#

**DRAFT CODE OF PRACTICE**

**Workplace behaviour**

**PUBLIC CONSULTATION SUBMISSION**

Since the previous revision of the *Violence, aggression and bullying at work 2010* code of practice, approximately a decade ago, there has been a significant shift in the state of knowledge about the prevention and management of violence, aggression and bullying within the workplace.

To reflect this shift and ensure the code remains relevant to Western Australian workplaces and beneficial in assisting duty holders to prevent and manage harm to health, the *Violence, aggression and bullying at work 2010* code of practice has been separated into two draft codes – *Workplace behaviours* and *Violence and aggression at work.*

While the *Violence, aggression and bullying at work 2010* code of practice focusses primarily on bullying as an inappropriate or unreasonable workplace behaviour, there is increasing recognition that limiting focus to behaviours that exclusively fit a definition of workplace bullying is problematic and reductive. It also does not convey the complexities of the different contributing factors or recognise the spectrum of workplace behaviours that employees may be exposed to. As these behaviours can also result in harm to health, they consequently need to be prevented and managed in order to create a mentally healthy workplace.

Therefore, the scope of the draft *Workplace behaviours* code of practice has been expanded beyond bullying to include the range of behaviours that can constitute a risk and increase the harm to employee health.

While the draft *Violence and aggression at work* code of practice defines occupational violence and aggression, and the means by which it can occur, its focus is upon externally perpetrated violence and aggression (e.g. carried out by clients, customers and patients, etc.). This is because while the definition of violence and aggression at work remains the same whether it is internally or externally perpetrated, externally perpetrated violence and aggression requires different controls and mechanisms than those used for internal violence and aggression.

Occupational violence and aggression that is internally perpetrated within an organisation (i.e. between co-workers or a manager and an employee) has controls, risk factors, mechanisms of injury and a general framework that can be applied which align with those used for preventing and responding to reports of inappropriate or unreasonable workplace behaviours. Internally perpetrated violence and aggression at work is therefore covered within the *Workplace behaviours* code of practice.

Consequently, it is important that persons responsible for managing violence and aggression in the workplace would need to refer to both codes of practice.

While this public consultation relates to the draft *Workplace behaviours* code of practice, both draft codes have been provided to allow for a comparative review. Please note that Appendix 3 Working from home and family and domestic violence (FDV) of the draft *Violence and Aggression at work code of practice* is currently being considered by the Commission and will change substantially.

**The Commission for Occupational Safety and Health (the Commission) is seeking feedback upon all areas of the draft *Workplace behaviours* code of practice.**

In addition to requesting general comments about the code, the Commission is seeking specific feedback on the following:

1. Do you have any comments about the definitions used in Section 1.2 Types of inappropriate or unreasonable workplace behaviour?
2. Do you have any comments on the inclusion of the following sections?
	* + unresolved conflict
		+ discrimination
		+ harassment
3. Do you have any comments related to the inclusion of the leadership styles presented in Sections 1.2.6.2 and 2.3.2?
4. Would you prefer that the audit tool, currently presented in Appendix 3, form part of the code of practice or sit as separate guidance material outside of the code? Importantly, please provide an explanation for your preference.
5. Is there anything that could be added to the audit tool to better meet your specific organisational needs in relation to implementing the principles of the code?
6. Is there any other information that would be useful to assist your organisation to implement the principles of the code?

The Commission seeks your comments about the draft code of practice from 31 May to 30 August 2021.

**Submissions close: 5.00 pm WST, 30 August 2021.**

*Please use this cover sheet and feedback template to submit your comments to* *safetycomms@dmirs.wa.gov.au*

*Suggested content changes may also be tracked on the Word document and submitted together with this completed template.*

# Section 1: Submission details

|  |  |
| --- | --- |
|  |  |
| Full name: |  |
| Organisation and position (if applicable): |  |
| Email: |  |
| Telephone: |  |
|  |
| **Internet publication** |
| Public submissions may be published in full on the website, including any personal information of authors and/or other third parties in **contained in the submission.** Please tick this box if you wish for your input to remain confidential (that is, you **do not consent** to having your input published on the internet)  |  |
|  |  |  |
|  |
| **Anonymity** |
| Please tick this box if you wish for your input to be treated as anonymous (that is, you **do not consent** to having your name, or the name of your organisation, published on the internet with your input)  |  |
|  |  |  |
|  |
| **Third party personal information** |
| Please tick this box **if your input contains personal information of third party individuals,** and strike out the statement that is not applicable in the following sentence: The third party **consents / does not consent to** the publication of their information.  |  |
|  |  |  |
|  |

# Section 2: Feedback

|  |  |
| --- | --- |
|  |  |
| **Track-changed document submission**  |
| Does this submission contain a **track-changed version** of the draft code? *If yes, submit as a Microsoft Word compatible document (\*.docx)*  |  | Yes |  | No |  |
|  |  |  |

|  |
| --- |
| **General comments** |
|  |

|  |
| --- |
| **Do you have any comments about the definitions used in Section 1.2 Types of inappropriate or unreasonable workplace behaviour?** |
|  |
| **Do you have any comments on the inclusion of the following sections?*** + - **unresolved conflict**
		- **discrimination**
		- **harassment**
 |
|  |
| **Do you have any comments related to the inclusion of the leadership styles presented in Sections 1.2.6.2 and 2.3.2?**  |
|  |

|  |
| --- |
| **Would you prefer that the audit tool, currently presented in Appendix 3, form part of the code of practice or sit as separate guidance material outside of the code? Importantly, please provide an explanation for your preference.** |
|  |

|  |
| --- |
| **Is there anything that could be added to the audit tool to better meet your specific organisational needs in relation to implementing the principles of the code?** |
|  |

|  |
| --- |
| **Is there any other information that would be useful to assist your organisation to implement the principles of the code?** |
|  |

|  |
| --- |
| **Detailed comments** |
| If commenting on specific content, you may wish to use the table below.  |
|  |
| Reference to specific chapter/section/page | Comment |
|  |  |