

Bullying & Harassment Policy for Council Members, Committee Members & Candidates

Responsible Directorate	Office of the CEO
Responsible Section	Governance
Responsible Officer	CEO

1 PURPOSE

- A The City of Nedlands is committed to creating a place where everyone is treated with dignity and respect and are safe to express their identities. Bullying and harassment is recognised as a leading psychosocial hazard that can have a significant impact on a persons health and wellbeing.
- B The purpose of this policy is to provide further clarification as to the types of behaviours which may be considered as bullying or harassment.
- C This policy is a supporting document to the Code of Conduct Council Members, Committee Members & Candidates (**Code**) and should be read in conjunction with the Code.

2 SCOPE

- A This policy applies to all Council Members and Candidates.

3 POLICY TEXT

3.1 Definitions

- A Definitions as contained in the Code apply to this Policy.

3.2 Bullying

- A Bullying can be defined as unsolicited or unwelcome repeated, unreasonable or inappropriate behaviour directed towards a person or group of people that creates a risk to health and safety.
- B Repeatedly behaving unreasonably may include a range of unreasonable behaviours over time and does not need to be the same behaviour repeated.

- C Examples of unreasonable behaviour may include, but are not limited to:
- i abusive, insulting and/or offensive language or comments
 - ii unjustified criticism
 - iii spreading gossip or false and malicious rumours about a person
 - iv aggressive and intimidating conduct
 - v acting in an unpleasant way near or towards someone
 - vi withholding information or equipment that is needed for work
 - vii a person treating one or more people in the workplace less favourably, either directly or indirectly, may be considered unreasonable and inappropriate
 - viii setting unreasonable timelines or constantly changing deadlines without justification
 - ix setting tasks that are unreasonably below or beyond a person's skill level
 - x teasing a person or playing practical jokes on them
 - xi pressuring or coercing someone to behave inappropriately, including by an individual or by a group.
- D Bullying can happen face to face, over the telephone, online (eg via social media platforms) via email or during daily work activities.
- E Bullying can be "direct" (overt or obvious) and "indirect" (subtle or covert).
- F Legitimate management action and giving lawful directions and feedback is not bullying.

3.3 Harassment

- A Harassment occurs when someone engages in conduct that would make a reasonable person feel offended, humiliated or intimidated because of their age, race, religion, gender, gender expression, sexual orientation or some other attribute specified under anti-discrimination legislation including the *Equal Opportunity Act 1984* (WA).
- B It does not matter whether the person engaging in the behaviour intended to cause the other person to feel offended, humiliated or intimidated.

- C Examples of behaviours which may be considered harassment include, but are not limited to:
- i making rude remarks, derogatory comments, insults, or taunts
 - ii making unwanted physical contact
 - iii mimicking someone
 - iv telling jokes based on negative stereotypes
 - v displaying or sharing offensive material
- D A lack of objection to the behaviour at the time does not mean that the behaviour is welcome, or that it is acceptable to continue or happen again. A single, one off incident is enough to constitute harassment. The behaviour does not have to be repeated, but if it is repeated, it may also amount to bullying.

3.4 Breach of this Policy

- A A breach of this policy is a breach of clause 9(a) of the Code and complaints in relation to the same will be dealt with in accordance with the Code.

Document Control box			
Document Responsibilities:			
Owner:	Chief Executive Officer	Owner Business Unit:	Office of the Chief Executive Officer
Inception Date:	22 April 2025	Decision Maker:	Council
Review Date:	2027	Repeal and Replace:	N/A
Compliance Requirements:			
Legislation:	Local Government Act 1995 (WA) Equal Opportunity Act 1984 (WA) Code of Conduct for Council Members, Committee Members and Candidates		
Delegation:	Nil.		
Council Plan 2023 - 2033	Pillar – Performance Outcome – Effective leadership and governance		