performance or behaviour

IBRS has the right to supervise, direct and control work and they have the responsibility to monitor workflow and gauge performance. We are entitled to set reasonable goals and standards including KPIs and deadlines which will be balanced against the responsibility to look after the health, safety and welfare of our workforce.