



Bullying and Harassment Policy

Contents

1	Purpose of Policy	3
2	Commencement of this Policy.....	3
3	Application of this Policy.....	3
4	Prohibition of Bullying and Harassment	3
5	Requirements of you	4
6	What is Bullying and Harassment?	4
7	Victimisation	5
8	What is the "Workplace"?.....	5
9	Complaint Resolution Procedure.....	5
9.1	Informal complaint	6
9.2	Formal complaint	6
10	Possible Outcomes of a Complaint	7
11	Liability	7
12	Breach of this Policy.....	7
13	Effect of this Policy	7
14	Questions	7
15	List of Contact Officers.....	8
16	Variations.....	8

Bullying and Harassment Policy

1 Purpose of Policy

- a) Townsville Basketball Inc (TBI) endeavours to maintain a workplace that is free from bullying and harassment.
- b) This policy establishes standards and procedures to prevent and control exposure to the risks of bullying and harassment.
- c) The policy explains what bullying and harassment are and sets out a complaints resolution procedure to be followed if there is a complaint of a breach of this policy, including details of what action can be taken once the complaint has been made.

2 Commencement of this Policy

This policy will commence from 15 November 2024. It replaces all other bullying and harassment policies (if any and whether written or not).

3 Application of this Policy

- a) This Policy applies to all TBI's officers, employees, whether full-time, part-time, casual, temporary or voluntary, including all contractors.
- b) This Policy does not constitute a representation by TBI or give rise to contractual obligations. It does not form part of any employee's contract of employment nor any other workplace participant's contract for service.

4 Prohibition of Bullying and Harassment

- (a) TBI considers bullying and harassment of any type unacceptable, and it will not to be tolerated.
- (b) Every person covered by this policy is not permitted to engage in conduct that is prohibited by this policy.
- (c) Each person is encouraged to report any conduct which they think is prohibited by this policy to the TBI General Manager (or to the TBI President if they believe the conduct relates to the TBI General Manager) either as a formal complaint, or to merely bring the matter to TBI's attention. TBI will then determine whether to take the matter further and, if necessary, investigate and take action to stop or redress any bullying or harassing conduct.
- (d) Bullying and harassment is prohibited in relation to employees, contractors and the provision of goods and services. It should not occur in the performance of work by persons employed or engaged by TBI.

5 Requirements of you

TBI requires you to:

- (a) ensure that you do not engage in bullying and harassment or otherwise breach this policy;
- (b) treat people with respect and courtesy and at all times in a fair manner;
- (c) respect each other's privacy and avoid offensive comments or behaviour;
- (d) report any incidences of bullying and harassment in the workplace;
- (e) offer support to anyone who is being bullied and let them know where they can get help and advice; and
- (f) maintain complete confidentiality of information and cooperate during the resolution or investigation of a complaint.

6 What is Bullying and Harassment?

- (a) Bullying and harassment (also known as workplace harassment) is the repeated behaviour, other than behaviour amounting to sexual harassment, by a person, including a co-worker or group of co-workers, of the person that:
 - (i) is unwelcome and unsolicited;
 - (ii) the person considers to be offensive, intimidating, humiliating or threatening; and
 - (iii) a reasonable person would consider to be offensive, intimidating, humiliating or threatening.
- (b) Examples of bullying and harassment include:
 - (i) abusing a person loudly, usually when others are present;
 - (ii) repeated threats of dismissal or other severe punishment for no reason;
 - (iii) constant ridicule and being put down;
 - (iv) leaving offensive messages on email or the telephone;
 - (v) sabotaging a person's work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages and getting a person into trouble in other ways;
 - (vi) maliciously excluding and isolating a person from workplace activities;
 - (vii) persistent and unjustified criticisms, often about petty, irrelevant or insignificant matters;
 - (viii) humiliating a person through gestures, sarcasm, criticism and insults, often in front of customers, management or other workers; and

- (ix) spreading gossip or false, malicious rumours about a person with an intent to cause the person harm.
- (c) The above examples may be regarded as bullying and harassment if the behaviour is repeated or occurs as part of a pattern of behaviour. This is not an exhaustive list; however, it does outline some of the more common types of harassing behaviours.
- (d) Bullying and harassment is not:
 - (i) legitimate and reasonable management action and business processes such as actions taken to transfer, demote, discipline, redeploy, retrench or dismiss a worker. These actions are not considered to be bullying or harassment, provided they are conducted in a reasonable way;
 - (ii) a single instance of harassing type behaviour (unless the behaviour includes physical abuse or exceptionally cruel or malicious behaviour); or
 - (iii) acts of unlawful discrimination or sexual harassment. For further information on these, please refer to the TBI Anti-Discrimination Policy.
- (e) Bullying and harassment can have detrimental effects on workers and TBI's business. It can create an unsafe working environment, result in a loss of trained and talented workers, the breakdown of teams and individual relationships and reduced efficiency. People who are bullied can become distressed, anxious, withdrawn and depressed, and can lose self-esteem and confidence.

7 Victimisation

- (a) This policy prohibits victimisation of a complainant, the alleged bully or any person who acts as a witness to a complaint.
- (b) Victimisation means to subject a person to detriment because they made or are a witness to or otherwise involved with the complaint. If a complaint of victimisation is made, it will be dealt with according to the Complaints Resolution Procedure set out in clause 9 of this policy.

8 What is the "Workplace"?

For the purposes of this policy the "workplace" may include working off-site, off-site activities such as sub-contracting arrangements, and any work-related event or function including work-related conferences, sponsor and internal staff dinners, lunches, drinks or "get-togethers", and TBI social activities. Conduct covered by this policy does not have to occur within business hours.

9 Complaint Resolution Procedure

- (a) The objectives of the complaint resolution procedure are to:

- (i) provide a mechanism within which individuals can raise a legitimate complaint without fear of retribution and have it effectively handled;
 - (ii) provide an opportunity for individuals to be made aware of their unacceptable behaviour and to take corrective action; and
 - (iii) prevent the behaviour from reoccurring while respecting the rights of both the complainant and the alleged bully.
- (b) Raise any complaint early with the TBI General Manager (or with the TBI President if the complaint relates to the TBI General Manager), who will speak to the complainant about the complaint and the options under the complaint resolution procedure. It is easier to resolve a problem if it is raised early.
 - (c) Complaints are treated seriously and dealt with promptly.
 - (d) The complaint resolution procedure has an informal process and a formal process.

9.1 Informal complaint

- (a) The complainant may approach the alleged bully personally or via another person on their behalf, to tell them that their behaviour is not appreciated, and the complainant would like it to cease.
- (b) It is often the best way to resolve a complaint and to move on. The other person may not realise that the complainant is offended by their behaviour, and this gives them the opportunity to take corrective action with fewer people involved.
- (c) If the conduct does not stop, the complainant may raise a formal complaint.

9.2 Formal complaint

- (a) A formal complaint may be lodged. This may occur without an informal process being undertaken or if the informal process did not produce a resolution. As a guide:
 - (i) formal complaints should be made to the TBI General Manager (or to the TBI President if the complaint relates to the TBI General Manager);
 - (ii) TBI will consider and appropriately investigate the complaint if it is deemed appropriate in the circumstances;
 - (iii) depending on the circumstances of the complaint, the alleged bully may be sent home on full pay during the investigation;
 - (iv) the complainant may be asked to clarify or provide more detail in relation to the complaint;
 - (v) details of the complaint will be communicated to the alleged bully, and they will be given the opportunity to respond;

- (vi) other witnesses may be interviewed, and evidence considered; and
- (vii) TBI will form a view as to whether the complaint is substantiated and the appropriate outcomes.

10 Possible Outcomes of a Complaint

- (a) If the complaint is found to be unsubstantiated, no further action will be taken unless it is found to have been false or vexatious, in which case disciplinary action may be taken against the complainant.
- (b) If a complaint is found substantiated, the possible outcomes include:
 - (i) providing the complainant with counselling or time off work;
 - (ii) action to redress the bullying and harassment behaviour;
 - (iii) mediation;
 - (iv) apology;
 - (v) agreed forms of future behaviour;
 - (vi) counselling the bully;
 - (vii) giving the bully a verbal or written warning;
 - (viii) terminating the employment/engagement of the bully, including summary dismissal; and
 - (ix) other disciplinary action.

11 Liability

You may be liable for a breach of this policy and the law if you engage in discrimination or harassment in breach of this policy or if you request, instruct, induce, encourage, authorise or assist another person to engage in such conduct.

12 Breach of this Policy

Failure of any employee to comply with this policy may result in disciplinary action, which may include summary dismissal.

13 Effect of this Policy

This policy may be raised by TBI in legal proceedings, but it does not create or contribute in any way to legally binding obligations on TBI.

14 Questions

If you have any questions about your rights or obligations under this policy or the effect of this policy, you should speak to one of the Contact Officers.

15 List of Contact Officers

Name	Title	Phone Number	Email Address
Scott Bird	TBI General Manager	0400 032 428	GM@townsvillebasketball.com
Dale Steele	TBI President	0428 495 114	president@townsvillebasketball.com

16 Variations

TBI reserves the right to vary, replace or terminate this Policy from time to time.

Policy version and revision information

Policy authorised by:	Dale Steele	Original issue:	05 February 2025
Title:	President		
Policy maintained by:	Scott Bird	Current version:	Version 1
Title:	General Manager		
Review date:	05 February 2027		

Employee/contractor acknowledgment

I acknowledge:

- receiving and understanding the effect of the Bullying and Harassment Policy;
- my agreement to comply with the Bullying and Harassment Policy; and
- that there may be disciplinary consequences if I fail to comply which may result in the termination of my employment or engagement.

Signed by _____ (employee name) on _____ (date)

Signature