

Bullying, Harassment & Discrimination Resource Guide

ATTACHMENT A – College Member Roles & Responsibilities

ATTACHMENT B – College Staff Roles & Responsibilities

ATTACHMENT C – BHD Examples

ATTACHMENT D – Supportive Bystander

ATTACHMENT E – Australian and New Zealand BHD Legislation

ATTACHMENT A - Member Roles & Responsibilities

1. College member roles and responsibilities

College members are responsible for creating a positive, harassment-free workplace and College by:

- adhering to the RANZCOG Code of Conduct and RANZCOG Organisational Values
- embracing diversity and supporting an inclusive workplace and College environment
- recognising and appreciating different working styles and perspectives
- contributing to open communication and information sharing
- taking seriously any incidents of bullying, harassment, or discrimination both for yourself, professional colleagues, and College Staff, and reporting them promptly
- being a supportive bystander

2. RANZCOG members with educational oversight, assessment, and supervisory duties

In addition to their employee responsibilities, RANZCOG members with educational oversight, assessment and supervisory duties are equally responsible for creating a positive, harassment-free workplace and training environment by:

- promoting open communication, sharing information
- being approachable and supporting others when required
- not diminishing or seeking to excuse reported instances of bullying, harassment, or discrimination
- providing constructive, regular, reasonable performance guidance
- embracing diversity and supporting an inclusive workplace
- recognising and appreciating different working styles and perspectives
- fostering teamwork and rewarding collaborative behaviour
- allocating duties fairly, setting clear expectations and realistic deadlines
- ensuring trainees have the support, knowledge, and skills to perform their role
- providing access to flexible working arrangements where possible
- encouraging supporting a work-life balance
- understanding the potential impact of witnessing and reporting an incident of harassment on the broader work area and College
- monitoring potential for, and acting promptly on, bullying, harassing or discriminatory behaviour

These individuals with educational oversight and supervisory duties responsibilities are in addition to their responsibilities as College members.

3. College role and responsibility

The College will:

- promote an environment in which bullying, harassment and discrimination does not occur
- ensure that a fair process in handling complaints submitted to RANZCOG is observed at all times
- initiate complaint procedures within a reasonable time frame
- provide adequate support to ensure that all parties can participate in the resolution process
- ensure any unfair treatment or offending behaviour ceases
- ensure there are no reprisals for having made a complaint
- ensure that where disadvantage has occurred, the situation is redressed as far as possible to
- the complainant's satisfaction

ATTACHMENT B - College Staff Roles & Responsibilities

1. Employees role and responsibilities

Employees are equally responsible for creating a positive, harassment-free workplace by:

- adhering to the College Code of Conduct and incorporating these values in performance agreements
- embracing diversity and supporting an inclusive workplace
- recognising and appreciating different working styles and perspectives
- contributing to open communication and information sharing
- taking seriously any incidents of bullying or harassment both for yourself and other employees and reporting them promptly
- be a supportive bystander

2. Supervisors' role and responsibilities

In addition to employee responsibilities, supervisors are equally responsible for creating a positive, harassment-free workplace by:

- promoting open communication, sharing information
- being approachable and supporting others when required
- not diminishing or seeking to excuse reported instances of bullying, harassment, or discrimination
- providing constructive, regular, reasonable performance guidance
- embracing diversity and supporting an inclusive workplace
- recognising and appreciating different working styles and perspectives
- fostering teamwork and rewarding collaborative behaviour
- allocating duties fairly, setting clear expectations and realistic deadlines
- ensuring employees have the knowledge and skills to perform their role
- providing access to flexible working arrangements
- supporting a work-life balance
- understanding the potential impact of witnessing and reporting an incident of harassment on the broader work area
- monitoring potential for, and acting promptly on, bullying or harassing behaviour
- be a supportive bystander

These supervisor responsibilities are in addition to their responsibilities as an employee of the College.

3. People and Wellbeing Team role and responsibilities

People and Wellbeing will:

- take any College Staff complaint of bullying, harassment, or discrimination seriously
- undertake prompt action to ensure all employees concerned feel safe in the workplace
- conduct informal/formal investigations into any College Staff matter reported
- protect the confidentiality of College Staff who report and/or have experienced harassment or bullying to the extent possible

- afford principles of natural justice to all relevant parties
- facilitate mediation or professional counselling where appropriate
- for formal investigations engage an external investigator where required
- make recommendations to facilitate prompt resolution of all College Staff complaints of bullying and/or harassment
- where appropriate, provide support for a College staff member if the person wants to try and resolve the issue personally
- provide information about available support services, for example, Converge
- raise awareness in the College workplace about the College's policies and procedures in relation to bullying and harassment.

ATTACHMENT C - Examples of Bullying, Harassment & Discrimination

1. Bullying

1.1 Direct Bullying

Examples of behaviour that may be considered **Direct Bullying** includes but is not limited to:

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| <ul style="list-style-type: none"> • physical or verbal abuse or insults against a colleague • Use of intimidation, manipulation, and/or unreasonable and persistent criticism to obtain a favour from a colleague | <ul style="list-style-type: none"> • Senior Registrar belittling, or making offensive and degrading remarks against a Junior Registrar • yelling, screaming, or use of offensive language |
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1.2 Indirect Bullying

Examples of behaviour that may be considered **Indirect Bullying** includes but is not limited to:

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| <ul style="list-style-type: none"> • unjustified criticism or complaints from Superiors • Co-workers deliberately excluding someone from workplace activities • deliberately denying access to information or other resources • Supervisors withholding information that is vital for effective work performance of subordinates • Supervisors setting tasks that are unreasonably above or below a worker's ability | <ul style="list-style-type: none"> • A Senior Registrar deliberately changing work rosters to inconvenience particular Junior Registrar • Training supervisors setting timelines that are exceedingly difficult to achieve for Trainees • excessive scrutiny at work • repeatedly failing to give due credit for work and ideas |
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2. Cyber Abuse

Examples of behaviour that may be considered **cyber abuse** includes but is not limited to:

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| <ul style="list-style-type: none"> • Targeted and persistent personal attacks aimed at ridiculing, insulting, damaging, or humiliating a person, or group of people. This might relate to someone’s physical appearance, religion, gender, race, disability, sexual orientation, and/or political beliefs (‘online hate’ targeting an individual) • Posting someone’s personal information on social media or elsewhere online along with offensive and/or sexual comments — resulting in calls and visits from strangers • Repeatedly sending obscene messages to a person or their family, friends, or work colleagues | <ul style="list-style-type: none"> • Stalking a person online and hacking into their accounts, such as social media, banking, or email accounts (‘cyberstalking’) • Threatening violence or inciting others to do the same — such as threats of death and sexual assault that might lead to physical contact and/or assault • Sharing intimate or sexual photos or videos online without consent — either to humiliate or shame someone, or for the ‘entertainment’ of others (this is also known as image-based abuse) • Encouraging someone to self-harm and/or suicide |
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3. Harassment

Examples of behaviour that may be considered **harassment** includes but is not limited to:

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| <ul style="list-style-type: none"> • Training Supervisor’s persistent and unjustified criticism against a Trainee • An International Medical Graduate being subjected to constant humiliation by a Consultant comparing their knowledge as inferior to an Australian Medical Graduate • offensive gossip and defamatory remarks | <ul style="list-style-type: none"> • exclusion from conversations and events • Persistent use of threats to fail a Trainee by a Training Supervisor |
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3.1 Sexual Harassment

Examples of **sexual harassment** include, but are not limited to:

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| <ul style="list-style-type: none"> • sexual advances • requests for sexual favours • verbal or physical contact such as leering, touching, patting, or brushing against a person • telephone, email, text messages or mail that may be sexually explicit, offensive, and obscene | <ul style="list-style-type: none"> • offensive jokes, remarks, spreading rumours of a sexual nature or about a person’s sexual or private life • displays of sexually explicit and offensive material • sexual innuendo |
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3.2 Harassment on the ground of sex

Examples of **harassment on the ground of sex** include, but are not limited to:

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| <ul style="list-style-type: none"> • asking intrusive personal questions against a female colleague about breastfeeding • making inappropriate comments and jokes to a person based on their sex or gender stereotype • displaying images or materials that are sexist, misogynistic or misandrist | <ul style="list-style-type: none"> • making sexist, misogynistic or misandrist remarks about a specific person • requesting a person to engage in degrading conduct based on their sex. |
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4. Discrimination

Examples of **discrimination** include, but are not limited to:

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| <ul style="list-style-type: none"> • Name calling based on a person's sexual preference • Exclusion or isolation by co-workers because of their ethnic background • Denial of opportunities, transfers and promotions based on an • employee's carer responsibilities • Employer/Supervisor's failure to make flexible adjustments to work arrangement for expecting or breastfeeding workers/Trainees | <ul style="list-style-type: none"> • Not being paid the same as someone doing the same job with same experience and qualifications • Employer making unfair assumptions against a pregnant person on what they can or cannot do • harassing or bullying a person because of their age • An International Medical Graduate being subjected to taunts or abuse because of their accents and mannerisms |
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5. Reasonable Management Action

Examples of **reasonable management action** includes but is not limited to:

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| <ul style="list-style-type: none"> • setting realistic and achievable performance goals, standards, and deadlines • fair and appropriate allocation of working hours • transferring a worker to another area or role for operational reasons • deciding not to select a worker for a promotion where a fair and transparent process is followed • informing a worker about unsatisfactory work performance in an honest, fair, and constructive way | <ul style="list-style-type: none"> • informing a worker about unreasonable behaviour in an objective and confidential way • implementing organisational change or restructuring • taking disciplinary action including suspension or termination of employment where appropriate or justified in the circumstances |
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If these actions are not conducted in a reasonable manner, they could still be bullying.

ATTACHMENT D - Supportive Bystander

Supportive Bystander

A bystander is someone who sees or knows about bullying or other forms of violence that is happening to someone else.

Bystanders can be either part of the bullying problem or an important part of the solution to stop bullying. Bystanders can act in different ways when they see or know about bullying:

1. Some bystanders take the side of the bully by laughing at the victim, and in turn, encouraging the bully.
2. Some bystanders will give silent approval or encourage the bully by looking on.
3. Some bystanders may watch or know about the bullying but do not do anything. They may not know what to do or are scared. This group of bystanders knows that bullying is not okay.
4. Some bystanders will be supportive and take safe action to stop the bully, find help or support the victim.

Just as we have human rights, we also have responsibilities to respect and protect the rights of others. A supportive bystander will take action to protect the rights of others. A supportive bystander will use words and/or actions that can help someone who is being bullied.

If bystanders are confident to take safe and effective action to support victims, then there is a greater possibility that bullying can stop and the person who is bullied can recover.

People respect those that stand up for others who are bullied but being a supportive bystander can be tough. Sometimes it is not easy to work out how to help safely because bullying happens in different ways and in different places.

There is no one size fits all approach to being a supportive bystander. Here are some suggestions of safe and effective actions that supportive bystanders can take:

- Make it clear to your colleagues that you will not be involved in bullying behaviour
- Never stand by and watch or encourage bullying behaviour
- Do not harass, tease, or spread gossip about others, this includes on social networking sites like Facebook, Instagram, and Twitter
- Never forward on or respond to messages or photos that may be offensive or upsetting
- Support the person who is being bullied to ask for help (e.g., go with them to a place they can get help or provide them with information about where to go for help)
- Report it to their supervisor or the People and Wellbeing team

ATTACHMENT E – Australian & New Zealand BHD Legislation

1. New Zealand

New Zealand Employment Relations Act (2000) New Zealand Human Rights Act (1993)

New Zealand Privacy Act (2020)

New Zealand Protected Disclosure Act (2000)

2. Australia

2.1 Commonwealth Legislation

Workplace Relations Act 1996 Trade Practices Act 1974

Australian Commonwealth Age Discrimination Act (2004) Australian Commonwealth Disability Discrimination Act (1992) Australian Commonwealth Fair Work Act (2009)

Australian Commonwealth Human Rights and Equal Opportunity Act (1986) Australian Commonwealth Privacy Act (1988)

Australian Commonwealth Public Interest Disclosure Act (2013) Australian Commonwealth Racial Discrimination Act (1975) Australian Commonwealth Sex Discrimination Act (1984) Australian Commonwealth Work Health and Safety Act (2011) Australian Human Rights Commission Act (1986)

2.2 State of Queensland

Workplace Health and Safety Act 1995 Whistle-blower Protection Act 1994 Industrial Relations Act 1999 Anti-Discrimination Act 1991

Queensland Health's Code of Conduct Public Service Act 1996 Crime and Misconduct Act 2001

2.3 State of Western Australia

Equal Opportunity Act 1984 (WA) (as amended) Occupational Safety and Health Act 1984 (WA) (as amended)

Occupational Safety and Health Regulations 1996 (WA) (as amended) Public Sector Management Act (1994) (WA) (as amended)

Workers' Compensation and Injury Management Act 1981 (WA) (as amended) Public Sector Code of Ethics Codes of Conduct applicable within WA Health

2.4 State of Victoria

Equal Opportunity Act 1995

Racial and Religious Tolerance Act 2001 Occupational Health and Safety Act 2004 (VIC)

Victorian Crimes Act 1958 (Vic)- section 21A (also known as Brodies Law)

2.5 State of New South Wales

Occupational Health & Safety Act 2000 Anti-Discrimination Act 1977

NSW Health Policy Directives & Guidelines Equal Opportunity Act 1984

2.6 State of South Australia

Occupational Health, safety & Welfare Act 1986

South Australian Equal Opportunity Act 1984

2.7 State of Tasmania

Anti-Discrimination Act 1998

2.8 Northern Territory

Anti-Discrimination Act 1992

The Work Health Act 1986

3. Related RANZCOG Document

- Bullying, Harassment & Discrimination Policy

Version	Date of Version	Pages revised / Brief Explanation of Revision
v1	Nov 2022	Bullying, Harassment and Discrimination Policy
v2	July 2022	Amendments to include examples of Discrimination and Sex-based discrimination
v3	Oct 2022	Amendments to Bullying, Harassment & Discrimination Policy and Resource Guide

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