**April 2020**

# Bullying in the workplace

Bullying in the workplace is defined as ‘repeated, unreasonable behaviour directed towards a worker or group of workers that creates a risk to health and safety’. A single incident or reasonable workplace action is not bullying.

Complete this form and send it to the NSW Resources Regulator if what happened to you meets the definition of bullying and:

* you have reported it to your workplace and there has been no action, or you believe the action taken was inappropriate, or
* you are unable to report it in your workplace because there is no procedure or you are concerned for your health and safety.

The Regulator will assess the information you provide before deciding on the most appropriate course of action, which may include:

* consulting with the parties involved
* advising and guiding the workplace on how to prevent and respond to bullying
* referring the matter to another agency if it falls outside the regulator’s jurisdiction
* gathering more information in relation to possible breaches of work health and safety legislation
* taking no further action.

# Personal details

|  |  |  |  |
| --- | --- | --- | --- |
| (The person raising the issue with NSW Resources Regulator)First name |       | Last name |       |
| Salutation | [ ]  Mr [ ]  Mrs [ ]  Ms [ ]  Miss [ ]  Dr [ ]  Other:       |
| Home address |       |
| Postal address |       |
| Email address |       |
| Home telephone |       | Mobile |       |
| Are you the person who was allegedly bullied? | Yes       | No       |
| If NO, please supply the name and contact details of the person who was allegedly bullied |
| First name |       | Last name |       |
| Home telephone |       | Mobile |       |
| Do you have the consent of this person to raise this issue with the NSW Resources Regulator? | Yes       | No       |

# Consent

|  |  |  |
| --- | --- | --- |
| Do you consent to the NSW Resources Regulator raising this issue of alleged bullying with the relevant workplace parties?(If NO, the regulator cannot take any action. Do not continue to complete this form) | Yes       | No       |
| Do you consent to the Regulator making the workplace parties aware that the issue has been raised by you?(If NO, please be aware that the workplace parties may assume that the issue has been raised by the person being bullied) | Yes       | No       |

# Workplace details (where the alleged bullying occurred)

|  |  |
| --- | --- |
| Business name |       |
| Address |       |
| What industry is the business in? |       |
| Where did the alleged bullying occur? |       |

# Details of the alleged bullying

|  |
| --- |
| Who did the alleged bullying? Provide name and position of all persons      |

Provide some information about the alleged bullying. Listed below are some examples of unreasonable behaviours that may be considered bullying, when part of a repeated pattern of events. Tick any of these that are relevant to you and add some detail. You can add other examples.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Tick** | **Possible behaviour** | **Name of any witness (if any)** | **Date(s) it occurred** | **Is it in writing?** |
| [ ]  | Abusive, insulting or offensive language or comments |       |       |       |
| [ ]  | Undue criticism |       |       |       |
| [ ]  | Spreading misinformation or malicious rumours |       |       |       |
| [ ]  | Excluding, isolating or marginalising a person from normal work activities |       |       |       |
| [ ]  | Unreasonably overloading a person with work or not providing enough work |       |       |       |
| [ ]  | Setting tasks that are unreasonably below or beyond a person’s skill level |       |       |       |
| [ ]  | Denying access to information, supervision, consultation or resources such that it is detrimental to the worker |       |       |       |
| [ ]  | Other |       |       |       |

# Details of workplace prevention and response

|  |
| --- |
| What is your relationship to the workplace where the alleged bullying occurred (tick all that apply) |
|  [ ]  Worker | [ ]  Ex-worker | [ ]  Health & safety representative | [ ]  Member of the public | [ ]  Union member |
| [ ]  Other (please provide details)       |

# Declaration

|  |  |  |  |
| --- | --- | --- | --- |
| Does the workplace have a policy or procedure on bullying? | Yes [ ]  | No [ ]  | Unknown [ ]  |
| Does the workplace have a policy or procedure for reporting hazards? | Yes [ ]  | No [ ]  | Unknown [ ]  |
| Does the workplace have a policy or procedure on grievance resolution? | Yes [ ]  | No [ ]  | Unknown [ ]  |
| Have you used any of these policies or procedures to raise this matter? | Yes [ ]  | No [ ]  |  |
| If yes, what happened?      |

# Other jurisdictions

|  |  |  |
| --- | --- | --- |
| Have any other organisations been involved in resolving this? | Yes [ ]  | No [ ]  |
| If Yes, which ones? | NSW Police [ ]  | NSW Anti-Discrimination Board [ ]  | Office of Industrial Relations [ ]  |
|  | NSW Ombudsman [ ]  | Fair Work Australia [ ]  | Union [ ]  | Other [ ]  |
| What action has the agency taken?      |

# Making this complaint to the NSW Resources Regulator

What actions or outcome would you like to see as a result of your complaint?

|  |
| --- |
|       |

# Submitting this form

Email this form to cau@planning.nsw.gov.au

Mail: Central Assessment Unit, NSW Resources Regulator, PO Box 344, HRMC, 2310.

|  |
| --- |
| Office use only |
| Entered by |       | Date |       |
| Checked by |       | Date |       |

© State of New South Wales through Regional NSW 2020. You may copy, distribute, display, download and otherwise freely deal with this publication for any purpose, provided that you attribute Regional NSW as the owner. However, you must obtain permission if you wish to charge others for access to the publication (other than at cost); include the publication in advertising or a product for sale; modify the publication; or republish the publication on a website. You may freely link to the publication on a departmental website.

Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (April 2020) and may not be accurate, current or complete. The State of New South Wales (including Regional NSW), the author and the publisher take no responsibility, and will accept no liability, for the accuracy, currency, reliability or correctness of any information included in the document (including material provided by third parties). Readers should make their own inquiries and rely on their own advice when making decisions related to material contained in this publication.

PUB18/90