EMPATHYSE

ADVANCED WORKPLACE BULLYING SOLUTIONS: Individual Counselling and Implementation Guide

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AUTHORS

We are a social enterprise existing specifically to make better workplaces through people-centred innovation to deliver affordable workplace bullying solutions to meet the community needs that are not met in the current market. We are specialist legal, WHS, behaviour, leadership and management consultants who will help you introduce online transformational leadership policies and training, creating a Psychological Safety Culture to stop workplace bullying. The process combines our qualifications and experience with extensive practical and academic evidence-based research and development.

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- Desley has a Master of Occupational Health and Safety (MOHS) from the University of Newcastle.
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- He has more than 15 years of experience as a Detective with the Australian Federal Police, working in Australia and overseas with the United Nations, analysing information and implementing cultural change.
- He has over 20 years of experience as a business Solicitor and Barrister in NSW in his private practice, Burrell Lawyers, creating and implementing business policies and employment contracts.
- He is currently continuing his academic research for a Master of Philosophy at the University of Newcastle with a view to completing his PhD as a leading contributor to the global knowledge on Workplace Bullying.

AUTHORS

FORWARD

This Empathyse ® Advanced Workplace Bullying Solutions: Individual Counselling and Implementation Guide is designed as an advanced supplement to the Empathyse ® Online Workplace Bullying Solutions. It helps in three ways: to assist employees who are having difficulty adjusting to mainstream online training, to assist managers in mentoring and mediating conflict resolution, and as an implementation resource for human resource managers and work health and safety committee members.

Research has shown that broad-based positive behaviour programs are more effective with 80% of the population, while a further 15% will respond to more personalised facilitated training. An additional 5% may need specialised counselling where they are a vital asset to an organisation before recruiting a replacement who fits the values of a psychological safety culture. These figures represent a population. However, about one in ten employees are affected by bullying, meaning they may be targeted by another one in ten employees who are bullies. This is an example of the general rule of thumb in business that 80% of your problems are caused by 20% of the participants. As an Empathyse Employer of Choice ®, you can attract the most talented recruits from that pool of 80% problem-free employees who will respond to broad-based training.

In the meantime, the Empathyse ® Advanced Workplace Bullying Solutions Guide will help existing employees who need additional help to transition to a psychological safety culture. The Guide is separated into seven parts. The introduction identifies the critical Government requirements to eliminate psychosocial hazards that cause workplace bullying injury and the extent of the current problem. The following two chapters explain the policy, training and agreements to encourage positive behaviour for all employees, managers, and invitees. The two authentic leadership chapters provide the skills for managers to offer active commitment. In contrast, the last two chapters help human resource management and work health and safety representatives to implement policies and processes to support a psychological safety culture. Each chapter provides further advanced guidance material to assist.

Individual Counselling and Implementation Guide

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CHAPTER ONE – GOVERNMENT AND ORGANISATIONS

Psychosocial Hazards are the unreasonable behaviour that needs to be stopped to eliminate workplace bullying.

Workplace bullying-related workers' compensation claims have increased in the past ten years, regardless of the introduction of anti-bullying orders in 2013. The rule of law, including legislation, guidelines, employment contracts, and media exposure, formalise informal social norms concerning bullying. Current fair work and work health and safety laws provide an adequate legal framework for organisations to eliminate workplace bullying. However, inconsistent safe work guidelines encourage a social norm of bullying tolerance through safe work regulatory inaction and the incorrect application of fair work limitations and exemptions to the work health and safety duty of care. Safe Work Australia can now fill that gap and change organisational commitment to create Psychological Safety Cultures that eliminate the risk of injury from workplace bullying. This can be achieved by publicising advice on compliance with the new Safe Work Australia Managing Psychosocial Hazard at Work Code of Practice 2022.

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Under the Occupational Health and Safety Act (Vic) 2004 and the harmonised National Work Health and Safety Act 2011, organisations, managers, employees, contractors, and their invitees owe a proactive duty of care to eliminate the risk of injury from bullying. This is in addition to the reactive bullying prevention orders available for employees of companies nationally and other businesses in WA under the Fair Work Act 2009 and Industrial Relations Act (WA) 1979. The Fair Work Act 2009 also provides protective orders and compensation for bullying-related discrimination, unequal pay, unfair or constructive dismissal and sexual harassment of employees in most businesses. Commonwealth, state, and territory safety work regulators are responsible for conducting investigations and prosecutions under health and safety legislation. In contrast, fair work and industrial relations authorities adjudicate workers' applications for protective orders and compensation.

The Safe Work Australia Guide for Preventing and Responding to Workplace Bullying 2016, incorporating the example policy for businesses and the Dealing with Workplace Bullying Worker's Guide 2016 are not enforceable under the work health and safety legislation. They only encourage the minimisation of bullying risk rather than the elimination. The guides incorrectly advise that meeting the minimum requirements to avoid legal liability under the reactive fair work bullying definitions and exemptions will comply with the proactive duty of care under work health and safety legislation. When combined with restricted fair work intervention and safety regulatory inaction, these guidelines foster a negative social norm of workplace bullying tolerance, particularly for management action, small businesses, and single acts of harassment. Combined with a lack of media exposure of the extent of workplace bullying in the community and the ineffective application of legal protections, there is no reinforcement of a belief in consequences for breach of the safety duty of care.

Conversely, the Safe Work Australia Managing Psychosocial Hazards at Work Code of Practice 2022 is an approved code of practice under the Work Health and Safety Act. Courts can use the code as evidence of what is known about risks, assessment, or controls to determine what is reasonably practicable in the circumstances. The code identifies the behaviour that needs to change to prevent workplace bullying and assesses the risk of injury. The code then requires organisations to determine their

own control measures because every workplace is different. However, some psychosocial hazards such as harassment, conflict escalation, discrimination and poor job design are typical to communication between all workers and can be controlled using a standardised, professionally developed third-party solution. Of the psychosocial hazards identified, psychological injury created from exposure to potential physical assault, abuse and traumatic events does require specific security and counselling consideration through employee consultation.

Safe Work Australia needs to revise the Guide for Preventing and Responding to Workplace Bullying 2016 and Dealing with Workplace Bullying Worker's Guide 2016 to describe the requirements of the Managing Psychosocial Hazards at Work Code of Practice 2022. This will provide guidelines designed to eliminate the risk of workplace bullying before it happens proactively. With proper media exposure, this revised guidance on workplace bullying compliance, consistent with the Work Health and Safety legislation duty of care, can encourage positive behaviour as a new social norm to develop psychological safety cultures in organisations of all sizes. Organisations can then take advantage of the reduction in unnecessary sick leave, compliance and recruiting costs to increase productivity. Using these revised Safe Work bullying guidelines and risk elimination codes of practice, safety regulators can reinforce a belief in consequences for breach of duty through compliance action and reporting statistics on the progress toward eliminating psychological harm to workers.

THE EXTENT OF WORKPLACE BULLYING

There are four levels of bullying protection. Traditionally, organisations have relied on workplace and safety regulators to stop workplace bullying. A positive behaviour policy is designed to apply the safety duty of care, encouraging positive behaviour to create a psychological safety culture. This expands the gold standard of a 'safety culture' to protect workers from bullying before it worsens to cause psychological harm.

Workplace relations laws and regulators like the Fair Work Commission in Australia enforce workplace bullying protections. For the most severe cases, they are to set an example of what bad behaviour will not be tolerated. They often require bullying to be repeated before action can be taken. By then, it may be too late to stop it before harm is done. Unreasonable behaviour includes victimising, humiliating, intimidating or threatening. There is often a reasonable management action exemption so organisations can tell workers how to do their jobs. Other workplace relations laws stop bullying, discrimination, unfair dismissal, gender harassment and pay inequality. Clinical bullying shows what causes actual psychological injuries. Conflict includes job-related conflict and interpersonal conflict. Interpersonal conflict is always destructive. Predatory harassment includes discrimination aimed at any outsider. It is more than the listed protected groups under discrimination and includes all vulnerable employees. Work environment includes unreasonable targets and workloads, task or role conflict, denying resources or information and harsh performance management forcing workers to resign. If you recognise these risks, then work health and safety laws give you the duty to stop causing psychological injury.

 Conflict resolution training helps the parties solve conflict early. All-inclusive equal employment opportunity policies are fairer to everyone rather than limited groups, and Strategic human resource management justifies decisions based on the strategic goals set by top management. A positive behaviour policy provides a list of good behaviour instead of saying that bad behaviour is OK.

The Positive Behaviour policy includes The Code of Reasonable Conduct, listing the positive behaviours encouraged by the organisation rather than what negative behaviours will be considered acceptable. An inclusive equal opportunity policy extends equal employment opportunities to all vulnerable employees. A strategic

human resource policy helps make performance management fair to meet the organisation's overall plan. The Workplace bullying policy lets you know what to do if bullying can't be stopped. These policies are all enforceable under an employment contract to ensure any breaches can be fixed quickly.

ANNEXURE - MANAGING PSYCHOSOCIAL HAZARDS AT WORK CODE OF PRACTICE JULY 2022

Managing psychosocial hazards at work

Code of Practice

JULY 2022

Contact information

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Foreword

This Code of Practice on managing psychosocial hazards at work is an approved code of practice under section 274 of the *Work Health and Safety Act* (the WHS Act).

An approved code of practice provides practical guidance on how to achieve the standards of work health and safety required under the WHS Act and the *Work Health and Safety Regulations* (the WHS Regulations), and effective ways to identify and manage risks.

A code of practice can assist anyone who has a duty of care in the circumstances described in the code of practice. Following an approved code of practice will assist the duty holder to achieve compliance with the health and safety duties in the WHS Act and WHS Regulations, in relation to the subject matter of the code of practice. Like regulations, codes of practice deal with particular issues and may not cover all relevant hazards or risks. The health and safety duties require duty holders to consider all risks associated with work, not only those for which regulations and codes of practice exist.

Codes of practice are admissible in court proceedings under the WHS Act and WHS Regulations. Courts may regard a code of practice as evidence of what is known about a hazard, risk, risk assessment or risk control and may rely on the code in determining what is reasonably practicable in the circumstances to which the code of practice relates. For further information see the Interpretive Guideline: *The meaning of 'reasonably practicable'*.

Compliance with the WHS Act and WHS Regulations may be achieved by following another method if it provides an equivalent or higher standard of work health and safety than the code.

An inspector may refer to an approved code of practice when issuing an improvement or prohibition notice.

Scope and application

This Code is intended to be read by a person conducting a business or undertaking (PCBU). It provides practical guidance to PCBUs on how to manage psychosocial health and safety risks at work.

This Code may be a useful reference for other persons interested in the duties under the WHS Act and WHS Regulations.

This Code applies to the performance of work and to all workplaces covered by the WHS Act.

How to use this Code of Practice

This Code includes references to the legal requirements under the WHS Act and WHS Regulations. These are included for convenience only and should not be relied on in place of the full text of the WHS Act or WHS Regulations. The words 'must', 'requires' or 'mandatory' indicate a legal requirement exists and must be complied with.

The word 'should' is used in this Code to indicate a recommended course of action, while 'may' is used to indicate an optional course of action.

Introduction

Psychosocial hazards can cause psychological and physical harm. On average, work-related psychological injuries have longer recovery times, higher costs, and require more time away from work. Managing the risks associated with psychosocial hazards not only protects workers, it also decreases the disruption associated with staff turnover and absenteeism, and may improve broader organisational performance and productivity.

Psychosocial hazards at work

Psychosocial hazards are hazards that:

- arise from or in relation to:
    o the design or management of work
    o the working environment
    o plant[1] at a workplace, or
    o workplace interactions or behaviours; and
- may cause psychological and physical harm.

Psychosocial hazards and the appropriate control measures may vary between workplaces and between groups of workers, depending on the work environment, organisational context and the nature of work.

Psychosocial hazards that may arise at work

- Job demands
- Low job control
- Poor support
- Lack of role clarity
- Poor organisational change management
- Inadequate reward and recognition
- Poor organisational justice
- Traumatic events or material
- Remote or isolated work
- Poor physical environment
- Violence and aggression
- Bullying
- Harassment including sexual harassment
- Conflict or poor workplace relationships and interactions

Appendix A *Job characteristics, design and management* and Appendix B *Harmful behaviours* provide further guidance and examples for each hazard.

Psychological harm or injuries from psychosocial hazards include conditions such as anxiety, depression, post-traumatic stress disorder (PTSD) and sleep disorders.

Physical injuries from psychosocial hazards include musculoskeletal injury, chronic disease, and physical injury following fatigue-related workplace incidents.

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[1] WHS laws use the term plant to describe machinery, equipment, appliances, containers, implements and tools, any part of those things or anything fitted or connected to those things.

> **How do psychosocial hazards cause harm?**
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> Psychosocial hazards can create stress. Stress is the body's reaction when a worker perceives the demands of their work exceed their ability or resources to cope.
>
> Stress creates a physiological and psychological response in the body by releasing adrenaline and cortisol, raising the heart rate and blood pressure, boosting glucose levels in the bloodstream and diverting energy from the immune system to other areas of the body.
>
> Stress itself is not an injury but if it becomes frequent, prolonged or severe it can cause psychological and physical harm.
>
> Some hazards cause stress when a worker is exposed to the risk of that hazard occurring as well as when they are directly exposed to the hazard itself. For example, workers exposed to workplace violence are likely to experience stress if they perceive that the risk has not been controlled, even if the violence does not occur again. In this situation, despite the hazard rarely occurring, the stress itself may be prolonged.

Work health and safety duties

Person conducting a business or undertaking

> **WHS Act section 19**
>
> Primary duty of care
>
> **WHS Regulations Division 11**
>
> Psychosocial risks
>
> **WHS Regulations Part 3.1**
>
> Managing risks to health and safety

A PCBU must ensure, so far as is reasonably practicable, workers and other persons are not exposed to risks to their psychological or physical health and safety. A PCBU must eliminate psychosocial risks in the workplace, or if that is not reasonably practicable, minimise these risks so far as is reasonably practicable.

For more information see the Interpretive Guideline: *The meaning of 'reasonably practicable'*.

The WHS Regulations include specific requirements for PCBUs to manage risks arising from psychosocial hazards.

Under the WHS Regulations, to manage psychosocial risks, a duty holder must:

- identify reasonably foreseeable hazards that could give rise to psychosocial risks
- eliminate risks, so far as is reasonably practicable
- if it is not reasonably practicable to eliminate the risks – minimise the risks so far as is reasonably practicable
- maintain implemented control measures so they remain effective, and
- review, and if necessary revise, control measures so as to maintain, so far as is reasonably practicable, a work environment that is without risks to health and safety.

In determining control measures to be implemented, a PCBU must have regard to all relevant matters, including:

- the duration, frequency and severity of the exposure of workers and other persons to the psychosocial hazards
- how the psychosocial hazards may interact or combine
- the design of work, including job demands and tasks
- the systems of work, including how work is managed, organised and supported
- the design and layout, and environmental conditions, of the workplace, including the provision of:
    o safe means of entering and exiting the workplace
    o facilities for the welfare of workers
- the design and layout and environmental conditions of workers' accommodation
- the plant, substances and structures at the workplace
- workplace interactions or behaviours, and
- the information, training, instruction and supervision provided to workers.

Officers

WHS Act section 27

Duty of officers

Officers, such as company directors, have a duty to exercise due diligence to ensure the PCBU complies with its duties under the WHS Act and WHS Regulations. For psychosocial risks this means the officer must take reasonable steps to:

- acquire and keep up-to-date knowledge of psychosocial work health and safety matters
- gain an understanding of the nature of the operations of the business or undertaking of the PCBU and generally of the psychosocial hazards and risks associated with those operations
- ensure the PCBU has available for use, and uses, appropriate resources and processes to eliminate or minimise psychosocial risks from work carried out by the business or undertaking
- ensure the PCBU has appropriate processes for receiving and considering information regarding incidents, psychosocial hazards and risks to health and safety and responding in a timely way to that information
- ensure the PCBU has, and implements, processes for complying with any duty or obligation they have under the WHS Act and WHS Regulations, and
- verify the provision and use of the resources and processes mentioned above and that they are performing effectively.

For information on officers and their duties see the Interpretive Guideline: *The health and safety duty of an officer under section 27*.

Workers

WHS Act section 28

Duties of workers

Workers must take reasonable care for their own psychological and physical health and safety and to not adversely affect the health and safety of other persons. Workers must comply with reasonable

health and safety instructions, as far as they are reasonably able, and cooperate with reasonable health and safety policies or procedures that have been notified to workers.

For example, workers must follow any notified workplace policies setting standards for appropriate behaviour aimed at preventing bullying and harassment.

Other persons in the workplace

WHS Act section 29

Duties of other persons at the workplace

Other persons at the workplace, like visitors, must take reasonable care for their own psychological and physical health and safety and must take reasonable care not to affect other people's health and safety adversely. They must comply, so far as they are reasonably able, with reasonable instructions given by the PCBU to allow them to comply with the WHS Act and WHS Regulations.

For example, a customer in a retail store must not behave violently, nor abuse or harass staff.

Other relevant duties

Other relevant duties under WHS laws are set out throughout this Code of Practice. See Consulting workers, Consulting, cooperating and coordinating activities with other duty holders, Information, training, instruction and supervision, and Remote or isolated work.

WHS laws do not operate in isolation and other laws may also apply. For example, industrial relations, criminal, anti-discrimination, privacy and workers' compensation laws.

Consultation

Consulting workers

WHS Act section 47

Duty to consult workers

A PCBU must consult, so far as is reasonably practicable, with workers who carry out work for the business or undertaking and who are (or are likely to be) directly affected by a work health and safety matter.

If you and your workers have agreed procedures for consultation, it must be conducted in accordance with those procedures.

Effective consultation with workers improves decision-making about health and safety matters and assists in reducing work-related injuries and illness. Workers can identify tasks or aspects of their work that cause or expose them to psychosocial hazards and may have practical suggestions or potential solutions to address those hazards. For example, workers may have ideas to improve work design to minimise the risks of psychological harm.

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The definition of 'worker' under the WHS Act is broad. In addition to employees, it includes anyone working for the business or undertaking, including contractors and their employees, labour-hire workers, outworkers, apprentices, trainees, work experience students and volunteers.

You must consult with workers when assessing risks or making decisions about the psychosocial risks to health and safety including what control measures are implemented.

Workers from diverse backgrounds may be exposed to different psychosocial hazards. You must consult with all workers, in particular workers with vulnerabilities, who are likely to be directly affected by particular psychosocial hazards. For example, women, young workers, those from culturally and linguistically diverse (CALD) backgrounds, LGBTIQA+ workers and workers with disability are more likely to experience workplace sexual harassment and should be provided with the opportunity to participate in these consultations (which may take different forms), along with all workers who are likely to be directly affected.

WHS Act section 48

Nature of consultation

All consultation must include any Health and Safety Representatives (HSRs) representing your workers. References to consultation with workers in this Code includes consultation with any HSRs.

You must provide workers with a reasonable opportunity to raise psychosocial health and safety issues, express their views and contribute to decision-making. You must consider whether existing consultation arrangements are appropriate for psychosocial risks. You must consult with workers and their representatives on implementing new consultation arrangements if required.

When consulting with your workers you must:

- share relevant information
- give workers a reasonable opportunity to express their views, raise health and safety issues and contribute to the decision-making process
- take those views into account before making decisions on health and safety matters, and
- advise workers of the outcome of consultations in a timely manner.

Management commitment and open communication between managers and workers is important in achieving effective consultation. Your workers are more likely to engage in consultation when their knowledge and ideas are actively sought and concerns about psychosocial health and safety are taken seriously. You should encourage workers to:

- share their knowledge and experience, and
- report psychosocial hazards so risks can be managed before an injury occurs.

Effective methods of consultation can vary according to the needs of your workers, workplace size, worker distribution across sites and shifts, the nature of the work and the type of hazards in a workplace. You and your workers should agree the form consultation will take.

For example, consultation could include:

- pre-job-start or toolbox discussions
- focus groups
- worker surveys
- WHS committee meetings
- team meetings, and

- individual discussions.

Each consultation method has benefits and limitations. For example, some forms of consultation are better for workers who do not have regular access to computers, while others allow workers to raise sensitive issues anonymously, or to provide detail and context.

CALD workers may need, or benefit from, different forms of consultation. For example, providing materials and conducting consultation in workers' preferred language(s) and using culturally appropriate people and messages.

Workers may be hesitant to raise and discuss some psychosocial hazards due to privacy or other concerns, particularly in relation to hazards like bullying or sexual harassment. You should consider consultation processes that address such concerns like anonymous surveys or reporting, particularly where workers may be concerned raising safety issues could impact on their employment or career progression.

You may need to use multiple methods of consultation for psychosocial hazards. The form and methods of consultation must be decided in consultation with workers.

WHS Act section 49

When consultation is required

As a PCBU you must consult with workers when:

- identifying hazards and assessing risks to health and safety arising from the work carried out or to be carried out
- making decisions about ways to eliminate or minimise those risks
- making decisions about the adequacy of facilities for the welfare of workers
- proposing changes that may affect the health or safety of your workers, and
- making decisions about procedures for consulting with workers; resolving health or safety issues at the workplace; monitoring health of your workers; monitoring the conditions at the workplace under your management or control and providing information and training for your workers.

However, it may be useful to also consult workers about matters not listed above.

Regular consultation is better than consulting only as issues arise on a case-by-case basis, or as a reaction to a particular event, because it allows you to identify and fix potential problems early. Further guidance is available in the Code of Practice: *Work health and safety consultation, cooperation and coordination*.

Consulting, cooperating and coordinating activities with other duty holders

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WHS Act section 16

More than 1 person can have a duty

More than one person can have the same WHS duty at the same time. The WHS Act requires that where more than one person has a duty for the same matter, each person retains responsibility to

meet their duty in relation to the matter and must do so to the extent to which they can influence and control the matter.

> **WHS Act section 46**
>
> Duty to consult with other duty holders

Duty holders must consult, cooperate and coordinate activities with all other persons who have a WHS duty in relation to the same matter, so far as is reasonably practicable. Where you share a duty (e.g. you share a workplace or are involved in the same activity), each duty holder should:

- exchange information
- find out who is doing what about their respective WHS obligations, and
- work together in a cooperative and coordinated way so risks are eliminated or minimised.

 Consulting, cooperating and coordinating with other duty holders can help you more easily and effectively control risks, and assist each of you to comply with your duty.

For example, both a PCBU who engages workers through a labour-hire company and the labour-hire company who supplies the workers have WHS duties to ensure the health and safety of the workers. They may consult and cooperate as part of contract negotiations about how to minimise psychosocial hazards, such as high job demands, by agreeing realistic timeframes, and ensuring workers have the skills and support to perform the work. Further guidance is available in the Code of Practice: *Work health and safety consultation, cooperation and coordination.*

Overview of the process to manage psychosocial risks

To meet your duties to ensure health and safety, you must eliminate or minimise psychosocial risks so far as is reasonably practicable. To achieve this, just as for any other hazard, you can apply the risk management process described in the Code of Practice: *How to manage work health and safety risks*.

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The risk management process involves four steps:

1. **Identify hazards** - find out what could cause harm (Chapter 3).
2. **Assess risks**, if necessary - understand the nature of the harm the hazard could cause, how serious the harm could be and the likelihood of it happening. This step may not be necessary if the risks and controls are known (Chapter 4).
3. **Control risks** - implement the most effective control measures that are reasonably practicable in the circumstances and ensure they remain effective over time. This means:
   - you must eliminate risks, if reasonably practicable to do so
   - if it is not reasonably practicable to eliminate the risks, implement the most effective control measures to minimise the risks so far as is reasonably practicable in the circumstances, and
   - ensure those control measures remain effective over time (Chapter 5).
4. **Review control measures** to ensure they are working as planned and make changes as required (Chapter 6).

All of these steps must be supported by consultation (see Section 1.3 of this Code).

Risk management requires planning and is an ongoing process. However, considering risks early prevents costly changes later and allows for more effective control measures to be used, resulting in less harm to workers. For example, you should consider psychosocial hazards at the design phase when planning an organisational restructure.

The risk management process may be implemented in different ways depending on the size and nature of your business or undertaking. Larger businesses and those in sectors where workers are exposed to more or higher risks are likely to need more complex, sophisticated risk management and consultation processes.

Before you start the process:

- explain the process
- get commitment and engagement from senior leaders and managers

- identify who needs to be involved, for example managers, workers, HSRs and subject matter experts, and
- decide how the process and its outcomes will be recorded and communicated.

Matters to consider when controlling risks

How long (**duration**), how often (**frequency**) and how significantly (**severity**) your workers are exposed to psychosocial hazards impacts the level of risks. Hazards **interacting** or **combining** with each other may also change the risks.

As you work through the risk management process you must consider things that may give rise to hazards, influence the level of risks workers are exposed to, or could be changed to help control those risks, including:

- **the design of work, including job demands and tasks involved**
  Considering how the work is designed will support you to eliminate hazards at the source and at the organisational level.

  Your workers should have an appropriate amount of work to match their skills and experience. For example, a job designed with too much work for a worker of that skill level to complete with the resources provided, or tasks that do not match that worker's skillset will create hazards. Matching tasks to workers' skills and scheduling non-urgent tasks for times of lower demand may assist to control risks.

- **systems of work, including how work is managed, organised and supported**
  Systems of work are organisational rules, policies, procedures and work practices used to organise, manage and carry out work. These systems can introduce psychosocial hazards, but if carefully considered can also help control them.

  For example, a system of work that does not allow workers to seek assistance from supervisors, or that allocates tasks without regard for other work demands may introduce hazards. A system of work which provides for support and manages job demands may assist to control risks.

- **the design and layout and environmental conditions, of the workplace, including safe means of entering and exiting the workplace and welfare facilities**
  A poor physical working environment can be a psychosocial hazard, however the way a workplace is set up can also control other psychosocial hazards.

  For example, ensuring workers can get away from aggressive customers or can observe when another worker may need assistance.

- **the design and layout, and environmental conditions of workers' accommodation**
  Like the working environment, accommodation provided for workers can introduce or control psychosocial hazards.

  For example, worker accommodation which does not provide adequate privacy or security can contribute to the risk of violence or harassment. Well-designed accommodation can help control these risks.

- **plant, substances and structures at the workplace**
  Plant (e.g. machinery, equipment, appliances and tools), structures and substances used at work can introduce psychosocial hazards where they create a physical hazard that is not adequately controlled. For example, plant can create loud noises, dust and vibrations which creates poor physical environments and contributes to psychosocial risks.

Well-designed and maintained plant can prevent these hazards but can also be used to control other psychosocial hazards. For example, safe plant that allows work to be performed more efficiently can reduce high work demands.

- **workplace interactions or behaviours**
  The way workers interact with each other and other persons in the workplace, their behaviour and relationships can introduce psychosocial hazards. However, supportive leadership, positive relationships and professional and respectful interactions can help to minimise a range of psychosocial hazards.

  Poor organisational culture can hamper efforts to improve work health and safety by preventing workers seeking and providing support and discouraging workers from reporting hazards and participating in consultation. Leaders demonstrating poor behaviour are likely to contribute to poor organisational culture.

- **information, training, instruction and supervision provided to workers**
  Information, training, instruction and supervision may be necessary to implement control measures effectively (see Section 5.2 for further information and relevant duties). They may also assist in controlling some psychosocial risks, for example where low role clarity is creating a risk, information and training on the worker's role will assist in controlling the risks.

Leadership and management commitment

Genuine commitment by the PCBU, officers, and other organisational leaders is essential. These leaders, through their governance arrangements and resourcing decisions, actively shape the organisation and the way work is undertaken. These decisions will, directly and indirectly, impact how effectively you can control psychosocial risks.

This commitment can be built by ensuring leaders understand their duties under WHS laws, the risk management process these require, the business case for effectively managing psychosocial hazards, and the roles of various organisational leaders (e.g. human resources and WHS managers).

Consulting workers throughout the risk management process

At each step of the risk management process you must consult workers who are, or are likely to be, directly affected by a work health and safety matter and any HSR(s). For example, on proposed changes affecting work health and safety such as:

- new policies, procedures and systems of work
- organisational restructures, changes to staffing levels, new reporting arrangements and work locations
- changes to tasks, workload, duties and working arrangements, including rosters
- new technology, plant, equipment, substances, structures and production processes
- the redesign of existing workplaces, or
- changes to the way information, training, instruction and supervision are provided.

Consultation on changes that may affect work health and safety should occur as early as possible.

See Section 1.3 for more information on consultation.

Further guidance on the risk management process is available in the Code of Practice: *How to manage work health and safety risks*.

Identify psychosocial hazards

The first step in the risk management process is to identify psychosocial hazards. This involves identifying the aspects of work and situations that could potentially harm your workers or others at your workplace and why these may be occurring. This step should also assist PCBUs to identify where and when workers are exposed to psychosocial hazards, and if controls are not adequately eliminating or minimising risks from known hazards.

Common psychosocial hazards

Below is a list of some common examples of psychosocial hazards you should consider when identifying psychosocial hazards in your organisation. The list and the examples in the descriptions are not exhaustive. Workers are likely to be exposed to a combination of psychosocial hazards; some risks may be constantly present, while others arise sporadically.

Some hazards by themselves may cause serious harm, such as experiencing workplace violence. In most circumstances, it will be a combination of psychosocial hazards which together may cause harm. Harm can be caused by a single instance or over time with repeated or prolonged exposure.

Hazards can be grouped or described in different ways. How they are categorised is less important than ensuring you and your workers have the same understanding of what is happening and how it may be causing harm.

Hazard	Descriptions
Job demands	Intense or sustained high mental, physical or emotional effort required to do the job. Unreasonable or excessive time pressures or role overload. High individual reputational, legal, career, safety or financial risk if mistakes occur. High vigilance required, limited margin of error and inadequate systems to prevent individual error. Shifts/work hours that do not allow adequate time for sleep and recovery. Sustained low levels of physical, mental or emotional effort is required to do the job. Long idle periods while high workloads are present, for example where workers need to wait for equipment or other workers.
Low job control	Workers have little control over aspects of the work including how or when the job is done.

Hazard	Descriptions
	Workers have limited ability to adapt the way they work to changing or new situations. Workers have limited ability to adopt efficiencies in their work. Tightly scripted or machine/computer paced work. Prescriptive processes which do not allow workers to apply their skills and judgement. Levels of autonomy not matched to workers' abilities.
Poor support	Tasks or jobs where workers have inadequate support including practical assistance and emotional support from managers and colleagues, or inadequate training, tools and resources for a task.
Lack of role clarity	Uncertainty, frequent changes, conflicting roles or ambiguous responsibilities and expectations.
Poor organisational change management	Insufficient consultation, consideration of new hazards or performance impacts when planning for, and implementing, change. Insufficient support, information or training during change. Not communicating key information to workers during periods of change.
Inadequate reward and recognition	Jobs with low positive feedback or imbalances between effort and recognition. High level of unconstructive negative feedback from managers or customers. Low skills development opportunity or underused skills.
Poor organisational justice	Inconsistent, unfair, discriminatory or inequitable management decisions and application of policies, including poor procedural justice.
Traumatic events or material	Experiencing fear or extreme risks to the health or safety of themselves or others. Exposure to natural disasters, or seriously injured or deceased persons. Reading, hearing or seeing accounts of traumatic events, abuse or neglect. Supporting victims or investigating traumatic events, abuse or neglect.
Remote or isolated work	Working in locations with long travel times, or where access to help, resources or communications is difficult or limited.
Poor physical environment	Exposure to unpleasant or hazardous working environments.
Violence and aggression	Violence, or threats of violence from other workers (including workers of other businesses), customers, patients or clients (including assault). Aggressive behaviour such as yelling or physical intimidation.
Bullying	Repeated unreasonable behaviour directed towards a worker or group of workers that creates a risk to health and safety.[2] This includes bullying by workers, clients, patients, visitors or others.
Harassment including sexual harassment	Harassment due to personal characteristics such as age, disability, race, nationality, religion, political affiliation, sex, relationship status, family or carer responsibilities, sexual orientation, gender identity or intersex status.

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[2] Bullying is defined in Safe Work Australia Guidance and the *Fair Work Act 2009 (Commonwealth).*

Hazard	Descriptions
	Sexual harassment - any unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature, in circumstances where a reasonable person, having regard to all the circumstances, would anticipate the possibility that the person harassed would be offended, humiliated or intimidated.[3] Harmful behaviour that does not amount to bullying (such as single instances) but creates a risk to health or safety.
Conflict or poor workplace relationships and interactions	Poor workplace relationships or interpersonal conflict between colleagues or from other businesses, clients or customers. Frequent disagreements, disparaging or rude comments, either from one person or multiple people, such as from clients or customers. A worker can be both the subject and the source of this behaviour. Inappropriately excluding a worker from work-related activities.

Appendix A and Appendix B provide further examples of these hazards.

Barriers that may put some workers at higher risk

Like for physical hazards, some workers may be at greater risk from psychosocial hazards due to barriers to understanding or participating in safety processes. This means there is a greater likelihood or severity of harm for these workers. For example, workers with:

- limited experience in the workplace (e.g. young workers)
- barriers to understanding safety information (e.g. literacy or language)
- perceived barriers to raising safety issues (e.g. power imbalance or stigma), or
- previous exposure to a hazard.

For example, inexperienced workers may not identify harmful behaviours or have the confidence to report them. You could address this by providing more detailed induction training and greater support and supervision until they gain experience and understand these hazards.

Consulting your workers will assist you to identify any groups who are at greater risk, and whether there are additional reasonably practicable controls you must implement to eliminate or minimise the risks for these workers.

Addressing risks to individual workers

It may also be reasonably practicable to accommodate the needs of an individual worker to prevent harm where the worker has disclosed those needs or the PCBU is aware. For example, a worker with an injury or disability may need a quiet work area or different equipment to do their work. As well as making changes for individual workers you must still eliminate or minimise psychosocial risks for all workers so far as is reasonably practicable.

These changes may include, but are not limited to, changing workload and work hours, the nature of work, the work environment, or support and supervision.

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[3] Legal definitions of 'sexual harassment' may vary in each state and territory.

How to identify psychosocial hazards

You must identify all reasonably foreseeable psychosocial hazards arising from the work carried out by your business or undertaking.

As well as identifying common hazards, ensure your process identifies hazards for less common but serious incidents, such as sexual or physical assault.

Examples of psychosocial hazards are included in Appendix A and Appendix B.

Consult your workers

You must consult with your workers (see Section 1.3 of this Code) when identifying hazards to health and safety arising from the work they carry out or are going to carry out.

If your workers are represented by HSRs you must include them in this consultation. HSRs may have specific training in work health and safety, which can assist you to manage risks. HSRs can also provide workers some anonymity which may encourage better engagement on psychosocial hazards.

Your workers may use different terms to describe exposure to psychosocial hazards. For example, they might say they feel:

-    stressed, burnt-out or emotionally exhausted about their workload
-    anxious or scared about talking to or dealing with an aggressive person
-    humiliated, degraded or undermined by sexual harassment or discrimination
-    angry about policies being applied unfairly
-    confused about what their role involves, torn between competing priorities or 'feeling like a failure' for not being able to meet unrealistic expectations, or
-    distressed, unable to sleep, or traumatised by exposure to traumatic situations or content.

Good consultation should allow for differences in how workers may describe hazards and seek to identify the underlying cause. You should provide your workers with information to help them understand and recognise psychosocial hazards.

Use surveys and tools

You can use surveys to gather information from workers, HSRs, supervisors and managers. Surveys are particularly useful when:

-    anonymity is important, this is because anonymous surveys or tools protect workers from stigma or other adverse outcomes when reporting hazards or concerns
-    workers are physically dispersed. For example, they work across multiples sites or shifts
-    you need to consult with a large number of workers
-    workers need time to consider your questions and their response, or
-    workers may struggle to understand or otherwise participate in other forms of consultation.

Surveys must not replace agreed consultation procedures unless agreed with your workers, however they can be used as an additional tool for consultation.

You can seek advice on the tools available from the work health and safety regulator, industry associations, unions, technical specialists and safety consultants.

Medium to large businesses or organisations, particularly those with high psychosocial risks, should consider implementing a validated psychosocial risk assessment process.

Observe work and behaviours

Psychosocial hazards may be identified by observing:

- the workplace (e.g. are workers isolated or exposed to poor conditions)
- the work and how work is performed in practice (e.g. are workers rushed, is work delayed, do certain tasks result in confusion or frequent mistakes), and
- how people interact with each other (e.g. are workers, customers and clients respectful, or are harmful behaviours present).

In some circumstances, poor workplace behaviours may be an inappropriate response to other psychosocial hazards, such as high job demands, lack of role clarity and inadequate support. Also consider whether the workplace culture supports or tolerates harmful behaviours, including lower level (but still harmful) behaviours like name-calling, teasing, sexual or gendered jokes, and crude language.

Review available information

Review relevant information and records which may include:

- records of injuries, incidents or workers' compensation
- worker complaints and investigations
- reports from workplace inspections (e.g. HSR or safety officer walk arounds)
- staffing, resourcing, procurement and refurbishment decisions (e.g. will outsourcing some work increase work demands for another area, like contract managers)
- work systems, policies, governance arrangements and procedures
- duty statements and performance agreements
- records of hours worked (e.g. regular extra hours indicating high work demand)
- absenteeism and turnover data and exit interviews
- Health and Safety Committee (HSC) meeting records, and
- previous psychosocial risk assessments and any material feeding into them.

Not all psychosocial hazards will be associated with reported incidents, so it is important to gather additional information.

Information and advice about psychosocial hazards and risks relevant to particular industries and work activities are available from the work health and safety regulator, industry associations, unions, technical specialists, similar workplaces and safety consultants. Advice is particularly helpful in complex or high-risk situations. For example, where workers are exposed to violence or aggression from a person they owe a duty of care to, such as nurses or teachers.

Look for trends

You may be able to identify trends from the information you collect. Trends may show certain tasks have more hazards associated with them, or some hazards are more common in certain roles. Trends may show workers in a particular location are exposed to more hazards than in other areas, which may indicate a problem with the design of that work area or the way work is carried out there. This can inform your risk assessment.

Have a reporting mechanism and encourage reporting

You should establish a mechanism for workers to report hazards. This should protect the privacy of workers who make reports and allow for anonymous reporting where possible. Your reporting mechanism should suit your business size and circumstances and be proportional to the risks in your

business. For example, a small café could have a board in the kitchen for workers to write up hazards they identify, a locked box for making confidential reports and the duty manager taking reports of any hazards posing an immediate risk.

When hazards aren't being reported

Workers might not report psychosocial hazards because they:

- see them as just 'part of the job' or the work culture

- believe it's not serious enough to report

- feel they do not have time to report frequently occurring hazards

- think reports will be ignored, or not handled respectfully and confidentially

- fear they will be blamed or believe reporting may expose them to additional harm, discrimination or disadvantage, or

- do not know or understand how to report a hazard.

If a worker is being bullied, harassed or is exposed to other harmful behaviours they might not report it when the other person is in a position of authority (e.g. a manager or supervisor) or a position of influence (e.g. a client). Workers may be worried about the consequences of reporting, such as the person finding out about the complaint and the behaviour escalating.

It is important for hazards reported by workers be taken seriously. Workers can be encouraged to report hazards by:

- treating all reports of psychosocial hazards seriously and appropriately
- using agreed mechanisms, such as HSRs who can raise safety concerns for workers anonymously
- regularly discussing psychosocial hazards at team meetings or toolbox talks
- providing workers with a range of accessible and user-friendly ways to make a report informally, formally, anonymously or confidentially
- making it clear that victimising those who make reports will not be tolerated
- training key workers (e.g. supervisors, managers, contact persons and HSRs)
- ensuring processes and systems for reporting and responding to complaints of bullying, harassment or other poor behaviours are appropriate, transparent and well understood, and
- acting decisively to control the risks your workers identify.

Your hazards and risks reporting system should be appropriate and proportional for your organisation and the risks in your workplace. For example, a large organisation with previous instances of violent behaviour should consider a formal system with documented procedures. In contrast, a small business with no previous instances of violent or aggressive behaviour may not require a formal system, and could instead encourage workers to discuss hazards with supervisors as required and have a method of reporting and recording details.

Assess the risks

When should a risk assessment be conducted?

Once you have identified psychosocial hazards in your workplace, the next step is to assess the risks they create. This will help you determine what is reasonably practicable in managing the risks.

You should carry out a risk assessment, in consultation with workers and their HSRs if they have them, for any hazards you have identified. However, if you already know what the risks are and how to control them effectively, you can implement the controls without undertaking a risk assessment and then check to confirm these have been effective.

A risk assessment can help you determine how severe risks are, and therefore what is reasonably practicable in managing the risks. Further information on risk assessments is available in the Code of Practice: *How to manage work health and safety risks*.

How to assess psychosocial risks

To assess the risk of harm, you need to identify the workers affected and consider the duration, frequency and severity of their exposure. Appendix C may assist you to capture this information.

Once you have identified all the hazards you should assess the risks. To do this, consider:

- **Duration** – how long is the worker exposed to the hazards or risks?
- **Frequency** – how often is the worker exposed to the hazards or risks?
- **Severity** – how severe are the hazards and the workers' exposures?

Consider psychosocial hazards collectively rather than in isolation. Workers and others may be exposed to more than one psychosocial hazard at any time and hazards can interact or combine. For example, a worker exposed to aggressive customer behaviour is more likely to be harmed if at that time they do not have other workers present to support them and do not have the control to alter the way they work to de-escalate the situation. Assessing risks collectively may also assist you to identify more effective control measures.

Psychosocial risks increase when exposure to hazards is more severe (e.g. exposure to a traumatic incident), more frequent (e.g. regularly performing tasks without adequate support), or is longer in duration (e.g. high job demands over weeks or months).

The risks also increase when workers are exposed to a combination of the above mechanisms. For example, short term but severe exposure to a psychosocial hazard (e.g. a violent incident) is more likely to harm workers if they are also exposed to chronic (long duration), but less severe hazards (e.g. ongoing low support).

Psychosocial risks can cause both physical and psychological injuries. The severity of psychological injuries varies, but in comparison to physical injuries, on average, they require longer off work and are more costly.

Control the risks

Once you know which psychosocial hazards are present and you have assessed the risks they create, you are in a position to control them.

You must eliminate risks to health and safety if it is reasonably practicable to do so. If it is not reasonably practicable to eliminate the risks, you must minimise risks so far as is reasonably practicable.

Every workplace is different. The best combination of control measures will be tailored to your organisation's size, type and work activities to manage risks during both everyday operations and emergencies. Example control measures are provided in Appendix A and Appendix B.

To determine what is reasonably practicable to manage psychosocial risks:

1.   identify as many possible control measures as you can
2.   consider which of these control measures are most effective, and
3.   consider which controls are reasonably practicable in the circumstances.

Identify and select control measures

Identify possible control measures

To identify what can be done you should, in consultation with your workers, identify as many possible control measures as you can. This gives you the greatest scope to choose and apply the most effective control measures to eliminate or minimise risks. Consultation with workers will assist you to identify control measures you might not otherwise think of.

Consider which control measures are most effective

From the possible control measures you have identified, consider which control or combination of controls will be most effective.

You must first aim to eliminate the risks, so identify any control measures which would achieve this. Then order the remaining controls, or combinations of controls, from most to least effective at minimising the risks. Controls that are reliable and offer the highest level of protection are the most effective.

Minimising the risks can be achieved by changing the:

-    design of work, including job demands and tasks involved
-    systems of work, for example:
     o   allocating tasks to match skills
     o   ensuring sufficient time to complete tasks
     o   support from supervisors and other workers
-    work environment and conditions
-    workplace interactions including ensuring respectful behaviours and relationships, or

- objects or tools used in the task, for example ensuring plant, substances and equipment are safe and fit for purpose.

Physical risks contributing to psychosocial risks can be minimised through relevant substitution, isolation and engineering controls.

Administrative controls and personal protective equipment (PPE) are the least reliable controls and provide the lowest level of health and safety protection. You should consider these last and use them in combination with more effective controls.

For example, policies may be ignored, systems of work may not be understood and followed, and PPE may not always be worn. Further controls, such as supervision, may be needed to make a control more likely to be effective.

Select reasonably practicable control measures

For each of the controls you have identified, consider if it is reasonably practicable to implement in the circumstances. When determining what is reasonably practicable, you must consider all relevant matters, including:

- the likelihood of the psychosocial hazard or the risk occurring
- the degree of harm that might result from the hazards or the risks
- the availability and suitability of ways to eliminate or minimise the risks
- what the person concerned knows, or ought reasonably to know about the hazards or risks, and about the ways of eliminating or minimising the risks, and
- after assessing the extent of the psychosocial risks and the available ways of eliminating or minimising risks, the cost associated with eliminating or minimising the risks, including whether the cost is grossly disproportionate to the risks.

The greater the risks, the more that is required to be done to eliminate or minimise it. This may mean using more than one, or a combination of control measures.

Where psychosocial hazards are only present for short periods, infrequently and are not severe, it may not be reasonable to implement expensive and time-consuming control measures. It may, however, be reasonable to apply less expensive controls.

Multiple control measures may be required. The aim must be to keep trying to lower the likelihood and degree of harm until further steps are not reasonably practicable in the circumstances.

Psychosocial hazards can interact or combine with other psychosocial hazards to increase the risks. This means controlling the risks associated with one hazard can also minimise the risks from other psychosocial hazards.

When considering each control or combination of controls, a duty holder must take into account the likelihood of a particular control being effective.

Cost of control measures

Cost is a matter to be taken into account and weighed up with other relevant matters to identify what is reasonably practicable, but this must only be done after assessing the extent of the risk and the ways of eliminating or minimising it.

Where the cost of implementing control measures is grossly disproportionate to the risks, it may be that implementing them is not reasonably practicable and therefore not required. This does not mean that you are excused from doing anything to minimise the risks. A less expensive way of

minimising the risks must instead be used. If two control measures provide the same level of protection and are equally reliable, you can implement the less expensive option.

The question of what is reasonably practicable is determined objectively, not by reference to your particular business or undertaking's capacity to pay, or other individual circumstances. You cannot provide workers with a lower level of protection simply because you are in a lesser financial position than another PCBU facing the same hazards or risks in similar circumstances.

Your goal to produce a product or provide a service at a particular price cannot override your duty to ensure, so far as is reasonably practicable, the health and safety of your workers and others.

Implementing control measures

It is important to ensure a particular control measure will work before relying on it. You may need to test control measures, provide information, training or instruction to workers and supervise work to ensure control measures are effective.

Test control measures

Testing control measures allows you to ensure they are suitable for your workplace, operate as intended and do not introduce new risks.

You should allow enough time for your workers to adjust to changes (e.g. new work processes) before assessing the effectiveness of control measures. At this stage, you should frequently check with your workers on how they think the improvements are working and supervise workers to ensure controls are implemented effectively.

Information, training, instruction and supervision

WHS Act section 19

Primary duty of care

WHS Regulation 39

Provision of information, training and instruction

As you are planning to implement control measures, you must consider what information, training, instruction or supervision is required to ensure the control measures are effective.

Training must be suitable and adequate, having regard to:

- the nature of the work to be carried out
- the associated psychosocial hazards and risks, and
- the control measures to be implemented.

Training should require workers to demonstrate they are competent in performing the task. It is not sufficient to simply tell a worker about the procedure and ask them to acknowledge they understand and can perform it. Training may include formal training courses, in-house training or on the job training.

For example, if supervisors and managers have a role in implementing workplace policies on addressing harmful behaviours, you must provide them with any training necessary to ensure safety. This may include training, so they know what to do if they witness, experience or have a worker

approach them about violence and aggression, bullying or sexual harassment at work or know who to seek guidance from if they have questions.

Information, training and instruction must be provided in a form all workers can understand, for example training may need to be provided in other languages. Information and instruction may also need to be provided to others who enter the workplace, such as customers or visitors.

The level of supervision required will depend on the risks and the experience of the workers involved. High levels of supervision are necessary where inexperienced workers are expected to follow new procedures or carry out difficult and critical tasks.

Maintenance

You must ensure that control measures are maintained so that they remain effective, including by ensuring they are fit for purpose, suitable for the nature and duration of the work; and set up and used correctly. You should decide what maintenance a control measure will require when you implement the control and establish a schedule for routine checks and maintenance. You may prepare a risk register identifying the hazards, what action needs to be taken, who will be responsible for taking the action and by when.

Workplace policies

Workplace policies can provide important information and help ensure everyone involved understands the business or undertaking's processes for managing psychosocial risks. Policies alone should not be relied on to control psychosocial risks, but they can detail responsibilities and help set clear expectations, particularly about behaviours at the workplace and during work-related activities.

You may have separate policies or one policy that covers several work health and safety issues.

Where you have policies relating to psychosocial risks, these must be developed in consultation with your workers and any HSRs. All workers must be made aware of the policies and what is expected of them.

Controlling risks arising from management action

Management action, such as managing unsatisfactory performance or poor behaviour is a necessary part of conducting a business or undertaking. Management action may also be necessary to prevent or control psychosocial hazards, for example:

- increased demands on other workers due to unsatisfactory performance, or

- behaving in a way that may harm others.

PCBUs may be concerned about balancing the need to undertake performance action with the duty to eliminate or minimise psychosocial risks that may arise from the process, so far as is reasonably practicable. This can be done by:

- addressing psychosocial hazards contributing to unsatisfactory performance or poor behaviour, and

- designing the management process in a way that eliminates or minimises psychosocial risks.

Addressing psychosocial hazards contributing to unsatisfactory performance or poor behaviour

Unsatisfactory performance or poor behaviour may be the result of multiple factors, including psychosocial hazards affecting the worker. Confirming whether all psychosocial hazards have been eliminated or minimised so far as is reasonably practicable will help you to ensure you are meeting your duties. A range of psychosocial hazards can contribute to poor performance and harmful behaviour, such as:

- lack of support or training to perform the role

- lack of clarity on the role and requirements

- poor interpersonal relationships.

Eliminating or minimising psychosocial risks in the management process

You must ensure you have eliminated or minimised any risks in your management process, so far as is reasonably practicable. For example, control risks associated with:

- poor organisational justice by ensuring you apply policies transparently and fairly, and

- poor interpersonal relationships by conducting the process in a respectful and constructive way.

Review control measures

The last step of the risk management process is to review the effectiveness of the implemented control measures to ensure they are working as planned. If a control measure is not working effectively, it must be reviewed and modified or replaced.

Reviewing control measures should be done regularly and is required:

- when the control measure is not eliminating or minimising the risks so far as is reasonably practicable
- before a change at the workplace that is likely to give rise to a new or different health and safety risk that the control measure may not effectively control
- if a new hazard or risk is identified
- if the results of consultation indicate a review is necessary, or
- if an HSR requests a review because they reasonably believe one of the above has occurred and it has not been adequately reviewed already.

Reports, complaints (including informal complaints) or grievances from workers may identify new psychosocial hazards or risks that are not adequately controlled. This should trigger a review of whether your existing control measures are effective, if your response procedures worked the way they were supposed to and whether new risks have been identified that also need to be managed.

Common review methods include inspecting the workplace, consultation, and analysing records and data. You can use the same methods as in the initial hazard identification step to check control measures. You must also consult your workers and their HSRs.

The person reviewing your control measures should have the authority and resources to conduct the review thoroughly and be empowered to recommend changes where necessary. Questions to consider may include:

- Are control measures working effectively, without creating new risks?
- Have workers reported feeling stressed or are they showing signs of harm?
- Have all psychosocial hazards been identified?
- Have risks changed or are they different to what you previously assessed?
- Are workers actively involved in the risk management process?
- Are workers openly raising health and safety concerns and reporting problems promptly?
- Has instruction and training been provided to all relevant workers?
- Are there any upcoming changes that are likely to result in a worker being exposed to psychosocial hazards?
- Are new control measures available that might better control the risks?
- Have risks been eliminated or minimised as far as is reasonably practicable?

If the effectiveness of the control measures is in doubt, go back through the risk management steps, review your information and make further decisions about control measures.

Recording the risk management process and outcomes

You should record your risk management process and the outcomes, including your consultation with workers. This allows you to demonstrate you have met your work health and safety duties and will assist you when you need to monitor or review the hazards you have identified and controls you have put in place.

Your records may include the outcomes of consultation, the hazards you identified, how you assessed the risks, the control measures implemented, and the training provided.

You should select a method of recording the risk management process and outcomes to suit your circumstances. For example, you can use a risk register such as the one in the Code of Practice: *How to manage work health and safety risks* or in Appendix C.

It is also useful to have a record of the processes used to investigate and resolve issues. You could choose to include only high-level information in the general risk register where you are concerned about the need to maintain confidentiality.

A work health and safety inspector may ask to see a copy of records relating to the risk management processes if they visit your workplace. If you do not have a written record, you will need to demonstrate by other means how you have met your duties.

Conducting work health and safety investigations

Any work health and safety investigations into reports of incidents involving psychosocial hazards should primarily aim to identify hazards or new or improved control measures.

Investigations must maintain appropriate privacy and confidentiality of all workers involved to the extent permitted by law. For example, do not discuss reports in public areas or with anyone not involved in the investigation. Ensuring confidentiality should not prevent the parties involved from seeking support.

Nature of investigation

The nature of your investigation should be proportional to the risks and suit the circumstances. When deciding the nature of an investigation consider the:

- level of risks involved
- complexity of the situation, and
- number of workers involved or affected.

A formal investigation may not always be the most effective option. For example, the best response to a single low-level incident may be immediate informal discussions with the workers involved and changes to the relevant control measures. The earlier problems can be identified and addressed, the less likely a formal and complex investigation will be required.

Small businesses may require assistance if a matter is complex or high risk. You can seek advice from the work health and safety regulator, your industry body or a work health and safety expert.

Selecting an investigator

It is important to find an investigator who has the confidence of all parties involved where possible. They should be impartial and have the skills and knowledge to identify psychosocial hazards, assess the risks and recommend appropriate controls.

An external investigator may be required if an impartial internal investigator is not available, for example where a matter involves a senior manager.

Balancing a fair and transparent process

The investigation should be fair, transparent and timely to ensure due process for both those who raised the issue and any workers who have had allegations made about them. Throughout the investigation affected workers should be:

- informed of their rights and obligations during the process
- provided with the opportunity to respond to any allegations made against them
- provided with a copy of relevant policies and procedures
- kept informed about possible outcomes, timeframes, rights of appeal and reviews, and
- provided with adequate and fair support.

Concurrent investigations

Harmful behaviours, such as bullying and harassment can be inappropriate responses from workers exposed to other hazards, for example high job demands and poor support. Where these behaviours breach employment codes of conduct or professional standards you may require a separate investigation into these breaches as a disciplinary matter, as well as a systematic work health and safety investigation looking at any hazards present and ensuring they are controlled.

Where breaches of a code of conduct or professional standard are not proven there may still be an underlying work health and safety risk which needs be controlled.

Appendix A – Job characteristics, design and management

This appendix provides examples of control measures for psychosocial hazards related to job characteristics, design and management, and the working environment and equipment including:

- high or low job demands
- low job control
- poor support
- traumatic events or material
- remote or isolated work
- lack of role clarity
- poor organisational change management
- inadequate recognition
- poor organisational justice, and
- poor environmental conditions.

However, it is not an exhaustive list and you should use the process outlined in this Code to ensure you identify all hazards in your workplace and assess and control the associated risks.

A single or irregular exposure to these hazards may not create psychosocial risks, or the risks may be very low. However, if workers' exposure to a hazard (or a combination of these hazards) is frequent, prolonged or severe it can cause psychological and physical harm.

The controls provided are examples. You must consider what is reasonably practicable to eliminate or minimise the risks in your workplace.

Job demands

Sustained or intense high levels of physical, mental or emotional effort which are unreasonable or chronically exceed workers' skills, or sustained low levels of physical, mental or emotional effort. A job can include periods of high and low job demands. A job can also involve a combination of low or high mental, emotional and physical demands.

Note: Some of these examples of hazards may not create psychosocial risks on their own, but may do so if combined with other hazards. Some hazards may only create risks on their own when severe. Consider all hazards present and the circumstances to determine what is reasonably practicable to manage the risks.

High physical demands may include:

- long, irregular or unpredictable work-hours (e.g. doing shift work or being on call)
- insufficient breaks (e.g. breaks are infrequent, too short, strictly scheduled or regularly interrupted)
- not being able to recover between periods of work (e.g. being expected to work afterhours, be on call, or return to work with insufficient rest and sleep)
- not having opportunities to use leave entitlements
- high workloads (e.g. having too much to do)

- physically demanding, challenging or tiring work (e.g. undertaking hazardous manual tasks or strenuous physical tasks), and
- time pressures or fast paced work (e.g. unreasonable deadlines or computer/machine paced work).

High mental or cognitive demands may include:

- complex tasks frequently or severely exceeding a worker's capacity or competency (e.g. workers' lack the training, resources, skills, authority or experience to reasonably or successfully do tasks)
- sustained levels of concentration or vigilance particularly when accuracy is required or workers are looking for infrequent events (e.g. long-distance driving or security monitoring)
- work where errors may have high reputational, legal, career, safety or financial risks (e.g. air traffic control, medical care or decisions affecting a large number of people)
- absence of systems to prevent individual errors (e.g. relying on workers to memorise information or perform manual calculations without checks), and
- repeatedly or rapidly switching tasks so it is difficult to concentrate and complete tasks (e.g. being frequently interrupted or having to do numerous things at once).

High emotional demands may include:

- responding to distressing or emotional situations (e.g. dealing with confrontation)
- managing other people's emotions (e.g. de-escalating an aggressive situation, undertaking disciplinary processes or assisting people who are distressed)
- providing support or empathy (e.g. conveying bad news, providing advocacy or counselling), and
- suppressing emotions or displaying false emotions (e.g. nursing staff hiding distress for patients or retail workers pretending friendliness with difficult customers).

Low job demands may include:

- having too little to do (e.g. running out of work) or long idle periods where workers cannot perform other tasks (e.g. where a worker must monitor a process and cannot perform other tasks until it is complete)
- highly monotonous or repetitive tasks which require low levels of thought processing and little variety (e.g. packing products or monitoring production lines)
- work that is too easy (e.g. significantly below a worker's skills or abilities), and
- idle periods when high workloads are present (e.g. having urgent work but being unable to proceed until equipment, resources or support become available).

Controlling job demands

Note: These are examples only. You must identify and implement control measures that eliminate or minimise the risks in your workplace, so far as is reasonably practicable.

Job/work design

- Schedule tasks to avoid intense or sustained low or high job demands (e.g. schedule non-urgent work for quieter periods).
- Manage supply chains to avoid large fluctuations in demand (e.g. delays in supplies causing backlogs of orders).
- Plan shifts to allow adequate rest and recovery, particularly between periods of high demand.

Physical work environment

- Design the workplace to eliminate demanding tasks or jobs (e.g. locate the storeroom next to the loading dock so deliveries do not require double handling).
- Provide quiet spaces for workers doing mentally demanding work.

- Implement systems to reduce human error (e.g. use IT systems to capture important information and generate reminders).
- Provide appropriate break areas (e.g. air-conditioned or shady areas for physically demanding work or staff-only areas for workers dealing with difficult customers).

For information on safe physical work environments see the Code of Practice: *Managing the work environment and facilities*. For information on designing structures which will, or could reasonably be, used as a workplace see the Code of Practice: Safe *design of structures*.

Modifying job demands

- Plan your workforce so you have an adequate number of appropriately skilled staff to do the work and so that tasks utilise your workers' skills.
- Roster enough workers to ensure they can take required breaks over long or busy shifts.
- Rotate workers through demanding or repetitive tasks.
- Reschedule non-urgent tasks if demand is unexpectedly high or low.
- Provide additional support during periods of high demand (e.g. provide more workers, better equipment or outsource tasks).
- Schedule enough time for difficult tasks to be completed safely. Inexperienced workers may require additional time, supervision or support.
- Outsource tasks to external companies with the capacity to deliver services safely (e.g. outsource tasks to companies that have appropriately skilled workers or specialised equipment).

Safe work systems and procedures

- Empower workers in situations where they face high emotional demands (e.g. allow discretion in providing refunds where appropriate to avoid customer aggression or distress).
- Have regular conversations about work expectations, workloads, deadlines and instructions to ensure job demands are understood and can be managed.
- Regularly review and update work policies and procedures to avoid unnecessary work (e.g. ensure reporting lines are suitable for current workloads).
- Have systems for escalating problems and getting support from managers.

The worker

- Set achievable performance targets, with consideration for the worker's experience and skills.
- Provide training if required to ensure workers have the skills to meet work demands.
- If emotional demands are an unavoidable part of a worker's role, ensure these are captured in the position description and applicants are informed at the pre-selection stage (e.g. at interview) of the demanding nature of the role.

Low job control

Having little control or say over the work or aspects of the work including how or when the job is done.

Note: Some of these examples of hazards may not create psychosocial risks on their own but may do so if combined with other hazards. Some hazards may only create risks on their own when severe. Consider all hazards present and the circumstances to determine what is reasonably practicable to manage the risks.

Low job control may include:

- requiring permission or sign-off before progressing routine or low risk tasks (e.g. before ordering standard monthly supplies or sending routine internal emails)

- workers' level of autonomy not matching their abilities (e.g. inexperienced and highly skilled workers are given the same level of autonomy)
- prescriptive processes and not allowing workers to apply their skills or judgment (e.g. work is tightly scripted and workers cannot adapt to the specific situation)
- lack of consultation about changes impacting their work (e.g. changing processes for interacting with clients)
- limited scope for workers to adapt the way they work to changing situations or adopt efficiencies in their work (e.g. not allowing workers to adapt processes which do not suit the situation)
- workers have little influence on how they do their work, when they change tasks or take breaks (e.g. work is machine or computer paced)
- workers are unable to avoid dealing with aggression or abuse (e.g. police or healthcare services), and
- workers do not have control over their physical environment (e.g. working in uncomfortable temperatures).

Controlling low job control

Note: These are examples only. You must identify and implement control measures that eliminate or minimise the risks in your workplace, so far as is reasonably practicable.

Job/work design

- Match workers' level of autonomy to their skills and experience.
- Implement consultation arrangements to regularly discuss the work, how it is done and any changes impacting workers.
- Develop governance arrangements and approval processes that balance risks and efficiency to streamline lower risk tasks.
- Design processes and systems to deal with new situations and provide autonomy for workers to apply their judgement when processes are not fit for purpose.

Physical work environment

- Design processes and systems so workers control their workflow (e.g. use electronic systems to filter client queues and give workers control over when the next client is called).
- If work is machine or computer paced, design processes so workers can alter the pace of work, change tasks, or pause the workflow to take breaks.
- Provide workers with reasonable control over their physical environment (e.g. workers can adjust their workstation).

Improving job control

- Plan any regular additional work hours or changes to work in advance with workers (e.g. if additional hours are usually required during peak season, plan this in advance with workers).
- Involve workers in organisational decision-making processes and encourage suggestions for continuously improving work practices.
- Plan deadlines, performance targets, work allocations and work plans in consultation with workers.
- Hold regular team meetings and discuss any work challenges with workers and discuss how problems could be solved.
- Monitor staff in way that is not excessive or punitive.

Safe work systems and procedures

- Create an environment where workers feel empowered to raise safety concerns about work requirements.
- Encourage workers to suggest changes or adopt efficiencies in their work.

- Provide leadership and supervision that supports workers to take reasonable control over their work.

The worker

- Develop a performance management system that ensures workers have input into the way they do their work rather than focusing only on output.
- Hire workers with the right mix of skills and experience for the position including the level of autonomy the job will have.

Poor support

Inadequate support, including insufficient support from supervisors or other workers.

Not having the resources they need to do the job or support work performance.

Note: Some of these examples of hazards may not create psychosocial risks on their own but may do so if combined with other hazards. Some hazards may only create risks on their own when severe. Consider all hazards present and the circumstances to determine what is reasonably practicable to manage the risks.

Poor support may include:

- insufficient, unclear or contradictory information (e.g. necessary information is not passed on or is communicated poorly)
- not having the things to do their job properly or on time (e.g. not having the necessary tools, systems, equipment or resources)
- frequently needing to compete for the things needed to do the job (e.g. where multiple workers need to use equipment at the same time)
- poorly maintained or inadequate tools, systems and equipment (e.g. tools are broken or IT systems do not work as intended)
- inadequate training for the task (e.g. new workers are asked to do complex tasks or workers are expected to use new tools without training)
- jobs where supervisors are unavailable to make decisions or provide support (e.g. they work from a different location or are frequently in meetings)
- inadequate guidance from supervisors or assistance from other workers (e.g. other workers are not available to help safely complete tasks)
- workers cannot ask for help when needed (e.g. workers are not able to pause work, leave their workstations or are working remotely without means to contact supervisors)
- workplace cultures that discourage supervisors or co-workers supporting each other (e.g. highly competitive, insecure, critical, uncooperative or uncollaborative workplaces)
- working environments that discourage discussion (e.g. lack of suitable spaces to discuss sensitive issues or where workers are physically separated)
- limited emotional support or unempathetic leadership (e.g. supervisors do not notice when workers are struggling, do not take issues seriously or provide a safe space to raise issues), and
- infrequent or poor performance feedback and discussions (e.g. feedback is unclear, unhelpful or not provided).

Controlling poor support

Note: These are examples only. You must identify and implement control measures that eliminate or minimise the risks in your workplace, so far as is reasonably practicable.

Job/work design

- Implement good information sharing systems so workers have quick access to the information they need to do their jobs (e.g. ensure databases are kept up to date and are user friendly).
- Design work so supervisors have manageable workloads, sufficient resources and their span of control allows effective supervision (e.g. supervisors have time to answer questions or assist with challenging tasks).
- Establish systems to ensure regular, fair, goal-focused and constructive feedback discussions occur between workers and supervisors to discuss work tasks, and any support or development needs (e.g. implement end of shift debriefs or require supervisors to do quarterly check ins).
- Provide clear management structures and reporting lines (e.g. provide organisational charts or ensure workers understand who to go to for help).

Physical work environment

- Provide workers with the things they need to do their jobs properly and safely (e.g. the right tools, equipment, systems and resources) and ensure workers have sufficient access to them (e.g. they are conveniently located and workers do not need to compete for access).
- Provide workers with access to supervisors (e.g. locate workers close to their supervisor or if working remotely provide tools like videoconferencing).
- Design the work environment to facilitate cooperation and ensure people can ask for help (e.g. workers can easily have discussions with others and there are suitable meeting spaces).

Increasing support

- Hold regular team meetings, and discuss any challenges, issues and support needs (e.g. ask workers about any new challenges or training they may need).
- Build a workplace culture that values collaboration and cooperation instead of competition (e.g. establish team rather than individual goals or praise cooperation).
- Maintain tools, systems and equipment, and review whether they are suitable for the work (e.g. ensure equipment works and consider whether other equipment might work better or more efficiently).
- Schedule meetings to ensure supervisors have availability during workers' usual hours to meet with them so workers can raise issues or ask questions.
- Increase the level of support during peak periods or challenging tasks (e.g. roster more workers on during peak season or check in more often for challenging tasks).
- Backfill roles or redistribute work when workers are out of the office or on leave.
- Design rosters so supervisors are available to help during difficult or busy times.
- Set clear work goals and clearly explain tasks.

Safe work systems and procedures

- Train workers on how to do their jobs and use relevant tools, equipment, systems, policies, or processes.
- Establish open communication (e.g. have an open-door policy) and encourage workers to share concerns early (e.g. by taking their concerns seriously and ensure they have safe spaces to raise them).
- Encourage and reward workers supporting each other.
- Encourage the development of positive working relationships (e.g. invest in team planning and building activities and encourage team discussions).
- Build interpersonal capabilities across the team (e.g. emotional intelligence, conflict resolution, or communication and feedback skills).

- Encourage supervisors to be empathetic in their leadership, including taking workers' concerns seriously, sensitively managing problems and helping when workers are struggling.
- Ensure supervisors understand their role in supervising workers.
- Encourage supervisors to provide timely, task specific, constructive feedback.

The worker

- Hire supervisors with the skills, experience and training to perform their role and support their team.
- Provide development programs to improve supervisors' skills.
- Establish inductions, training and mentoring (e.g. buddy programs) for new workers.

Lack of role clarity

Unclear, inconsistent or frequently changing roles, responsibilities or expectations.

Lack of important job-related information.

Note: Some of these examples of hazards may not create psychosocial risks on their own but may do so if combined with other hazards. Some hazards may only create risks on their own when severe. Consider all hazards present and the circumstances to determine what is reasonably practicable to manage the risks.

Lack of role clarity may include:

- unclear, inconsistent, or frequently changing jobs or role responsibilities
- overlap in responsibilities between workers (e.g. workers are given the same task and are not clear who is responsible for what)
- conflicting, uncertain, or frequently changing expectations and work standards (e.g. workers are given conflicting deadlines or instructions)
- conflicting, unclear or changing reporting lines
- missing or incomplete task information, or
- a lack of clarity about work priorities (e.g. which tasks or stakeholder relationships are most important).

Controlling lack of role clarity

Note: These are examples only. You must identify and implement control measures that eliminate or minimise the risks in your workplace, so far as is reasonably practicable.

Job/work design

- Provide position descriptions that clearly outline all key tasks, responsibilities and role expectations.
- Design management structures with clear reporting lines.
- Provide workers with a single immediate supervisor.
- Detail reporting lines in an organisational chart.

Physical work environment

- Provide a workplace which is compatible with workers' responsibilities (e.g. seat workers with their teams).
- Provide systems, tools and equipment which is compatible with workers' responsibilities (e.g. IT systems with profiles set up for different users and access to programs they need for their role).

Providing role clarity

- Provide clear work instructions and expectations, explain why roles, responsibilities and tasks have been allocated, and ensure workers understand.
- Ensure workers assigned to the same task understand who is doing what.
- Change tasks or processes that frequently create conflict, confusion, or result in frequent mistakes (e.g. provide clearer explanations or redesign the tasks).
- Update job descriptions and any role expectations following changes.
- Implement regular check-ins and encourage open discussion among team members to ensure they are clear about who is doing what.
- Provide all workers with an induction and ensure they understand their role.
- Provide clear guidelines for what to do when expectations do not align (e.g. between workers, workers and supervisors, or workers and clients).
- Implement systems to help workers identify issues or conflicts and resolve them.

Safe work systems and procedures

- Talk to workers to ensure they understand their role, your expectations, who they report to and the organisations work more broadly.
- Encourage feedback on changes that affect workers' job tasks
- Design a performance feedback system where employees receive regular feedback and provide them an opportunity to raise concerns about role clarity.
- Check with employees to ensure they understand any additional or different responsibilities or duties following an organisational change or restructure.

The worker

- Encourage workers to talk to their supervisor or manager early if they are unclear about the scope or responsibilities of their role.
- Provide a realistic job summary and overview during recruitment and selection processes so applicants are aware of the role, expectations and responsibilities.

Poor organisational change management

Organisational change management that is poorly planned, communicated, supported or managed.

Note: Some of these examples of hazards may not create psychosocial risks on their own but may do so if combined with other hazards. Some hazards may only create risks on their own when severe. Consider all hazards present and the circumstances to determine what is reasonably practicable to manage the risks.

Poor organisational change management may include:

- not consulting workers on changes in the workplace (e.g. not talking to workers or genuinely considering their views)
- poor consideration of work health and safety risks or performance impacts of a change (e.g. not considering health and safety risks when downsizing, relocating or introducing new technology or not allowing for drops in productivity while workers learn new processes)
- poorly planned changes (e.g. changes are disorganised, do not have a clear goal or do not account for workers' needs; inadequate communication with stakeholders causing disruption)
- poor communication about planned changes (e.g. allowing rumours to spread without providing timely, authoritative information)

- insufficient information is provided regarding changes (e.g. information is unclear or does not provide enough guidance for workers to understand and engage with the change)
- inadequate support for workers through the change process (e.g. not allowing time for workers to learn new tasks), or
- providing insufficient training to support changes (e.g. how to perform a new role or use a new process).

Controlling poor organisational change management

Note: These are examples only. You must identify and implement control measures that eliminate or minimise the risks in your workplace, so far as is reasonably practicable.

Job/work design

- You must consult workers who are, or are likely to be, affected by a work health and safety matter. You must agree consultation arrangements with your workers and should design them to suit your workplace. You must use agreed consultation arrangements when planning changes that raise work health and safety concerns.
- Modify work plans to allow for a period of change (e.g. adjusting performance targets while workers learn new roles).
- Plan any changes to duties, tasks, objectives and reporting arrangements to ensure they are reasonable and fair (e.g. ensure workers will not have too much to do).

Physical work environment

- Provide practical support for changes in duties, tasks or objectives (e.g. ensure workers have access to the tools and resources they need to perform a new task).
- Provide mechanisms to guide workers and managers through the change process (e.g. provide information or feedback sessions to address any concerns).

Managing and communicating organisational change

- Provide authoritative information about upcoming changes and options being considered as soon as possible, keep workers up to date, and ensure workers understand the changes (e.g. provide updates at team meetings or on notice boards).
- Inform customers and suppliers about changes and any impacts this will have.
- Provide workers with the reasons for changes.
- Provide emotional support to help workers deal with challenges or frustrations resulting from change and uncertainty.

Safe work systems and procedures

- Encourage workers to engage with the development of new position descriptions and work processes.
- Encourage workers to engage with consultation and raise any issues, concerns or suggestions.
- Respect individual differences and recognise workers will respond to change in a range of ways and will have different needs in consultation and engagement.

The worker

- You must provide workers any information, training, instruction and supervision necessary to safely complete their work (e.g. train them on safely using new equipment).
- Ensure the person communicating changes has the skills and authority to do so, and supervisors have the skills to support workers through periods of change.

Inadequate recognition and reward

Jobs where there is an imbalance between workers' effort and recognition or rewards, both formal and informal.

Note: Some of these examples of hazards may not create psychosocial risks on their own but may do so if combined with other hazards. Some hazards may only create risks on their own when severe. Consider all hazards present and the circumstances to determine what is reasonably practicable to manage the risks.

Inadequate recognition and reward may include:

- receiving unfair negative feedback (e.g. criticism on things workers cannot control or on things for which they have received insufficient training and support)
- receiving insufficient feedback or recognition (e.g. workers do not receive feedback on their work or are not given information to help them improve; workers are not acknowledged or rewarded for high effort or supporting colleagues)
- unfair, biased, opaque, or inequitable distribution of recognition and rewards (e.g. workers being rewarded for the efforts of others)
- limited opportunities for development (e.g. a lack of job training or development), or
- not recognising workers' skills (e.g. closely supervising or directing an experienced staff member on simple tasks).

Controlling inadequate recognition and reward

Note: These are examples only. You must identify and implement control measures that eliminate or minimise the risks in your workplace, so far as is reasonably practicable.

Job/work design

- Use fair, transparent and meaningful ways of providing recognition and rewards to reflect workers' efforts (e.g. avoid only recognising the workers doing high profile work; recognise teamwork and corporate contributions).
- Design fair and transparent performance management processes (e.g. ensure performance measures relate to aspects of work within a worker's control and consult workers on performance expectations).

Providing appropriate recognition and reward

- Provide recognition or feedback promptly and ensure it is specific, practical, fair and clearly relates to workers' performance.
- Consult workers when designing reward and recognition systems.

Safe work systems and procedures

- Develop leaders' abilities to provide constructive feedback and recognise good performance.
- Ensure performance management systems focus on aspects of work that are within the worker's control.
- Ensure you attribute work correctly and ensure the right workers receive recognition for achievements.
- Train supervisors on how to have difficult conversations and manage underperformance in a way that prioritises improvement over blame.

The worker

- Implement systems to support performance (e.g. training and mentoring) and provide opportunities for development (e.g. allow workers to take ownership of particular tasks).

- Recruit or train supervisors with the skills to provide constructive feedback and recognise the contributions of workers.

Poor organisational justice

Poor organisational justice involves a lack of procedural justice (fair processes to reach decisions), informational fairness (keeping people informed), or interpersonal fairness (treating people with dignity and respect).

Note: Some of these examples of hazards may not create psychosocial risks on their own but may do so if combined with other hazards. Some hazards may only create risks on their own when severe. Consider all hazards present and the circumstances to determine what is reasonably practicable to manage the risks.

Poor organisational justice may include:

- failing to treat workers' information sensitively or maintain their privacy (e.g. having performance discussions in front of others or using information for a purpose it was not disclosed for)
- policies or procedures that are unfair, biased or applied inconsistently (e.g. promotion based on favouritism, or applying disciplinary policies inconsistently or discriminatorily)
- penalising workers for things outside their control (e.g. for not producing a sufficient number of products when they did not have access to the required materials)
- failing to recognise or accommodate the reasonable needs of workers (e.g. failing to provide an accessible workplace)
- discriminating against particular groups or not applying policies fairly to some groups
- failing to appropriately address (actual or alleged) underperformance, inappropriate or harmful behaviour, or misconduct (e.g. not investigating allegations of sexual harassment or not providing procedural justice for workers accused of bullying)
- allocating work, shifts and opportunities in a discriminatory or unfair way (e.g. giving 'good' shifts based on friendships with supervisor), or
- no or inadequate processes for making decisions affecting workers (e.g. policies and processes do not set out the key considerations for disciplinary decisions).

Controlling poor organisational justice

Note: These are examples only. You must identify and implement control measures that eliminate or minimise the risks in your workplace, so far as is reasonably practicable.

Job/work design

- Design unbiased and transparent workplace processes, policies and procedures in consultation with workers (e.g. decision making, recruitment, promotion, performance management, task allocation, work health and safety or workplace entitlement policies).
- Consult workers when setting work standards or performance expectations. Ensure they are achievable and workers will not be penalised for things outside their control.

Physical work environment

- Design a workplace environment where private conversations can be held and ensure confidential information is kept secure.
- Ensure the workplace accommodates reasonable needs of workers (e.g. provide accessible ramps, doors or IT equipment).

Safe work systems and procedures

- Provide mechanisms for workers to report issues, raise concerns or appeal workplace decisions.
- Regularly review policies, processes, procedures, performance expectations and decisions to ensure they are appropriate, fair and reflect the needs of the workplace.
- Communicate processes and information to workers in a timely and appropriate way (e.g. notify unsuccessful applicants privately before you publicly announce promotion decisions).
- Provide systems to protect workers who raise safety concerns from discrimination (Sections 104-109 of the WHS Act prohibit discriminatory, coercive or misleading conduct).

The worker

- Encourage workers to use available processes to raise concerns, issues or complaints early, and use appeal processes when necessary.
- Ensure workers understand expectations and performance targets.
- Hire and promote workers based on merit using transparent selection methods.

Traumatic events or material

Witnessing, investigating or being exposed to traumatic events or material. A person is more likely to experience an event as traumatic when it is unexpected, is perceived as uncontrollable or is the result of intentional cruelty. This includes vicarious exposure and cumulative trauma.

Traumatic events involving work-related violence are covered in Appendix B.

Note: Some of these examples of hazards may not create psychosocial risks on their own but may do so if combined with other hazards. Some hazards may only create risks on their own when severe. Consider all hazards present and the circumstances to determine what is reasonably practicable to manage the risks.

Traumatic events or material may include:

- witnessing or investigating a fatality, serious injury, abuse, neglect or serious incident (e.g. working in child protection)
- exposure to seriously injured or deceased persons (e.g. working in an emergency department or as a forensic scientist)
- experiencing fear or extreme risks (e.g. being in a motor vehicle accident, workplace incident or near miss)
- exposure to natural disasters (e.g. emergency services workers responding to floods or bushfires)
- witnessing or investigating terrorism or war (e.g. police officers responding to terrorist attacks or journalists reporting on wars)
- supporting victims of painful and traumatic events (e.g. providing counselling services)
- listening to or reading descriptions of painful and traumatic events experienced by others (e.g. lawyers reviewing evidence or advocates helping with victim testimonies)
- finding evidence of crimes or traumatic events (e.g. customs workers or online moderators), and
- exposure to events that bring up traumatic memories.

Controlling exposure to traumatic events or material

Note: These are examples only. You must identify and implement control measures that eliminate or minimise the risks in your workplace, so far as is reasonably practicable.

Job/work design

- Design work to minimise the number of workers exposed to traumatic events (e.g. design roles so tasks that can be carried out away from an accident or disaster scene are performed from another location).
- Coordinate and schedule tasks at traumatic scenes so workers are not exposed to unnecessary trauma (e.g. arrange for less urgent tasks to be performed after a body has been removed).

Physical work environment

- Eliminate physical risks to health and safety in the workplace to prevent trauma from a workplace incident or near miss.
- Remove or secure potentially lethal means of self-harm (e.g. medications or hazardous chemicals) from the workplace or secure them (e.g. require two workers to enter codes to access storage units or require higher level authorisation processes).
- Provide physical barriers to discourage suicide attempts (e.g. install fences to prevent access to train tracks or railings on bridges, locking windows and limiting roof access).
- Implement file flagging processes or password requirements on potentially distressing files to eliminate inadvertent exposure to distressing content.

Minimising exposure to traumatic events or material

- Reduce exposure to traumatic materials, particularly if there is no operational need for workers to view or listen to all the materials or consider them in detail (e.g. allow online moderators to remove users based on a single serious breach or encourage officers discovering suspected child abuse material to pass that material to identified investigations without reviewing it).
- Use screening software to remove explicit material.
- Minimise the number of workers exposed to traumatic materials or events (e.g. do not bring unnecessary workers into an investigation or natural disaster area).
- Minimise the amount of traumatic materials or events each worker is exposed to (e.g. rotate police officers through different roles to provide periods of respite).
- Reduce workloads so workers can investigate thoroughly and provide adequate support to victims (e.g. prevent workers from feeling they 'failed someone').
- Increase breaks and recovery time after exposure to a traumatic event (e.g. provide time to disconnect from work).

Safe work systems and procedures

- Provide guidelines and procedures for dealing with incidents, train workers in these procedures and ensure they understand them (e.g. reduce the number of decisions workers make during a traumatic event).
- Implement reporting systems for exposure to traumatic or distressing events. Implement systems that prompt supervisors to support workers, trigger a review of the incident and a review of whether control measures are working as planned.
- Create a safe space for workers to report traumatic or distressing events and deal with these disclosures sensitively and seriously.
- Implement peer support programs.
- Implement procedures for providing support after traumatic events (e.g. provide counselling and professional support).
- Train supervisors on responding to trauma and where they can get assistance.

The worker

- Ensure recruitment and selection practices incorporate a realistic job preview so applicants are aware the role has the potential to expose them to trauma.
- Monitor the health of your workers following traumatic events, or when dealing with traumatic materials, using processes developed in consultation with workers.
- Provide training to workers so they understand their role, know how to respond effectively, and know where to access advice and assistance during a traumatic event.
- Provide training to workers who may be exposed to traumatic events or have a role in supporting workers who are exposed, so they can recognise signs and symptoms of stress and ensure they know where and how to access support.
- Monitor and support workers following traumatic events (e.g. are there any changes to their behaviours or increased absenteeism).
- Provide employee assistance programs and encourage workers to use them.

Remote or isolated work

Work that is isolated from the assistance of other persons because of the location, time or nature of the work.

Working in environments where there are long travel times, poor access to resources, or communications are limited and difficult.

Note: Some of these examples of hazards may not create psychosocial risks on their own but may do so if combined with other hazards. Some hazards may only create risks on their own when severe. Consider all hazards present and the circumstances to determine what is reasonably practicable to manage the risks.

Remote or isolated work may include:

- working in locations requiring long commutes to work sites
- significant delays to entering or exiting the worksite (e.g. prisons, tower cranes or confined spaces)
- limited access to resources (e.g. supplies are delivered infrequently or there are significant delays in getting additional equipment if needed)
- limited access to recreation or opportunities to escape work issues (e.g. living in workers' accommodation in remote areas)
- reduced access to support networks and lower capacity to meet family commitments (e.g. fly-in fly-out or offshore work)
- working alone (e.g. lone workers on night shift)
- working away from the usual workplace (e.g. working in clients' homes, offsite or from home)
- where there is limited access to reliable communication and technology (e.g. no phone reception or IT systems are frequently offline), and
- difficulties or long delays accessing help in an emergency (e.g. community nurses in remote areas, working in underground mines).

Controlling remote or isolated work

WHS Regulation 48

Remote or isolated work

You must manage the risks associated with remote or isolated work, including providing effective communication with the worker carrying out remote or isolated work.

The Code of Practice: *Managing the workplace environment and facilities* provides information on how the risks associated with remote or isolated work can be controlled including information on:

- workplace layout and design
- communication systems
- buddy systems
- movement records, and
- training information and instruction.

Poor physical environment

Exposure to unpleasant, poor quality or hazardous working environments or conditions.

Note: Some of these examples of hazards may not create psychosocial risks on their own but may do so if combined with other hazards. Some hazards may only create risks on their own when severe. Consider all hazards present and the circumstances to determine what is reasonably practicable to manage the risks.

Poor physical environments may include:

- performing hazardous tasks
- working in hazardous conditions (e.g. near unsafe machinery or hazardous chemicals)
- performing demanding work while wearing uncomfortable PPE or other equipment (e.g. equipment that is poorly fitted, heavy, or reduces visibility or mobility)
- workplace conditions that affect concentration or ability to complete tasks (e.g. high noise levels, uncomfortable temperatures or poor lighting)
- unpleasant workplace conditions such as poorly maintained amenities, unpleasant smells or loud music
- working with poorly maintained equipment (e.g. equipment that has become unsafe, noisy or started vibrating), and
- work-related accommodation, facilities and amenities that cause or contribute to worker fatigue (e.g. conditions are noisy, uncomfortable or stop workers getting enough sleep).

You can find more information on physical hazards and the working environment on the Safe Work Australia website.

Controlling a poor physical environment

Like psychosocial hazards, you must eliminate or minimise physical hazards in the workplace as far as is reasonably practicable. Specific duties may also apply under WHS laws, for information on how to manage a poor physical environment please see the Safe Work Australia website.

Appendix B – Harmful behaviours

This appendix provides information on psychosocial hazards related to harmful behaviours. Harmful behaviours include:

- violence and aggression
- bullying
- harassment including sexual harassment or gender-based harassment, and
- conflict or poor workplace relationships and interactions.

These can cause physical and psychological harm to the person they are directed at and anyone witnessing the behaviour.

A single or irregular exposure to these hazards may not create psychosocial risks or the risks may be very low. However, if workers are exposed to a hazard (or a combination of these hazards) over a prolonged period or in a severe way they can cause psychological and physical harm.

The controls provided are examples, you must consider what is reasonably practicable to eliminate or minimise the risks in your workplace.

Identifying harmful behaviours

Overt or extreme forms of these behaviours (such as physical violence) may be easier to identify and are not tolerated in most workplaces. However, more subtle forms like crude language, sexist remarks and an overall workplace culture that is degrading or intimidating may not be taken as seriously and can be more difficult to identify.

Some of the things that may increase the likelihood of workers being exposed to harmful behaviours are set out below. This can help you identify when, where and why these behaviours may happen at work. For example, workplaces with low worker diversity (e.g. the workforce is dominated by one gender, age group, race or culture), some workforce characteristics (e.g. new and young workers, casual workers, workers in minority groups) and a workplace culture which tolerates or ignores harmful workplace behaviours are more likely to experience harmful behaviours.

Workers may be more likely to experience harmful behaviours or be more severely affected by it, because of their sex, gender, sexuality, age, migration status, disability and literacy. The risk of experiencing harm rises when a person faces multiple forms of discrimination. Attributes that make a person more vulnerable to these behaviours can also make workers less likely to report concerns or incidents.

Harmful behaviours can come from a range of sources including:

- **External** behaviours from customers, clients, patients, members of the public or from other businesses (e.g. between a plumbing and an electrical sub-contractor at the same work site, or a delivery person and a retail worker).
- **Internal** behaviours from other workers, supervisors or managers.

Harmful behaviours may be an inappropriate response to other psychosocial hazards (e.g. high job demands or inadequate support). To effectively control risks, you must control the underlying causes as well as directly addressing harmful behaviours.

Violence and aggression

Things that increase the likelihood of violent or aggressive behaviour include:

- providing care or services to people who are distressed, confused, afraid, ill, affected by drugs or alcohol or receiving unwelcome or involuntary treatment
- enforcement activities (e.g. the activities of police, prison officers or parking inspectors)
- working in high crime areas
- handling valuable or restricted items (e.g. cash or medicines)
- poor visibility in the workplace (e.g. poor lighting or barriers)
- restricted movement in the workplace (e.g. limited exit points)
- working alone, in isolation or in a remote area with the inability to call for assistance
- working offsite or in the community
- working in unpredictable environments (e.g. where other people may pose a risk to workers' safety such as at a client's home)
- interacting with customers, either face-to-face, on the phone or online, or
- service methods or policies that cause or escalate frustration, anger, misunderstanding or conflict (e.g. low staffing levels, customer service policies, setting unreasonable expectations of the services an organisation or workers can provide).

Bullying

Things that increase the likelihood of bullying include:

- presence of other psychosocial hazards:
  o high job demands
  o low job control
  o low support
  o organisational change, such as restructuring or significant technological change
  o lack of role clarity, or
  o poor organisational justice
- leadership or management styles:
  o autocratic behaviour that is strict and directive and does not allow workers to be involved in decision making
  o behaviour where little or no guidance is provided to workers or responsibilities are inappropriately and informally delegated to subordinates, and
  o abusive and demeaning behaviour that may include inappropriate or derogatory language, or malicious criticism and feedback, and tolerance of this behaviour
- systems of work
  o lack of resources or training
  o inappropriate work scheduling, shift work and poorly designed rostering
  o unreasonable performance measures or timeframes
  o poor workplace relationships
  o poor communication
  o isolation
  o low levels of support, or
  o work group hostility.

Harassment including sexual harassment

Things that increase the likelihood of harassment include:

- acceptance of inappropriate behaviour (e.g. racially or sexually crude conversations, innuendo or offensive jokes are part of the accepted culture)

- power imbalances along gendered lines (e.g. workplaces where one gender holds the majority of management and decision-making positions)
- workplaces organised according to a strict hierarchical structure (e.g. police and enforcement organisations, medical and legal professions)
- use of alcohol at work activities and attendance at conferences and social events as part of work duties, including overnight travel
- workers are isolated, in restrictive spaces like cars or working from remote locations with limited supervision or restricted access to help and support
- working from home which may provide an opportunity for covert sexual harassment to occur online or through phone communication
- interacting with customers, either face-to-face, on the phone or online, and
- poor understanding among workplace leaders of the nature, drivers and impacts of sexual harassment.

While anyone can experience harassment there are certain groups who are more likely to experience it. Some workers may be at greater risk because of their age, gender, sexuality, migration status, disability and literacy.

Conflict or poor workplace relationships and interactions

Things that increase the likelihood of conflict or poor workplace relationships include:

- culture of tolerating swearing, name calling, spreading rumours or rudeness within the workplace
- lack of policies or processes to handle reports of unacceptable behaviour, and
- the presence of other psychosocial hazards (workers are more likely to be uncivil when they are stressed).

Controlling risks from harmful behaviours

Behaviours such as those listed above are known to cause harm. You must put control measures in place to eliminate or minimise risks so far as is reasonably practicable.

This section provides examples of control measures for managing the risks of violence, aggression, sexual harassment and bullying at the workplace.

Note: These are examples only. You must identify and implement control measures that eliminate or minimise the risks in your workplace, so far as is reasonably practicable.

Physical work environment and security

The physical work environment can affect the likelihood of violence, aggression, harassment and bullying occurring and the ability to respond if it does happen. Consider the following control measures which may provide the highest protection for workers.

Security

- Security personnel or night-time security patrol.
- Video surveillance.
- Fixed and portable alarm systems.
- Communication systems like phones, intercoms and alarm systems are in place, regularly maintained and tested.

- Ensuring vehicles are fit for purpose (e.g. have central locking devices, tracking devices such as GPS systems to allow drivers in distress to be located, lighting inside the vehicle to allow the driver to be aware of passenger behaviour, vehicles are well maintained so they do not break down in unsafe locations or times).

Access

- Controlling access to the premises (e.g. electronically controlled doors with viewing panels that allow surveillance of public areas before the doors are opened from the inside).
- Preventing public access to the area when people are working alone or at night (e.g. via a security card or code, asking guests to leave the room while workers clean).
- Providing facilities and amenities which give privacy and security (e.g. private and secure change rooms or facilities for workers to use which are separate from customers).
- Separating workers from the public with fixed or removable barriers (e.g. high counters, furniture, screens on counters or screens between a driver and passenger).
- Installing a service window for night transactions and systems like pay-at-the-pump.

Visibility

- Ensuring internal and external lighting provides good visibility, including in car parks.
- Arranging furniture and partitions within the workplace to ensure good visibility of service areas, improve natural surveillance and avoid restrictive movement.
- Improving natural surveillance in areas such as offices, storerooms and other segregated areas (e.g. using semi opaque glass or screens).

Environment

- Ensuring there are no areas where workers could become trapped, such as rooms with keyed locks.
- Implementing appropriate temperature and noise controls, such as in waiting areas to reduce customer frustration.
- Securing any objects that could be thrown or used to injure someone.
- Providing workers and others with a safe place to retreat. In other situations, it may be possible to move the person behaving inappropriately (e.g. an aggressive student could be removed from the classroom while the behaviour continues).
- Ensuring a safe working environment for workers during travel (e.g. workers being in a vehicle together), at conferences, off site, at client or customer premises, and any other location where work is performed.

Safe work systems and procedures

Safe work systems and procedures are administrative controls that should be part of your approach to managing risks at your workplace.

Communication

- Communicate with workers when they are working in the community or away from the workplace (e.g. a supervisor regularly checking in with the worker throughout their shift).
- Clearly define jobs and seek regular feedback from workers about their role and responsibilities.
- Clearly communicate to clients and customers that any form of violence, aggression harassment or bullying is not tolerated (e.g. in service agreements, contracts or on signs).
- Manage expectations of clients and customers by clearly communicating the nature of the products or services you are providing (e.g. online and using signage).
- Put up signs at the workplace (e.g. zero tolerance of aggression and violence; limits on products or services; security cameras are in use; or limited cash held on the premises).

Individual Counselling and Implementation Guide

Procedures

- Ban or refuse service to persons with a history of poor behaviour (e.g. patrons at pubs or clients gyms). If service is necessary, such as for medical care, put in place additional measures to protect workers and others.
- Provide alternative methods of customer service to eliminate face-to-face interactions (e.g. online or click-and-collect services, or no contact delivery drops).
- Establish procedures for dealing with harmful behaviour from customers or clients and how workers and managers can respond.
- Limit the amount of cash, valuables and medicines held on the premises and handle them securely (e.g. only accept cashless payments) see the *Guide for Transporting and Handling Cash* for more information.
- Use face shields where spitting or intentionally coughing is a risk.
- Avoid the need for workers to work alone where possible (e.g. working in pairs, closing the business with security personnel present, or providing a safe escort to a worker's transport).
- Provide supervision of work and support for workers, especially new, young and inexperienced workers.
- Procedures for working in isolation and uncontrolled environments (e.g. carrying out situational risk assessments to determine at each visit the safety of a client's home before commencing duties).
- Provide a sufficient number of workers (e.g. during peak periods of customer attendance and for the level of care needed for clients).
- Alternate tasks in the workplace - particularly tasks requiring high levels of customer interaction - with other work tasks and ensure workers have regular breaks if aggression or incivility is likely.
- Encourage workers to keep records and screenshots if harmful behaviour occurs online or through phone communication and report the behaviour to their supervisor.
- Assess risks of client aggression and violence and whether additional control measures are required for dealings with some clients.
- Implement management plans where a client is known to have a history of aggression or violence. Develop the plan in consultation with appropriately qualified people and communicate it to all relevant workers.
- Reduce waiting times and missed calls (e.g. by training 'relief' workers to take calls or transferring calls to other areas).
- Encourage workers to escalate problem calls to senior workers.
- Encourage workers to report incidents and behaviours of concern.
- Provide a range of accessible and user-friendly ways to make a report informally, formally, anonymously and confidentially.

Information and training

- Improve role clarity by ensuring workers have well-defined roles and clear expectations.
- Provide adequate resources and training to workers so they are able to perform their role confidently and competently.
- Provide information on the standards of behaviour expected in the workplace, including the use of social media or other technologies.
- Train workers in how to deal with difficult customers, conflict resolution and de-escalation techniques, when and how to escalate issues to managers or supervisors, and procedures to report incidents.
- Train managers and supervisors on how to deal with difficult customers and conflict resolution when issues are escalated.
- Plan for regular handover and information exchange with workers, other agencies, carers and service providers.
- Understand client condition/disability/triggers/care and behaviour management plans.

- Ensure workers understand how to make a report, their right to representation and the support, protection and advice available.
- Make it clear that victimisation of those who make reports will not be tolerated
- Train key workers (contact persons) to receive reports and give support and advice.

Policies

- Implement appropriate workplace policies as part of managing work health and safety risks.
- Set, model and enforce acceptable behaviour standards for all people in the workplace.
- Foster a positive and respectful work culture where violence, aggression, harassment and bullying are not tolerated.
- As power imbalances and inequality increase the risk of gendered and sexual harassment, consider implementing policies and strategies to address gender inequality, lack of diversity and power imbalances at the workplace.
- For work-related events, reinforce workplace policies and behaviours expected of workers, ensure responsible service of alcohol policies are followed and that workers know who to turn to if they experience or witness inappropriate behaviour at the event.
- Avoid sexualised uniforms and ensure clothing is practical for the work undertaken.
- Act in a consistent manner when dealing with reports of violence, aggression, harassment and bullying, including providing sufficient and appropriate feedback to workers who have raised concerns.
- Allow workers to refuse or suspend service if people fail to comply with the expected standard of behaviour.
- Ensure processes and systems for reporting and responding to incidents are widely communicated and regularly reviewed.
- Provide supportive, consistent and confidential responses to reports.

Review

- Regularly evaluate work practices, in consultation with workers and their representatives, to see if they contribute to poor behaviours.
- Review control measures after incidents or changes in behaviour.
- Review and monitor workloads, staffing levels and time pressures.
- Collect de-identified details of all reports, including those that are not pursued formally by the complainant, to help you identify systemic issues at the workplace.

CHAPTER TWO – ORGANISATIONAL POLICY

Since Brodie's work-related death in 2006, the Australian legal framework has grappled with the best way to prevent workplace bullying from causing death or serious injury. Directors and officers have been convicted and sentenced to imprisonment for breaches of work health and safety duties that cause serious physical injury or death. This has resulted in the acceptance of creating an organisational safety culture through a chain of responsibility. Recent changes in the law are now setting the scene for directors' personal liability for serious psychological injury or death. As with any new laws, the first major case will define how serious the courts are about holding the people making decisions accountable and profiting from turning a blind eye to safety risks. If you don't want to be famous for all the wrong reasons, you need to eliminate the risk of psychological injury by using positive behaviour to create a psychological safety culture.

The Work Health and Safety new Psychosocial Hazard Code of Practice and Regulations creates a duty to eliminate personal conflict escalation, discrimination and poor job design, posing a risk of psychological injury. These are the unreasonable behaviours that cause workplace bullying when repeated. By eliminating this behaviour before it is repeated, you can stop workplace bullying before it happens.

The local Safe Work regulators can now enforce psychosocial risk elimination and prosecute directors and business owners for breaches causing psychological injury, just like a physical injury. The chain of responsibility that has applied to physical injury, like serious transport and forklift incidents, now applies to psychological injuries caused by psychosocial hazards. As with those serious incidents causing death, an incident like Brodie's case today would result in directors and officers of a business being personally liable.

The Human Rights Commission now has the power under the Sex Discrimination Act to enforce the new positive duty to eliminate sexual discrimination, including sexual harassment. They create an additional oversight to ensure organisations are taking steps to prevent sex discrimination and sexual harassment. This is in addition to the local Safe Work regulators, who can conduct compliance inspections for discrimination as a psychosocial hazard.

The Fair Work Commission can still make orders to prevent bullying and discrimination and forcing employees to resign with compensation for unfair dismissal and adverse action affecting employment rights. Those orders can also prevent unequal pay and sexual harassment. When employees can make a claim, it can cost the organisation legal expenses and downtime to deal with the issue.

New Work Health and Safety Industrial Manslaughter offences are coming soon with 20-year penalties and multi-million-dollar fines. Directors and business owners can be held personally liable, and organisations may not be able to survive the imposition of huge fines. Directors' professional indemnity insurance does not cover WHS penalties and fines.

The chain of responsibility in a psychological safety culture starts with the management's strategic plan, flowing through authentic leadership and strategic human resource management, supporting early conflict resolution, emotional intelligence, and positive behaviour. Empathyse is an off-the-shelf complete online solution with education, training, policy and employment agreements to create a psychological safety culture to stop workplace bullying before it happens.

POSITIVE BEHAVIOUR POLICY AND AGREEMENTS

This Positive Behaviour policy affirms the organisation's belief in eliminating psychological harm through predatory bullying from all employees. This policy clarifies the standards of Inclusive equal opportunity behaviour that the organisation expects of all employees toward all other employees, including any vulnerable person. This policy applies to all staff, including contractors and covers all work-related functions and activities, including external training courses sponsored by the organisation. It also applies to all recruitment, selection, and promotion decisions. Employees must report any behaviour that constitutes predatory bullying, discrimination, or sexual harassment to an appropriate manager. Employees will not be victimised or treated unfairly for raising an issue or making a complaint.

The organisation is committed to providing a workplace free from predatory bullying, discrimination, and sexual harassment. Behaviour that constitutes predatory bullying, discrimination or sexual harassment will not be tolerated and will lead to action being taken, which may include dismissal. This ensures equity and diversity for all employees to thrive and encourage innovation.

Discrimination is illegal under workplace relations and criminal law in jurisdictions like Australia. Although discrimination is limited to protected groups, this policy extends discriminatory behaviour, including one-off incidents of harassment, to all vulnerable employees. Predatory bullying is being singled out for harassment as a vulnerable outsider to a group, regardless of whether they belong to a recognised protected category under discrimination law or not. For the purposes of this policy, the definition of predatory bullying includes the definition of discrimination and sexual harassment to apply to any form of discrimination and harassment regardless of any protected category limitation where the action may cause a risk to psychological health and safety. Predatory harassment includes discriminatory behaviour victimising to all vulnerable persons regardless of any discrimination law exclusion.

Empathyse Advanced Workplace Bullying Solutions

The objective of this Inclusive Equal Opportunity Policy is to improve business success through equity and diversity by attracting and retaining the best possible employees, public reporting such as reducing gender pay gap where appropriate, and providing a safe, respectful, and diverse work environment, delivering products and services in a safe, respectful, and innovative way. This policy protects all vulnerable employees and encourages open communication and innovation through diverse opinions. A breach of this policy can be reported to management for action.

The Strategic Human Resource Policy ensures that the organisation's work environment and job design do not facilitate bullying and psychological injury. This policy relies on data to align the work environment and job design with the organisation's strategic objectives and in accordance with the Safe Work Psychosocial Hazard Code of Practice 2022. The purpose of this policy is to create a psychological safety culture through positive organisational behaviour. The objective is to eliminate unsafe job designs like unreasonable goal setting, unnecessary distraction, personal security risk, task ambiguity, role ambiguity, and poor performance management criteria.

The purpose of strategic human resource management is to improve performance in accordance with the organisation's strategic management plan. Performance appraisals should include transparent, fair and equitable formal review and recording to support measurable and achievable decisions without causing a risk to psychological health and safety. They should encourage a two-way process where employees can also give management feedback on performance, including training needs to achieve performance objectives. Where an employee is unable to meet reasonable performance objectives, any management action should be conducted without unreasonable delay to ensure there is no ongoing risk to psychological health and safety over time.

The organisation's strategic objectives are set by management to coordinate organisational productivity. Human resource management's role is to identify the roles and skills required to achieve the strategic objectives. Strategic human resource management is used to recruit and reward the right people to complete the identified jobs. Proper data analysis is used to align employees' job design, recruitment, training, and reward to achieve organisational management's strategic objectives.

The policy requires managers and employees to meet openly and constructively discuss performance over a specified period. The manager and the employee will agree on any objectives and outcomes for the next appraisal period based on the organisation's strategic goals and, in comparison, with employees of equal skill, knowledge, and experience from within the organisation and in similar organisations. Training and development will be considered as part of the process to increase the employee's skill, knowledge, and experience to perform at a reasonable level in accordance with the organisation's strategic goals and developing job descriptions.

Performance management is not to be used to set unreasonable goals and targets that may force an employee to resign in circumstances amounting to constructive dismissal. All job descriptions shall be clearly set out in writing in accordance with the strategic management plan to eliminate role ambiguity and task ambiguity. The manager and the employee will agree on the date for performance appraisal meetings to allow time to prepare. Any remedial action or disciplinary decision will be required to be completed as soon as practicable and without any unreasonable delay. Notes should be taken of meetings, and copies should be kept, ensuring reasonableness. Goals and targets must be justifiable and properly recorded to ensure timely fairness where adverse action may require judicial review.

Strategic human resource management is used to design Jobs in accordance with the Safe Work Australia Management of Psychosocial Hazards Code of Practice 2022, including the reduction of the impact of traumatic events, unnecessary work distractions and risk to personal safety from violence and isolation. The strategic human resource policy applies to everyone, including team leaders and supervisors. Everyone receives this training, and a breach of the policy can be reported for appropriate corrective action.

The workplace bullying policy affirms the organisation's belief in eliminating psychological harm from all employees through workplace bullying. This policy clarifies the minimum standards of unreasonable behaviour prohibited under workplace relations laws and may result in legal and/or disciplinary action. It shows organisational commitment to provide a safe and healthy workplace free from bullying. Workers are protected by this policy whether they feel bullied by a supervisor, another worker, a client, a contractor, or a member of the public. The organisation will treat reports of workplace bullying seriously and respond promptly, impartially, and confidentially. Under work health and safety laws, workers and

other people at our workplace must take reasonable care that they do not adversely affect the health and safety of others. The workplace bullying policy is supported by the positive behaviour policy to create a psychological safety culture that eliminates workplace bullying under the health and safety duty of care before it requires regulatory intervention.

The organisation has committed to the prevention of workplace bullying in this policy. Traditionally, workplace bullying policy identifies the extreme, unreasonable behaviour that will cause you to be liable under workplace relations law. It provides for intervention orders to stop the continuation of workplace bullying. It limits liability to extreme situations by identifying what is not legally classified as bullying.

Legally enforceable workplace bullying under workplace relations law is repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety. In Australia, the unreasonable behaviour needs to be repeated and excludes reasonable management action conducted in a reasonable way. These laws cover companies only across Australia except Western Australia, which includes other businesses like partnerships, sole traders and trusts. The Australian laws are limited to intervention, not compensation.

In Australia, there are other workplace relations orders that deal with unreasonable behaviour that does not meet the definition of workplace bullying. Prevention orders are available for bullying, adverse action amounting to discrimination under Australian laws, Unfair dismissal, including constructive dismissal where a person is forced to resign, and Sexual harassment and Equal remuneration orders. While bullying caused by reasonable management action does not create an entitlement to workers' compensation, these other orders apply to all business types and do provide for penalties and compensation against an organisation. It is far better for organisations, managers and employees to comply with their work health and safety duty of care to eliminate the risk of physical and psychological injury.

Repeated behaviour refers to the persistent nature of the behaviour and can refer to a range of behaviours over time. Single incidents of unreasonable behaviour can also present a breach of the work, health and safety law, and duty to eliminate or at least minimise the risk of psychological injury and will not be tolerated. Unreasonable behaviour means behaviour that a reasonable person, having considered the circumstances, would see as

unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening. Reasonable management action taken by managers or supervisors to direct and control the way work is carried out may be excluded as workplace bullying under workplace relations law if the action is carried out in a lawful and reasonable way, taking the particular circumstances into account. Action taken by managers or supervisors should be properly documented to ensure it is applied in a fair and reasonable way and there is no breach of the work, health and safety law, the duty to eliminate or at least minimise the risk of psychological injury or perceived to be constructive unfair dismissal. Bullying orders are not available to employees of non-companies in Australia except in Western Australia. Legal action should be the last resort when prevention has not occurred. Psychological safety cultures and positive behaviour policies can stop bullying before psychological injury occurs and intervention is required.

The positive behaviour agreement is a supplement to your employment contract. It is your commitment to your health and safety duty of care to your fellow employees and team members not to cause a risk of psychological injury. If you witness unreasonable behaviour, you should bring the matter to your manager's attention as a matter of urgency. Your situation will be treated with confidentiality and respect before it is considered by an appropriate manager. The consequences of breach may include conflict resolution, remedial training, counselling, or a last resort transfer, demotion or termination. If you feel you are experiencing or witnessing workplace bullying and are not comfortable dealing with the problem yourself, or your attempts to do so have not been successful, you should raise the issue promptly either with your supervisor, health and safety representative or another manager within the organisation. If you are a member of the union, you may also raise any issues with your delegate.

If workplace bullying or unreasonable behaviour is reported or observed, we will take the following steps: The responsible supervisor or manager will speak to the parties involved as soon as possible, gather information, and seek a resolution to address the issue satisfactorily for all parties. If issues cannot be resolved or the unreasonable behaviour is considered to be of a serious nature, an impartial person will be appointed to investigate. Both sides will be able to state their case, and relevant information will be collected and considered before a decision is made. All complaints and reports will be treated in the strictest confidence. Only those people directly involved in the complaint or in resolving it

will have access to the information. There will be no victimisation of the person making the report or helping to resolve it.

Appropriate disciplinary action may be taken against a person who is found to have breached this policy. The action taken will depend on the nature and circumstance of each breach and could include a verbal or written apology, one or more parties agreeing to participate in counselling or training, a verbal or written reprimand, or Transfer, demotion, or dismissal of the person engaging in the bullying behaviour. If workplace bullying has not occurred or cannot be substantiated, the organisation may still take positive behaviour disciplinary action.

ANNEXURE – POSITIVE BEHAVIOUR POLICY

Summary

This Positive Behaviour policy applies to all employees and consists of the following sections to proactively address workplace bullying, discrimination, and harassment with the view to stop unreasonable behaviour before it escalates to cause psychological harm. The following sections are designed to specifically address workplace bullying resulting from interpersonal conflict, predatory harassment, and unreasonable expectations at work. This policy is intended to proactively create a psychological safety culture supported by a positive behaviour policy to eliminate the risk to health and safety before it requires regulatory intervention. This policy is intended to be supplemented by employee and management training and skills development together with a positive behaviour employment agreement.

Workplace Bullying Action

1. Regulatory intervention
2. Health and safety duty of care
3. Positive behaviour policy
4. Psychological safety culture

Contents

Guidance: The following sections outline key evidence-based positive behaviour policies and procedures that have been developed to assist the management of people in your organisation. Some sections are governed by state and federal legislation, and it is important that they be continually kept up to date with legal changes. This is not an exhaustive list of policies, and they are designed to supplement standard human resource (HR) policies and procedures that are relevant within your organisation, including but not limited to: work health and safety, performance management, performance improvement, code of conduct, equal employment opportunities and anti-bullying policies.

Purpose

This policy affirms the organisation's belief in all employees' responsible social and ethical behaviour. This policy clarifies the standards of positive behaviour that the organisation expects of all employees. The goal of this policy is to encourage positive behaviour rather than set artificial limits on what unreasonable behaviour will be regarded as acceptable, with a view to eliminating the risk to psychological health and safety.

Principles

Our employees contribute to the success of our organisation and that of our clients through reputation, productivity, and innovation. The organisation fully endorses that all employees are not deprived of their basic human rights under international covenants.

Furthermore, our employees have a health and safety duty of care to the organisation, our clients and themselves to observe high standards of psychological safety, integrity, and fair dealing. Unlawful and unethical business practices undermine employee, client, and public trust in the organisation and will not be tolerated.

Early Conflict Resolution Procedure

Guidance: The following section outlines the early conflict resolution procedures used for the prevention of workplace bullying through the escalation of personal conflict and

discrimination. This procedure should be regularly reviewed by the organisation against best practice in the management of conflict, and any necessary changes should be implemented by management. This procedure is designed to supplement standard HR policies and procedures relevant to your organisation, including any grievance handling procedure.

Purpose

This policy affirms the organisation's commitment to providing the necessary skills for staff to resolve conflict before is escalates to workplace bullying. This policy clarifies the conflict resolution steps that the organisation expects of all employees. The goal of this policy is to encourage early conflict resolution with a view to eliminating the risk to psychological health and safety.

Principles

This policy affirms the organisation's encouragement of creative task related discussions and the belief that all employees are entitled to the validation of their emotional reactions, however unreasonable behaviour is not acceptable. This policy clarifies the preferred early conflict resolution procedures and appropriate workplace bullying responses that the organisation expects of all employees to reduce the potential for personal conflict, which may unreasonably escalate to bullying and psychological injury.

Procedure

This procedure is reliant upon:

1. awareness of behaviour leading to workplace bullying,
2. the relationship between conflict, bias and workplace bullying,
3. emotional awareness conflict de-escalation, and resolution strategies.

Behaviour Leading to Workplace Bullying

Bullying is caused by the escalation of person related conflict rather than task related conflict, discrimination and bias, and poor job design including unreasonable targets and performance management. Bullying can be prevented using early conflict resolution skills, positive behaviour codes of practice and strategic human resource management.

Conflict, Bias and Workplace Bullying

Task related conflict can encourage creativity and prevent wrong decision being adopted through the fear of speaking up. Task related conflict misunderstandings can lead to person related conflicts, which are always destructive. Task related misunderstanding will occur when there is a difference between what actually happened in the task related discussion and what a person tells themselves was the personal focus of that discussion. Person related conflicts could also but not exclusively result from deliberate discrimination or bias. Unresolved repeated personal conflict can easily escalate to workplace bullying. Workplace bullying can cause anxiety depression and lead to PTSD and suicide. Prolonged workplace bullying is difficult to resolve or mediate without separation of the parties.

Emotional Awareness and De-escalation

De-escalation relies upon emotional awareness to recognise and label emotions revealed that may indicate the departure from task related conflict to person related conflict. Once those emotions are agreed and labelled it is important to empathise and validate those emotions as a natural response to the actual or perceived personal conflict. Knowing what emotions are involved the person needs boundaries and space to cool down when angry or reassured that the conflict can be resolved when sad or frightened. When it is appropriate, use collaborative or compromising strategies to resolve the task related conflict. Where personal conflict escalates to workplace bullying the appropriate response is to ask for the unreasonable behaviour to stop, allowing the de-escalation process to commence. If this does not work, the parties should separate for a while to cool down and re-assess the conflict. If this does not help, then you should approach your supervisor or trusted manager to assist in the de-escalation and resolution of the personal and task related conflict.

Code of Reasonable Conduct

Guidance: The following section outlines key positive behaviours that have been developed to assist in the elimination of risk to psychological health and safety. This policy should be regularly reviewed by the organisation in consultation with employees, and any necessary changes will be implemented by management. This policy does not contain an exhaustive

list of positive behaviours. This code is designed to supplement standard HR policies and procedures relevant to your organisation, including any other code of conduct.

Purpose

This policy affirms the organisation's belief in all employees' responsible social and ethical behaviour. This policy clarifies the standards of positive behaviour that the organisation expects of all employees to reduce the potential for interpersonal conflict, which may unreasonably escalate to bullying and psychological injury.

Code

Our Code of Positive Conduct policy applies to all employees and provides the framework of principles for conducting business and dealing with other employees, clients, contractors, and suppliers. The Code of Positive Conduct does not replace legislation, and if any part of it is in conflict, then legislation takes precedence. This policy encourages the following positive behaviour:

- Adaptable
- Caring
- Confident
- Considerate
- Cooperative
- Courteous
- Creative

- Diligent
- Empathetic
- Equitable
- Ethical
- Fair
- Honest
- Kind

- Protective
- Resilient
- Respectful
- Responsible
- Sensitive
- Sincere
- Supportive

Any employee in breach of this policy may be subject to disciplinary action, including dismissal. Should an employee have doubts about any aspect of the Code of Positive Conduct, they must seek clarification from the organisation.

Inclusive Equal Opportunity Policy

Guidance: The following section outlines additional Inclusive equal opportunity behaviour policies and procedures that have been developed to assist the management of people in

your organisation. This section is governed by state and federal legislation, and it is important that they be continually kept up to date with legal changes. This is not an exhaustive policy. They are designed to supplement Standard HR policies and procedures relevant to your organisation, including any equal employment opportunity, discrimination, sexual harassment, or bullying policy.

Purpose

This policy affirms the organisation's belief in the elimination of psychological harm through predatory bullying from all employees. This policy clarifies the standards of Inclusive equal opportunity behaviour that the organisation expects of all employees toward all other employees, including any vulnerable person.

Policy

This policy applies to all staff, including contractors and covers all work-related functions and activities, including external training courses sponsored by the organisation. It also applies to all recruitment, selection, and promotion decisions. The objective of this Inclusive Equal Opportunity Policy is to improve business success by:

- attracting and retaining the best possible employees,
- providing a safe, respectful, and diverse work environment, and
- delivering products and services in a safe, respectful, and innovative way.

Predatory Bullying, Discrimination and Sexual Harassment

The organisation is committed to providing a workplace free from predatory bullying, personal bias, discrimination, and sexual harassment. Behaviour that constitutes predatory bullying, discrimination or sexual harassment will not be tolerated and will lead to action being taken, which may include dismissal.

Predatory bullying is being singled out for harassment as a vulnerable outsider to a group, regardless of whether they belong to a recognised protected category under discrimination law or not. For the purposes of this policy, the definition of predatory bullying includes the definition of discrimination and sexual harassment to apply to any form of discrimination

and harassment regardless of any protected category limitation where the action may cause a risk to psychological health and safety.

Employees must report any behaviour that constitutes predatory bullying, discrimination, or sexual harassment to an appropriate manager. Employees will not be victimised or treated unfairly for raising an issue or making a complaint.

Strategic Human Resource Policy

Guidance: The organisation is committed to job design, setting goals and targets for employee performance management and performance improvement using the transparent, fair and equitable process of aligning those goals and targets with the strategic objectives of the organisation using equitable and comparable benchmarks. These are derived from similar performance evaluations across a range of other internal or external employees of comparable skills, knowledge, and experience to provide objective and measurable goals and targets to achieve.

Purpose

The purpose of strategic human resource management is to improve performance in accordance with the organisation's strategic management plan. Performance appraisals should include transparent, fair and equitable formal review and recording to support measurable and achievable decisions without causing a risk to psychological health and safety. We encourage a two-way process where employees can also give management feedback on performance, including training needs to achieve performance objectives. Where an employee is unable to meet reasonable performance objectives, any management action should be conducted without unreasonable delay to ensure there is no ongoing risk to psychological health and safety.

Policy

- Performance management is not to be used to set unreasonable goals and targets that may force an employee to resign in the circumstances amounting to constructive unfair dismissal.

- All job descriptions shall be clearly set out in writing in accordance with the strategic management plan to eliminate risk under the Safe Work Australia Managing psychosocial hazards at work Code of Practice 2022.
- The manager and the employee will agree on the date for a performance appraisal meeting to allow time to prepare.
- The manager and employee will meet to openly and constructively discuss performance over a specified period.
- The manager and the employee will agree on any objectives and outcomes for the next appraisal period based on the strategic goals of the organisation and in comparison with employees of equal skill, knowledge, and experience.
- Training and development will be considered as part of the process to increase the employee's skill, knowledge, and experience to perform at a reasonable level in accordance with the strategic goals of the organisation.
- Notes should be taken of the meeting, and copies kept to ensure reasonableness.
- Any remedial action or disciplinary decision will be required to be completed as soon as practicable and without any unreasonable delay.

Workplace Bullying Policy

Guidance: The following policy outlines the minimum behaviour required to comply with relevant legal obligations. This section is governed by state and federal legislation, and it is important that they be continually kept up to date with legal changes. This is not an exhaustive list of unreasonable behaviours, and they are designed to supplement Standard HR policies and procedures that are relevant within your organisation, including but not limited to this Positive Behaviour Policy.

Purpose

This policy affirms the organisation's belief in eliminating psychosocial harm through workplace bullying from all employees. This policy clarifies the minimum standards of unreasonable behaviour prohibited under workplace relations laws and may result in legal and disciplinary action.

Principles

Our commitment is to provide a safe and healthy workplace free from bullying. Workers are protected by this policy whether they feel bullied by a supervisor, another worker, client, contractor, or a member of the public. The organisation will treat reports of workplace bullying seriously and respond promptly, impartially, and confidentially.

Under work health and safety laws, workers and other people at our workplace must take reasonable care that they do not adversely affect the health and safety of others.

Policy

Expected workplace behaviours:

- behave in a responsible and professional manner,
- treat others in the workplace with courtesy and respect,
- listen and respond appropriately to the views and concerns of others and
- be fair and honest in their dealings with others.

This policy applies to behaviours that occur:

- in connection with work, even if it occurs outside normal working hours,
- during work activities, for example, when dealing with clients,
- at work-related events, for example, at conferences and work-related social functions, and
- on social media where workers interact with colleagues or clients, and their actions may affect them either directly or indirectly.

Legally Enforceable Workplace Bullying

Legally enforceable workplace bullying under workplace relations law is repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety.

Repeated behaviour refers to the persistent nature of the behaviour and can refer to a range of behaviours over time. Single incidents of unreasonable behaviour can also

present a breach of the work, health and safety law, duty to eliminate or at least minimise the risk of psychological injury and will not be tolerated.

Unreasonable behaviour means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Reasonable management action taken by managers or supervisors to direct and control the way work is carried out may be excluded as workplace bullying under workplace relations law if the action is carried out in a lawful and reasonable way, taking the particular circumstances into account. Action taken by managers or supervisors should be properly documented to ensure it is applied in a fair and reasonable way and there is no breach of the work, health and safety law, duty to eliminate or at least minimise the risk of psychological injury or perceived to be constructive unfair dismissal.

Workplace bullying under work health and safety law can be eliminated or at least minimised through compliance with the Managing Psychosocial Hazards at Work Code of Practice, including personal conflict escalation, discrimination and poor job design, including excessive targets, withholding resources, task or role ambiguity, exposure to unsafe environments and oppressive or negligent leadership. The code of practice is legally enforceable under work health and safety law as evidence of what risks are known about psychosocial hazards and need to be controlled and monitored to eliminate workplace bullying before it happens.

Action

What can you do?

If you feel you are experiencing or witnessing workplace bullying and are not comfortable dealing with the problem yourself, or your attempts to do so have not been successful, you should raise the issue promptly either with your supervisor, health and safety representative or another manager within the organisation. If you are a member of the union, you may also raise any issues with your delegate. If you witness unreasonable behaviour, you should bring the matter to the attention of your manager as a matter of urgency.

How will we respond?

If workplace bullying or unreasonable behaviour is reported or observed, we will take the following steps:

- The responsible supervisor or manager will speak to the parties involved as soon as possible, gather information, and seek a resolution to address the issue satisfactorily for all parties.
- If issues cannot be resolved or the unreasonable behaviour is considered to be of a serious nature, an impartial person will be appointed to investigate. Both sides will be able to state their case, and relevant information will be collected and considered before a decision is made.
- All complaints and reports will be treated in the strictest of confidence. Only those people directly involved in the complaint or in resolving it will have access to the information.
- There will be no victimisation of the person making the report or helping to resolve it.

Consequences of breaching this policy

Appropriate disciplinary action may be taken against a person who is found to have breached this policy. The action taken will depend on the nature and circumstance of each breach and could include:

- a verbal or written apology
- one or more parties agreeing to participate in counselling or training
- a verbal or written reprimand, or
- transfer, demotion, or dismissal of the person engaging in the bullying behaviour.

If an investigation finds workplace bullying has not occurred or cannot be substantiated, the organisation may still take appropriate action to address any workplace issues leading to the bullying report.

CHAPTER THREE - WORKERS COMMUNICATION SKILLS

Acceptance of responsibility and confidence are required for individual business owners and employees to override negative social norms of workplace bullying tolerance with altruistic personal norms of positive behaviour to create an organisational psychological safety culture. Firstly, awareness of the need for change is required. This is difficult in an environment where the true extent of workplace bullying is not available under fragmented and out of date statistical reporting. However, the true extent of the $47B national bullying cost, 1 in 10 workers affected, $33K cost of mental stress compensation and 46% increase in workplace bulling since 2016 provides concern that there is an increasing chance that one team member can cost each business increased workers compensation premiums, sick leave and compliance costs at any time.

Secondly there needs to be a sense of responsibility to respond such as the new Psychosocial Hazard Code of Practice under WHS laws making directors and business owners personally responsible for WHS fines and imprisonment. This responsibility extends to workers through the duty of care to eliminate the risk of harm to fellow workers supported by organisations enforceable WHS obligations in employment contracts to reduce the director's risk. Increased awareness of the risk of suffering from or causing anxiety, depression, PTSD and suicide is required for individual change. This serves to

reinforce a belief in consequences for both organisations and individuals to support good intentions based on positive social roles and identity.

This is the third stage where confidence comes in. Acknowledgement that positive behaviour is a good practice is not hard. However, there needs to be a perception that the problem can be relieved by action. This can be done through encouragement and example, but true confidence is reached through personal achievement. This is where continual reinforcement and support is needed. Organisational commitment is required to support individual change while success stories for businesses like Walmart, Starbucks, Amazon, Google, Microsoft, and Pixar, show the value of organisational change. This change has been created through innovative but standardised business tools like strategic human resource management, authentic leadership, and early conflict resolution to reinforce the business case for change. This reinforces a belief in capability through support and training to encourage goals will be achieved while dealing with all the emotions rather than burying those feelings.

The fourth stage is arousing some sense of responsibility to respond. For businesses, the causal responsibility is that poor job design and protection of oppressors causes bullying and the accountability created by the WHS Act. For individuals, it could be possessing the unique skills, knowledge, and availability to be able to act or simply a direct appeal from someone who needs help. The fifth stage is assessing how the expected outcomes will affect the cost and benefit for the organisation and individuals needing to act. These costs could be social, physical, psychological, or moral like ostracism or recognition, time and effort, self-esteem or sense of achievement, or conforming with personal values.

The final assessment stage involves denial of that sense of responsibility to act after acceptance of that responsibility. Denial of need can include believing that a victim can leave and get compensation or social security. Denial of suitability in the face of fear of being victimised next and not wanting to interfere can be used to change minds, while denial of responsibility can include lack of faith in the suitability of your own skills, following opposing views, and not feeling directly responsible for the bad behaviour. Following this the assessment stage reoccurs to form the decision to act or not. It is at this point that confidence and responsibility enable personal norms to override negative social norms of workplace bullying tolerance to create a psychological safety culture.

The advantage of using a trusted third party to provide the right education, skills training, policy and agreements is the independent guarantee that the right qualifications, experience and independent research have been applied to the situation without bias for the best possible social outcome.

EARLY CONFLICT RESOLUTION SKILLS

Early conflict resolution skills let you build and keep a psychological safety culture to stop psychological injury through bullying. We will now talk about early conflict resolution and how bullying causes psychological injury to you and your team members. As well as business costs that can affect organisational productivity. We will look at the need for emotional awareness to recognise both unreasonable and reasonable behaviour. We will discuss conflict resolution skills to defuse task and interpersonal conflict before it escalates to bullying-related psychological injury. While in the past, conflict has been seen to encourage innovation, we now know that positive behaviour alternatives to management or mismanagement of conflict, can encourage creativity without the risk of causing psychological injury through bullying.

Bullying causes anxiety and depression, which can lead to PTSD and suicide without help. It is estimated that 1 in 10 employees is exposed to bullying in Australia, with similar figures around the world. Compliance costs for organisations include legal fees, recruitment costs, sick leave, and workers' compensation claims. Workers' compensation claims for bullying-related psychological injuries have increased more than any other injury claim in Australia. Organisational costs not only affect productivity but also shareholder reputation and the reputation of the organisation to potential employees. The Productivity Commission estimated that the cost of workplace bullying in Australia in 2020 was at least 34 billion dollars annually.

Task conflict is an effective way to encourage creativity and prevent unchallenged poor decision-making. Task conflict can easily deteriorate into person-related conflict through misinterpretation of task conflict. Person-related conflict is always destructive. Person-related conflict can also result from discrimination and personal biases. Person conflict can easily escalate to workplace bullying without early conflict intervention. Bullying is difficult to resolve, and mediation becomes ineffective at this point. The quickest way to de-escalate conflict is for the parties to identify and resolve issues as they happen. Task-related conflict mismanagement can be resolved using emotional coaching, while codes of positive behaviour can be used to disrupt personal bias and discrimination.
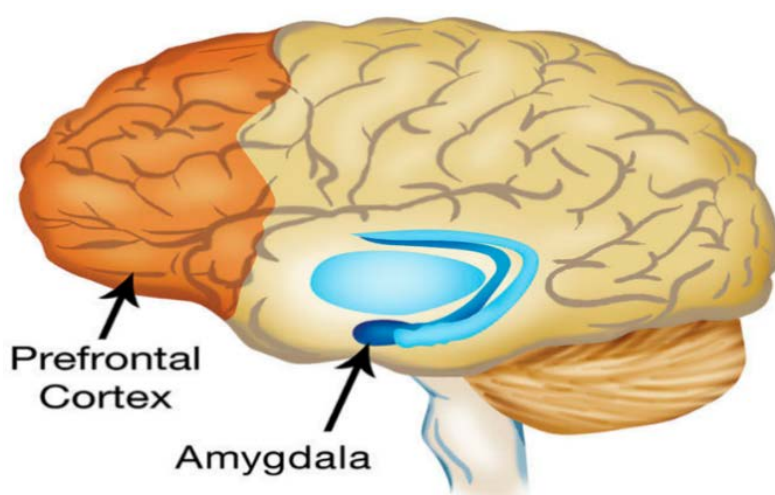
Emotional responses are natural and chemical, based on the release of hormones in everyone's body. This release of chemicals takes time to dissipate and change the mix from rational to emotional thought. Your Prefrontal Cortex at the front of your brain is where the rational task-related thought occurs. The Amygdala takes over as a safety switch to help you survive in emergency situations. It brings on the freeze, fight or flight response when you feel threatened. It can cause anger and fear, resulting in sadness when things escalate. These chemical changes take time to dissipate and restore balance. Prolonged exposure can lead to anxiety and depression.

The Emotional Response Feedback Wheel shows how task conflict miscommunication can easily lead to person-related conflict without any intention to do so. Miscommunication can lead the parties to reinterpret what they tell themselves to create negative feelings as their Amygdala takes over from their Prefrontal Cortex. The feelings created are real and need to be resolved before constructive task-related discussions can continue. Early conflict resolution is dependent on parties recognising the risk of misinterpretation or the consequences of deliberately causing personal conflict through unrelated personal biases such as discrimination and selfishness. The reason for the personalisation of the story is not as important as resolving the emotional needs resulting from the feelings to encourage a return to a more selfless rational task, though.

Emotion Coaching is a three-step process to defuse and resolve person-related conflict to restore task-related discussions. Emotion Coaching disrupts person-related conflict using a collaborative task-related conflict resolution style focusing on defusing the effect of negative emotions. It relies on firstly recognising and labelling emotions through what is said and non-verbal communication. Then, emotions need to be validated as normal reactions to stressful situations to show empathy. This confirms what the parties are telling themselves and allows for clarification of any misunderstanding. After this, reassurance is given that negative emotions can be relieved and any unreasonable responses defused by setting boundaries. Finally, the parties can set about problem-solving the original task-related conflict with appropriate conflict-resolution strategies. In extreme situations, third-party mediation can help focus on resolving the person-related conflict, or counselling may be

required to assist with emotional awareness. It is important to resolve the issues early before bullying occurs, as by then, it may be too late for mediation to help. By the time bullying injury is caused, the only course available may be the disruption of separating parties with irreconcilable differences before the victim resigns to recover or is terminated after decreasing performance.

Step one is to recognise others' emotions. Emotions are displayed through words, facial expressions and body language. Non-verbal communication is an unconscious physical display of emotions. By recognising these non-verbal emotional displays, we can label these emotions. By labelling emotions, we can verify those non-verbal displays verbally to confirm others' feelings and corresponding needs.

In step two, empathy is understanding how those emotions affect you and make everyone feel. It is important to validate how those emotions affect everyone in a similar situation. By rationally normalising the emotions, the personal focus of the conflict is shifted to the task of resolving any misunderstanding or bias resulting in those feelings. It is important to destigmatise the expression of feelings to prevent escalation to bullying.

In step three, once the labelled emotions are validated, we must identify what is needed. If sad - reassure the person that the problem can be solved. If frightened – confirm that they are in a safe place. If angry - provide boundaries that aggression is not acceptable and provide time for any chemical imbalance to subside. After the person-related conflict is resolved, you can start problem-solving the original task-related conflict.

When we talk about emotional awareness, we will discuss empathy, resilience, and non-verbal communication. Empathy is understanding the difference between reasonable and unreasonable behaviour and how your behaviour and gestures affect their perceptions and reactions. Empathy is used to modify your behaviour to ensure that your behaviour is not perceived as unreasonable when it is not intended to do so.

Resilience, on the other hand, is having the same understanding of the difference between reasonable and unreasonable behaviour and how others' reasonable behaviour and gestures affect your perceptions and reactions. Resilience is used to modify your behaviour to ensure that your behaviour is not perceived as a conflict where others' reasonable behaviour was not intended to do so either. Resilience is recognising and accepting

reasonable behaviour. However, being expected to adapt and accept unreasonable behaviour is not resilience.

Up to 93% of communication is non-verbal. As you can see, there are many forms of non-verbal communication, including but not limited to facial expressions and body language.

Some facial expressions are obvious. Your facial expression can contradict your words, like when you laugh at a sad story. Because facial expressions are so important, face-to-face meetings are the best form of communication when you need to discuss details or important issues. This provides confirmation of what is said and immediate verification of any misunderstanding. For this reason, emojis are a popular addition to text and email communication to offer context in what can be ambiguous brief messages that are open to interpretation.

Like facial expressions, body language can contradict your words. Some common gestures include folding your arms when you are closed to the idea being discussed, having open arms when you are open to an idea, pointing when you are dictating a position, and holding your hands behind your back when defeated. Your clothes and appearance convey meaning like professionalism and authority when wearing a suit, being approachable when wearing smart casual clothes, or having a disinterested, scruffy appearance. Hand movements are important, like an open hand, pointing, thumbs up or thumbs down. All body movement conveys meaning, and it is important to read those meanings properly.
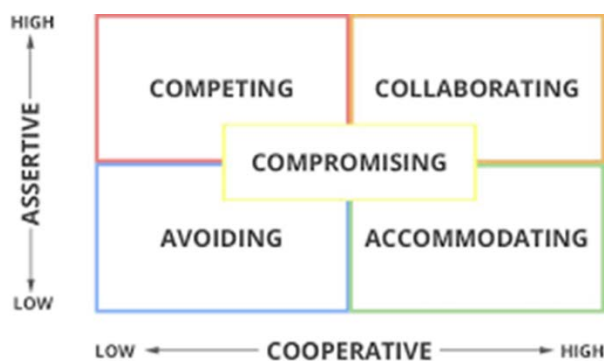
When we talk about conflict resolution skills, we mean that you need to use an effective early conflict resolution procedure. There are different types of negotiation strategies, and some are more appropriate than others. There are also reasonable ways to respond to harassment without escalating out of control to bullying.

There are five different negotiating strategies based on how assertive or cooperative you are. Collaboration is the most assertive and cooperative, leaving you with a win/win situation. Competing, Avoiding and accommodating leave issues unresolved and one party disappointed. Compromising is a fair result, but if each party has unequal bargaining power, a compromise is one-sided and not always a real compromise.

Early conflict resolution is designed to stop unreasonable behaviour before it escalates out of control to cause bullying. Unreasonable conflict in the presence of bystanders can cause psychological injury to those bystanders who are vulnerable because they have no power to intervene and sometimes are coerced to support the unreasonable behaviour for fear of

becoming the next target. Once conflict progresses to bullying, the opportunity for mediation is lost. You should challenge unreasonable behaviour early. Asking for help at this point is too late.

Stop **Walk** **Talk**

Ask to Stop! Walk away Ask for help

There are times when you have no control over how someone behaves unreasonably toward you. There are three steps to defuse any volatile situation: Ask the person to Stop the unreasonable behaviour. Walk away if it continues, or remove yourself from the conflict until it cools down. If all else fails, Talk to someone who can help resolve the situation reasonably.

The Code of Positive Conduct policy supports early conflict resolution training. It applies to all employees and provides the framework of principles for conducting business and dealing with other employees, clients, contractors, and suppliers. The Code of Positive Conduct does not replace legislation, and if any part of it is in conflict, then legislation takes precedence.

The positive behaviour policy encourages listed positive behaviour. It is not an exhaustive list of reasonable conduct, and there should be no surprises as to what is regarded as positive behaviour. It is a good starting point to indicate the type of behaviour the organisation expects of its employees rather than listing what negative behaviour is acceptable. Any employee in breach of this policy may be subject to disciplinary action, including dismissal. Should an employee have doubts about any aspect of the Code of Positive Conduct, they must seek clarification from the organisation.

ADVANCED - EARLY CONFLICT RESOLUTION

Conflict is an inherent aspect of human interaction, and it is especially prevalent in the dynamic and diverse environment of modern businesses. In a corporate context, conflicts can arise due to various factors, such as differences in opinions, goals, resources, and communication breakdowns. Whether it's a disagreement between team members, a dispute over resource allocation, or a clash of personalities among leadership, the consequences of unresolved conflicts can be detrimental to an organisation's performance and its employees' well-being.

Emotional intelligence (EI), a concept popularised by psychologist Daniel Goleman, refers to the ability to recognise, understand, manage, and utilise one's own emotions as well as those of others effectively. In the business world, EI plays a pivotal role in fostering healthy workplace relationships, enhancing leadership skills, and improving overall organisational performance. Leaders and employees who possess high emotional intelligence are better equipped to navigate the complexities of human interactions, making them more adept at conflict resolution.

John Gottman's Emotion coaching is a subset of EI that involves helping individuals recognise and manage their emotions in a supportive and empathetic manner. It is a practice that encourages emotional awareness, validation, and regulation. When implemented in the workplace, emotion coaching can create a culture of emotional well-being, resilience, and empathy. This, in turn, has a profound impact on employee satisfaction, retention rates, and organisational success.

> ➤ Event – What actually happened
> ➤ Story – What I tell myself
> ➤ Feel   – How it made me feel
> ➤ Need   – What I need to feel better

Terrence Real's, is a tool used to enhance emotional awareness. It provides a structured way to identify and articulate various emotional reactions, helping individuals and teams gain deeper insights into their emotional experiences. While initially developed for therapeutic purposes, the emotional response wheel has found valuable applications in

business settings. When integrated into emotion coaching, conflict resolution and EI training, the emotional response wheel can enhance emotional intelligence, communication, and problem-solving skills.

This chapter aims to provide a comprehensive analysis of how conflict resolution, emotional intelligence, emotion coaching, and the emotional response wheel intersect and contribute to the success of businesses. Each section of this chapter will delve into these concepts in detail, exploring their theoretical foundations, practical applications, and the benefits they offer to organisations. Additionally, we will examine real-world examples of companies that have effectively integrated these concepts into their business strategies.

Conflict can be broadly defined as a disagreement or struggle between two or more parties who perceive their interests, values, or goals as incompatible. In the context of business, conflicts can manifest in various forms, including:

1. **Interpersonal Conflict:** Arises from differences in personality, communication styles, or competing interests among individuals within an organisation.
2. **Intrapersonal Conflict:** Refers to internal conflicts within an individual, where conflicting emotions, values, or goals lead to a sense of inner turmoil.
3. **Intragroup Task Conflict:** Occurs within a specific team or department and may result from resource allocation issues, task distribution, or differences in work approaches.
4. **Intergroup Task Conflict:** Involves disputes between different teams, departments, or divisions within an organisation, often stemming from competition for resources or recognition.

Unresolved conflicts in the workplace can have significant negative consequences, including:

1. **Reduced Productivity:** Conflicts often lead to decreased efficiency and productivity as they divert time and energy away from tasks and goals.
2. **Decreased Employee Morale:** Prolonged conflicts can create a toxic work environment, eroding employee satisfaction, motivation, and engagement.

3. **High Turnover Rates:** Employees may seek alternative employment to escape ongoing conflicts, resulting in higher turnover and recruitment costs for the organisation.

4. **Damage to Reputation:** External stakeholders, such as potential employees, clients and investors, may lose confidence in a company known for internal conflicts, affecting its brand image and market competitiveness.

5. **Legal Consequences:** Serious conflicts can escalate to legal disputes, leading to costly litigation and reputational damage.

On the other hand, when conflicts are managed effectively, they can lead to several positive outcomes, including:

1. **Enhanced Problem-Solving:** Conflicts can stimulate creativity and lead to innovative solutions when addressed constructively.

2. **Improved Relationships:** Resolving conflicts fosters better interpersonal relationships among employees and teams.

3. **Increased Trust:** A successful resolution process builds trust within the organisation, as employees perceive that their concerns are heard and addressed.

4. **Enhanced Decision-Making:** Open dialogue and diverse perspectives, which often arise during conflict resolution, can lead to more informed decisions.

5. **Positive Organizational Culture:** A culture that values open communication and conflict resolution fosters a more harmonious and supportive workplace.

Effective conflict resolution requires a range of strategies and techniques that can be adapted to the specific circumstances and parties involved. Some of the commonly used strategies include:

1. **Collaborative Problem-Solving:** Encourages parties to work together to identify mutually beneficial solutions. This approach often involves open communication, active listening, and a focus on common interests.

2. **Negotiation:** Involves parties discussing their needs and interests to reach a mutually acceptable agreement. Negotiation can be competitive or cooperative, depending on the situation.

3. **Mediation:** A neutral third party, the mediator, assists the conflicting parties in reaching a resolution. Mediation is often used when direct communication between parties has broken down.
4. **Arbitration:** Involves a third party, the arbitrator, who listens to both sides of the conflict and makes a binding decision. Arbitration is often used when a quick and final resolution is needed.

Emotional intelligence (EI) is closely intertwined with conflict resolution. EI equips individuals with the emotional awareness and regulation skills necessary to manage conflicts effectively. Here's how EI contributes to conflict resolution:

1. **Self-Awareness:** Individuals with high EI are better at recognising their emotions and understanding how those emotions affect their behaviour and decision-making during conflicts. This self-awareness can help them remain calm and composed.
2. **Self-Regulation:** High EI individuals can manage their emotional reactions during conflicts, preventing impulsive and emotionally charged responses that can escalate the situation.
3. **Empathy:** EI includes the ability to empathise with others and understand their perspectives and emotions. This empathetic understanding can facilitate more constructive communication and compromise during conflicts.
4. **Social Skills:** Strong social skills, a component of EI, enable individuals to navigate interpersonal relationships effectively, fostering a positive atmosphere for conflict resolution.

Emotional intelligence (EI) is a multifaceted concept that encompasses a range of emotional competencies. It is often broken down into the following components:

1. **Self-awareness:** The ability to recognise and understand one's own emotions, including their triggers and impact.
2. **Self-Regulation:** The capacity to manage and control one's emotional responses, preventing impulsive reactions.
3. **Empathy:** The skill of recognising and understanding the emotions and perspectives of others.
4. **Social Skills:** The ability to navigate social interactions effectively, including communication, conflict resolution, and teamwork.

5. **Motivation:** Intrinsic motivation to achieve goals often involves a strong drive and resilience in the face of setbacks.

B. The Impact of Emotional Intelligence on Leadership

In a business context, emotional intelligence is particularly relevant for leadership. Leaders who possess high EI are more likely to exhibit the following qualities:

1. **Effective Communication:** Leaders with high EI communicate clearly and empathetically, fostering understanding and trust among their teams.
2. **Conflict Resolution Skills:** They excel in managing conflicts within their teams, promoting collaboration, and finding win-win solutions.
3. **Adaptability:** High EI leaders are open to change and adaptable in dynamic business environments.
4. **Influence:** They have the ability to inspire and motivate their teams, leading to increased employee engagement and performance.
5. **Empathy:** EI enables leaders to connect with their employees on a personal level, making them more attuned to their needs and concerns.
6. **Stress Management:** High EI leaders are better equipped to handle stress and remain composed during high-pressure situations.

Recognising the importance of EI in business, many organisations have implemented strategies to enhance EI among their employees and leadership. Some of the methods for developing EI in the workplace include:

1. **Training and Development Programs:** Offering workshops, seminars, and training sessions focused on emotional intelligence to employees and leaders.
2. **Assessments and Feedback:** Using EI assessments to measure current emotional intelligence levels and provide feedback for improvement.
3. **Coaching and Mentoring:** Providing one-on-one coaching or mentoring relationships to help individuals develop their emotional intelligence competencies.
4. **Recruitment and Selection:** Incorporating EI assessments and interview questions into the hiring process to identify candidates with strong emotional intelligence.

Several companies have demonstrated the positive impact of emotional intelligence on their organisational culture and success. One such example is Google, which has integrated EI into its leadership development programs. Google's "Search Inside Yourself" program, based on EI principles, has been widely praised for enhancing employee well-being, collaboration, and innovation. Similarly, Microsoft has emphasised EI in its leadership development, resulting in improved team dynamics and decision-making.

Emotion coaching is a concept that originated in the field of psychology, particularly in the context of parenting and child development. It involves helping individuals, including employees in a workplace setting, recognise, understand, and manage their emotions effectively. Emotion coaching focuses on the following:

1. **Emotion Awareness:** Encouraging individuals to identify and label their emotions accurately.
2. **Empathetic Understanding:** Listening to and validating the emotional experiences of others.
3. **Emotion Regulation:** Teaching strategies for managing and regulating emotions in a healthy and constructive manner.

Emotion coaching in the workplace offers numerous benefits to both employees and organisations, including:

1. **Enhanced Emotional Well-Being:** Employees who receive emotion coaching are better equipped to handle stress, anxiety, and negative emotions, leading to improved mental health and well-being.
2. **Increased Resilience:** Emotionally coached individuals develop resilience in the face of challenges and setbacks, making them more adaptable and resourceful.
3. **Improved Relationships:** Emotion coaching fosters empathetic and supportive workplace relationships, reducing conflicts and enhancing teamwork.
4. **Enhanced Decision-Making:** Emotionally intelligent employees make more rational and balanced decisions, even under pressure.
5. **Greater Job Satisfaction:** A workplace that values and promotes emotional well-being leads to higher employee satisfaction and engagement.

Individual Counselling and Implementation Guide

To implement emotion coaching effectively in organisations, the following steps can be taken:

1. **Leadership Buy-In:** Leaders must understand and support the importance of emotional coaching and lead by example.
2. **Training and Development:** Offer training programs to employees and managers on emotion coaching techniques and principles.
3. **Creating Safe Spaces:** Establish a culture where employees feel safe and encouraged to express their emotions without fear of judgment or reprisal.
4. **Feedback and Evaluation:** Provide regular feedback and evaluations to employees on their emotional intelligence and coaching efforts.

To truly integrate emotion coaching into the workplace, organisations must strive to create a culture of emotional well-being. This involves:

1. **Clear Communication:** Encouraging open and honest communication at all levels of the organisation.
2. **Empathetic Leadership:** Promoting leadership styles that are empathetic, approachable, and supportive of employees' emotional needs.
3. **Mental Health Support:** Offering resources and support for employees dealing with mental health issues, including access to counselling services.
4. **Recognition and Rewards:** Acknowledging and rewarding employees and teams who excel in emotion coaching and creating a positive emotional atmosphere.

Leaders and managers play a pivotal role in fostering emotion coaching in the workplace. They can lead by example by demonstrating emotional intelligence in their interactions with employees. Additionally, they can:

1. **Provide Training:** Leaders should be trained in emotion coaching techniques and be able to facilitate workshops and training for their teams.
2. **Model Emotional Regulation:** Leaders should model healthy emotional regulation, showing how to manage stress and emotions effectively.
3. **Encourage Feedback:** Leaders should create an environment where employees feel comfortable providing feedback on their emotional needs and the effectiveness of coaching efforts.

4. **Support Employee Growth:** Leaders should support employees in their personal and professional growth related to emotional intelligence.

Terrence Real's emotional response wheel, is a four step process of dealing with the interpretation or misinterpretation of what is said during normal communication. The structure of the emotional response wheel typically consists of the four steps to identify what actually happened, what I tell my self, how it made me feel and what I need to resolve the emotional reaction to what was perceived. It was developed as a tool to help individuals identify, label, and communicate their emotions resulting from personal conflict more effectively.

The concept of the emotional response wheel is rooted in the field of psychology and emotional intelligence. It draws upon the idea that emotional awareness is a key component of emotional intelligence. The emotional response wheel was developed to assist individuals in recognising and understanding their emotions, which are critical steps in emotional regulation and effective communication.

Robert Plutchik's Wheel of Emotions assists in categorising emotions based on their underlying themes and characteristics. Emotions were grouped into families or clusters to create a visual representation that is intuitive and accessible to a wide range of individuals.

1. **Self-Awareness and Self-Reflection:** The emotional response wheel is a powerful tool for individuals to gain insight into their emotional experiences. By identifying and labelling their emotions, people can better understand the triggers and patterns of their emotional responses.
2. **Enhancing Communication:** In the workplace, the emotional response wheel can facilitate more precise and empathetic communication. Employees can use the wheel to express their feelings clearly, helping colleagues and supervisors understand their emotional state.
3. **Conflict Resolution and Mediation:** When conflicts arise, the emotional response wheel can aid in conflict resolution by enabling parties to express their emotions and concerns more effectively. Mediators can also use the wheel to guide discussions and promote understanding.

While the wheel of emotion is a valuable tool for emotional awareness, it is not without its challenges and criticisms:

1. **Simplification of Emotions:** Critics argue that the wheel of emotion oversimplifies the complexity of human emotions by categorising them into discrete categories. Some emotions may not fit neatly into predefined categories.
2. **Cultural Variations:** Emotions and their expressions can vary across cultures, and the emotional response wheel may not account for these cultural nuances adequately.
3. **Individual Differences:** Emotions are highly individualised, and individuals may experience and express emotions differently. The emotional response wheel may not capture these individual variations.
4. **Limited Scope:** The emotional response wheel primarily focuses on negative and positive emotions, but it may not address more nuanced emotional states.

Despite its limitations, many organisations have successfully incorporated the wheel of emotion into their training and development programs. These companies have reported positive outcomes, including:

1. **Improved Communication:** Employees who use the wheel of emotion report more effective communication, leading to better understanding and reduced misunderstandings.
2. **Conflict Resolution:** The wheel of emotion has been integrated into conflict resolution processes, allowing parties to express their emotions and concerns, ultimately leading to more constructive resolutions.
3. **Emotional Intelligence Development:** The wheel of emotion is often used as a foundational tool in emotional intelligence training programs, enhancing participants' emotional awareness.
4. **Enhanced Team Dynamics:** Teams that incorporate the wheel of emotion into their interactions tend to have improved teamwork, as members can express their emotions and concerns openly.

The integration of emotional intelligence (EI) into conflict resolution strategies enhances the effectiveness of these approaches. Here's how EI contributes to conflict resolution:

1. **Self-Awareness:** High EI individuals are more attuned to their emotional responses during conflicts, allowing them to remain calm and focused on solutions.
2. **Self-Regulation:** EI enables individuals to manage their emotional reactions, preventing impulsive or aggressive behaviours that can escalate conflicts.
3. **Empathy:** EI fosters empathy, helping individuals understand the emotions and perspectives of others involved in the conflict, leading to more empathetic and effective communication.
4. **Social Skills:** EI provides individuals with the social skills necessary for effective negotiation, mediation, and collaboration during conflict resolution processes.

Emotion coaching serves as a supportive practice that complements the development of emotional intelligence. By providing individuals with the tools and skills to recognise, understand, and manage their emotions, emotion coaching contributes to the growth of EI. Emotion coaching helps individuals:

1. **Enhance Self-Awareness:** Emotion coaching encourages individuals to identify and label their emotions accurately, a fundamental aspect of EI.
2. **Develop Empathy:** By empathetically listening to others' emotions, emotion coaching reinforces the empathetic component of EI.

3. **Build Emotional Regulation Skills:** Emotion coaching teaches strategies for managing emotions effectively, which aligns with the self-regulation component of EI.

4. **Improve Social Skills:** Emotion coaching involves teaching individuals how to communicate their emotions and concerns to others, enhancing their social skills within the EI framework.

The emotional response wheel can be integrated into emotional intelligence development and emotion coaching in the following ways:

1. **Emotion Awareness:** The emotional response wheel serves as a practical tool to help individuals become more aware of their emotional responses in response to the perception of what actually happened, facilitating the self-awareness component of EI.

2. **Emotion Labeling:** By using the emotional response wheel to label their emotions, individuals can improve their emotional vocabulary and enhance their ability to express themselves, contributing to the social skills component of EI.

3. **Emotion Regulation:** The emotional response wheel can guide individuals in recognising patterns in their emotional responses, helping them develop strategies for emotional regulation and self-control.

4. **Empathetic Understanding:** Emotion coaching can utilise the emotional response wheel to help individuals understand and validate the emotions of others resulting from perceived interpretation of what actually happened, reinforcing the empathetic component of EI.

Several organisations have recognised the synergy between emotional intelligence, emotion coaching, and the emotional response wheel, leading to innovative approaches to enhance employee well-being and organisational success.

While the integration of conflict resolution, emotional intelligence, emotion coaching, wheel of emotion and the emotional response wheel can yield numerous benefits for businesses, there are several challenges and barriers to their successful implementation:

Implementing these concepts often requires a cultural shift within an organisation, which can be met with resistance from employees and leadership who are accustomed to traditional approaches. Resistance may stem from fear of the unknown, scepticism about

the value of emotional intelligence, or concerns about the time and resources required for training and development.

Many organisations may lack the necessary expertise and resources to train employees and leaders effectively in emotional intelligence, emotion coaching, and the use of the emotional response wheel. This lack of training and awareness can hinder the successful integration of these concepts into the workplace.

Organisational culture plays a significant role in determining the success of these concepts. If an organisation has a deeply ingrained culture of conflict avoidance, emotional suppression, or a lack of empathy, it may be challenging to introduce and sustain these new approaches.

Quantifying the impact of conflict resolution, emotional intelligence, emotion coaching, and the emotional response wheel on organisational outcomes can be challenging. While there is ample anecdotal evidence of their benefits, organisations may struggle to demonstrate the return on investment in a tangible and measurable way.

In summary, conflict resolution, emotional intelligence, emotion coaching, and the emotional response wheel are interconnected concepts that have the potential to transform businesses. Conflict is an inherent part of organisational life, and effective resolution is essential for productivity and employee well-being. Emotional intelligence enhances conflict resolution by equipping individuals with the skills to recognise, understand, and manage emotions. Emotion coaching fosters emotional well-being and resilience, while the emotional response wheel aids in emotional awareness.

As organisations continue to evolve, the integration of conflict resolution, emotional intelligence, emotion coaching, and the emotional response wheel will become increasingly important. Recognising the interconnectedness of these concepts and their potential to enhance workplace culture and performance, businesses should invest in training, development programs, and cultural changes that promote emotional intelligence and effective conflict resolution.

Emotion coaching and the emotional response wheel, though initially developed in different contexts, have found valuable applications in the business world. Their ability to promote

emotional awareness, empathy, and effective communication makes them powerful tools for improving organisational dynamics. As organisations prioritise emotional intelligence and well-being, the role of emotion coaching and the emotional response wheel is likely to expand.

In the ever-changing landscape of modern businesses, the ability to manage conflicts constructively, foster emotional intelligence, and create a culture of emotional well-being can be a competitive advantage. Organisations that invest in these concepts stand to benefit from increased employee satisfaction, better teamwork, enhanced leadership, and improved overall performance. Conflict resolution, emotional intelligence, emotion coaching, and the emotional response wheel are not mere trends but enduring principles that can shape the future of successful businesses.

To successfully integrate conflict resolution, emotional intelligence, emotion coaching, and the emotional response wheel into a business, organisations should consider the following recommendations:

A. Leadership Commitment

1. **Demonstrate Commitment:** Top leadership should visibly demonstrate their commitment to these concepts by participating in training, modelling desired behaviours, and actively promoting their integration.
2. **Set Clear Expectations:** Leaders should communicate clear expectations regarding conflict resolution, emotional intelligence, and emotion coaching as part of the organisational culture.
3. **Provide Resources:** Allocate resources for training, development programs, and tools related to these concepts, ensuring that employees have the necessary support and materials.

B. Comprehensive Training

1. **Offer Comprehensive Training:** Develop and provide training programs that cover conflict resolution strategies, emotional intelligence development, emotion whell, emotion coaching techniques, and the effective use of the wheel of emotion.

2. **Customize Training:** Tailor training to the specific needs and roles within the organisation. Leaders, managers, and employees may require different levels and types of training.

3. **Ongoing Learning:** Promote continuous learning and development by offering refresher courses and opportunities for employees to advance their skills in these areas.

C. Cultural Transformation

1. **Foster a Psychological Safety Culture:** Create an organisational culture that encourages open communication, empathy, and emotional well-being. Ensure that employees feel safe expressing their emotions.

2. **Reward Desired Behaviors:** Recognize and reward individuals and teams that exemplify the principles of conflict resolution, emotional intelligence, and emotion coaching.

3. **Address Resistance:** Address resistance to change proactively by providing forums for employees to voice concerns and offering evidence of the benefits of these concepts.

D. Integration into HR Practices

1. **Recruitment and Selection:** Incorporate assessments for emotional intelligence during the hiring process to identify candidates who are likely to contribute positively to the organisation's culture.

2. **Performance Evaluations:** Include measures related to conflict resolution skills, emotional intelligence competencies, and the use of emotion coaching in performance evaluations.

3. **Professional Development Plans:** Encourage employees to create professional development plans that include goals related to improving conflict resolution and emotional intelligence skills.

E. Evaluation and Measurement

1. **Establish Metrics:** Develop key performance indicators (KPIs) and metrics to measure the impact of these concepts on organisational outcomes, such as employee satisfaction, retention, and productivity.

2. **Feedback Mechanisms:** Implement regular feedback mechanisms for employees to provide input on the effectiveness of conflict resolution processes and emotional intelligence initiatives.

3. **Continuous Improvement:** Use data and feedback to continuously refine and improve conflict resolution, emotional intelligence, emotion coaching, and emotional response wheel practices.

In a rapidly changing business landscape, organisations that prioritise conflict resolution, emotional intelligence, emotion coaching, and the emotional response wheel are better positioned to succeed. These concepts are not isolated practices but interconnected components of a holistic approach to fostering a healthy, supportive, and productive work environment.

Conflict resolution, grounded in emotional intelligence, enables organisations to address challenges constructively. Emotion coaching contributes to employee well-being, resilience, and empathy, while the emotional response wheel enhances emotional awareness and communication. When combined, these concepts create a powerful synergy that can lead to improved organisational culture, enhanced teamwork, and increased competitiveness.

As businesses continue to evolve and adapt, investing in the development and integration of these concepts is not just a strategic choice but a fundamental necessity. The path to success in the modern business world requires organisations to embrace conflict resolution, emotional intelligence, emotion coaching, and the emotional response wheel as core principles that underpin their culture, leadership, and overall approach to employee well-being and productivity.

CHAPTER FOUR – MANAGEMENT RESPONSIBILITY

Directors and business owners are now personally liable for injury and death resulting from psychosocial hazards. The Safe Work Psychosocial Hazard Code of Conduct can be used in court under the Work Health and Safety Act 2011 to show what risks are known about psychosocial hazards that lead to workplace bullying. While defences and exemptions apply to fair work bullying orders for small businesses, management action and unrepeated harassment, these defences do not apply to the work health and safety duty of care. While reasonable practicability determines whether a risk should be eliminated or minimised, the cost of compliance is not a defence. Work Health and safety liability is not covered under standard director professional indemnity insurance. The advantages of increasing productivity and lowering compliance and recruitment costs are now known to far exceed the short-term gains from workplace harassment. The Psychosocial hazard code of conduct now identifies and assesses the risks of conflict escalation, discrimination, and poor job design, leaving responsibility for controlling those risks to organisations to develop and implement.

There is no difference under the Psychosocial Hazard Code of Practice to the chain of responsibility arising from a job design that leaves a driver without sufficient time or a secure load to deliver goods safely.   Just as significant incidents in the past have extended the personal liability and responsibility of directors and business owners, all it will take is the

unfortunate high-profile death of a worker through violence or suicide to reinforce the liability of management and all those involved in the chain of responsibility for psychosocial hazards as well. Fortunately, the work health and safety duty of care imposes a duty of care on all those involved in the chain of responsibility to eliminate psychosocial hazards before they cause injury or workplace bullying. The duty of care can be enforced in employment contracts to ensure compliance with work health and safety obligations. As a business owner or director, the duty to identify, assess, control and monitor psychosocial hazard risk is described in the Safe Work Australia Managing Psychosocial Hazards at Work Code of Practice 2022, which has been adapted in Victoria and adopted nationally.

Strategic human resource management and authentic leadership skills are the keys to a well-documented and implemented job design and management process. Strategic human resource management ensures that job design is based on the organisation's documented strategic objectives set by senior management. The job design considers the psychosocial hazards of goal setting, resource allocation and training to document performance management criteria for line managers to implement under human resource management supervision. Authentic leadership is a transformational leadership style that uses positive values to build long-lasting relationships to connect and inspire success. The use of strategic performance management reduces the risk of unfair dismissal through thorough documentation and validation of performance management decisions. The application of authentic leadership skills throughout an organisation provides an example to workers of management commitment to employee wellbeing by eliminating psychosocial hazards.

Directors and business owners are now more exposed to personal liability for work health and safety psychosocial hazards without the benefit of workplace bullying small business, management action and unrepeated harassment exemptions under fair work bullying laws. When combined with early conflict resolution and positive organisational behaviour skills, strategic performance management and authentic leadership are the keys to reducing liability under the work health and safety duty of care. Directors and business owners need to work with human resource managers to source evidence-based psychosocial hazard controls to stop workplace bullying before it happens, encouraging positive behaviour to promote psychological safety cultures.

AUTHENTIC LEADERSHIP SKILLS

Authentic leadership qualities help implement the transformational leadership initiatives of positive workplace behaviour using strategic human resource management practices. With proper management commitment, these strategies will not only improve organisational reputation but also reduce costs and increase productivity. Management commitment can be shown by the adoption of positive behaviour principles using Authentic leadership. In turn, the adoption of positive behaviour can encourage Authentic leadership skills.

Authentic leadership is a transformational leadership style using emotional intelligence skills to encourage team members through participation rather than reward to achieve the common strategic goals of the organisation. Authentic leadership shares the values of positive behaviour to provide the common goal of eliminating workplace bullying. Authentic leadership focuses on achieving the organisation's strategic goals and aligning its response to employment issues with the fair and equal application of strategic human resource management. Transformational leaders inspire success, while traditional transactional leadership rewards work with wages.

Transformational leadership is a different approach that stimulates and inspires team members to achieve extraordinary outcomes and develop their own leadership capacity. Authentic leadership uses emotional intelligence. Emotional intelligence is the ability to perceive emotions, use emotions in thought, understand emotions and manage emotions without avoiding emotions. Emotional intelligence is a skill that can be learned.

Emotional awareness develops five skills: Self-Awareness, managing emotions, motivating oneself, recognising emotions in others, and handling group relationships. By combining these skills, a leader can master emotional intelligence, be aware of their own emotions and motivate themselves to manage them. Once you are aware of your own emotions, you can recognise those emotions in other individuals. The final skill is bringing all those elements together to be able to handle group relationships.

The qualities of an authentic leader are purpose, values, compassion, the ability to develop long-term relationships, self-discipline, and the humility to ask for help when needed. These are qualities that can be developed. Having a purpose is having a clear idea about your own destiny and being highly motivated to achieve these goals. This type of

transformational leader is focused on the organisation's sustainable strategic objectives. Authentic leadership is having good values and understanding not only their own values and principles but also their behaviour and actions towards others, which are exclusively directed by these reasonable values. Developing strong relationships is being accessible physically and emotionally, being open and honest with their team when discussing their feelings and thoughts to cultivate long-term relationships. Authentic leadership requires self-discipline to Keep going when times get tough, having persistence and motivation to remain calm but resolute when others doubt their ability to reach goals. To take responsibility when things don't work out and learn lessons that lead to success. Compassion is understanding how others are feeling and being empathetic to their needs, enabling them to connect with others and for others to see the leader sharing their hopes and dreams. Compassion is more than emotional awareness; It is acting on those emotions sympathetically. Finally, authentic leadership requires humility, where people can recognise their own shortcomings and reach out to their team for help when needed. This is where Authentic leaders can encourage leadership from within their team. Authentic leadership must never be faked as it is impossible for this level of deception to be sustained for long periods of time, and the consequences of this level of betrayal can be devastating for the manager and the organisation.

A strategic human resource management strategy aligns the organisation's strategic objectives with the human resource management objectives using Policy, Training and Action. Strategic Human Resource Management confirms organisational commitment by ensuring that all stages of employment are aligned with the organisational strategy, from Recruitment, Job Descriptions, Job Design, Resource Allocation, Pay Rates, Targets and Goals through to Performance Management and Appraisal.

An example of Strategic Human Resource Management is the recruitment of an employee to manufacture widgets. The organisation has a strategic objective to build and sell widgets safely. To do so, the human resource management needs to recruit employees to do the job. The job is designed to safely produce widgets using the proper equipment and training to do so. The employee is recruited at a specific rate of pay to produce a set target of widgets. If the employee meets the requirements of the position, they have achieved their part of the organisational strategic objective and should be rewarded.

Strategic human resource management plans for employees to be recruited for jobs designed with the resources needed to achieve the strategic objectives of the organisation. From the commencement of employment, pay rates comply with legislative requirements, incentives and performance requirements compared to other similar organisations. Using strategic human resource management performance management policy, employees should know what is expected of them to achieve the strategic objectives of the organisation from the start of their employment.

To support its strategic human resource management policy, the organisation introduces training, policy, and employment contracts to meet its strategic objectives. The organisation is motivated to encourage the elimination of workplace bullying to achieve its anti-bullying strategic objectives of creating a positive workplace, encouraging creativity, reducing recruiting and compliance costs, and becoming a recognised Employer of Choice to attract the best employees.

The organisation is motivated to encourage the elimination of workplace bullying to encourage employees to be confident and successful at work. This is so they can work in a positive workplace without harassment and be supported by the organisation to achieve organisational objectives and meet the expectations they had when they were recruited in the first place.

Strategic performance management should be fair, support the employee in achieving their strategic objectives and should not be prolonged unreasonably. Performance management should be conducted using strategic human resource management to ensure a fair and reasonable application of the process without the risk of a constructive dismissal complaint where an employee believes they have been unreasonably forced to resign. Strategic performance management should be designed to require fair and reasonable performance goals to accomplish achievable strategic objectives in comparison to other employees.

The strategic performance management process is an opportunity to improve performance rather than to remove an employee where training, resources and guidance support can reduce recruitment costs. Under strategic human resource management, the employee was recruited to perform in the current job description. If the employee does not have the required skills, the alternative to re-advertising the position is to provide the skills required to complete the job.

Strategic performance management needs to be conducted efficiently. If the employee was recruited without the necessary skills to perform the job description, this needs to be addressed in probation or as soon as possible after the issue arises without unreasonable delay. Unreasonable delay in itself can cause bullying, where no amount of criticism will improve performance. A timely, justifiable decision supported by strategic human resource management must be fair and reasonable in the circumstances for both parties.

ADVANCED - AUTHENTIC LEADERSHIP

Authentic leadership is a leadership style characterised by genuine and transparent behaviour, where leaders are true to themselves while fostering an environment of trust, openness, and credibility. This leadership approach centres on self-awareness, relational transparency, ethical decision-making, and a commitment to the well-being of followers.

Authentic leaders are not just authority figures; they are mentors and role models who lead with integrity, consistency, and a clear sense of purpose. They inspire and motivate their teams through their own authenticity, setting an example for others to follow.

Authentic leaders possess several key characteristics, including:

a. Self-awareness: Authentic leaders have a deep understanding of their values, beliefs, strengths, and weaknesses. They are in tune with their emotions and motivations, which allows them to make informed decisions.

b. Transparency: They are open and honest in their communication, sharing their thoughts, intentions, and even vulnerabilities with their teams. This transparency fosters trust and creates a sense of authenticity.

c. Ethical behaviour: Authentic leaders adhere to a strong moral compass and consistently make ethical decisions. They prioritise the welfare of their employees and the organisation above personal gain.

d. Relational authenticity: They build genuine and meaningful relationships with their teams, displaying empathy, respect, and a willingness to listen. This creates a supportive and inclusive work environment.

e. Adaptability: Authentic leaders are adaptable and open to change. They acknowledge their mistakes and learn from them, demonstrating humility.

Authentic leadership plays a crucial role in business for several reasons:

- **Trust and Credibility**: Authentic leaders are trusted by their teams, fostering a culture of trust within the organisation. When employees believe in their leaders' authenticity, they are more likely to be engaged and committed.
- **Employee Well-being**: Authentic leaders prioritise the well-being of their employees, leading to higher job satisfaction and lower turnover rates. They create a positive work environment that promotes personal and professional growth.
- **Innovation**: Authentic leaders encourage innovation by creating a safe space for employees to voice their ideas and concerns. This leads to creative problem-solving and increased competitiveness.
- **Organizational Performance**: Authentic leadership is linked to improved organisational performance, including higher productivity and profitability. Authentic leaders set clear expectations and provide the necessary support for their teams to excel.

To illustrate the impact of authentic leadership in business, let's examine two case studies:

Case Study 1: Starbucks Corporation

Howard Schultz, the former CEO of Starbucks, is often cited as an authentic leader. Under his leadership, Starbucks prioritised the welfare of its employees by offering healthcare benefits and stock options to even part-time workers. Schultz's transparency and commitment to social responsibility were instrumental in creating a culture of authenticity within the company. Starbucks experienced tremendous growth and became known for its employee-friendly policies.

Case Study 2: Patagonia

Yvon Chouinard, the founder of the outdoor clothing company Patagonia, is another example of an authentic leader. Chouinard built his company on a foundation of environmental and social responsibility. Patagonia's commitment to sustainability, transparency, and ethical practices aligns with Chouinard's personal values. This

authenticity resonates with customers and employees alike, making Patagonia a successful and socially conscious business.

To apply authentic leadership principles in the business world, leaders can consider the following steps:

- **Self-assessment**: Leaders should engage in self-reflection to gain a deep understanding of their values, strengths, and areas for improvement. This self-awareness forms the basis for authentic leadership.
- **Transparent Communication**: Leaders should communicate openly with their teams, sharing their vision, goals, and challenges. They should also encourage honest feedback from employees.
- **Ethical Decision-making**: Leaders should make ethical decisions that prioritise the well-being of employees and the organisation. This includes considering the social and environmental impact of business practices.
- **Building Relationships**: Leaders should invest time in building genuine relationships with their teams. This involves active listening, empathy, and showing appreciation for employees' contributions.
- **Adaptability**: Leaders should be willing to adapt to changing circumstances and admit when they make mistakes. This humility enhances their authenticity.
- Emotional Intelligence: The Key to Self-awareness and Interpersonal Relations

Emotional Intelligence (EI), also known as Emotional Quotient (EQ), refers to the ability to recognise, understand, manage, and influence one's own emotions and the emotions of others. It involves a combination of self-awareness, self-regulation, empathy, motivation, and social skills.

EI is a critical factor in effective leadership and interpersonal relations. It enables leaders to navigate complex social dynamics, make informed decisions, and build strong, collaborative teams.

Emotional Intelligence comprises several components:

a. **Self-awareness**: The ability to recognise and understand one's own emotions, strengths, weaknesses, and values.

b. **Self-regulation**: The capacity to manage and control one's emotional responses, especially in challenging situations.

c. **Motivation**: The drive to pursue goals and aspirations, often characterised by optimism and resilience.

d. **Empathy**: The skill of understanding and empathising with the emotions and perspectives of others.

e. **Social Skills**: The ability to build and maintain effective relationships, including communication, conflict resolution, and collaboration.

Leaders with high emotional intelligence are often more successful in their roles. They can:

- **Build Trust**: Leaders who understand and respond to the emotions of their team members are more likely to earn their trust.
- **Inspire and Motivate**: Leaders with high EI can inspire and motivate their teams, even in challenging times, by connecting with employees on an emotional level.
- **Resolve Conflicts**: EI helps leaders navigate conflicts and disagreements effectively by understanding the emotions and motivations of those involved.
- **Make Informed Decisions**: Leaders with strong EI can make better decisions by considering not only the facts but also the emotional implications of their choices.

Emotional intelligence is highly relevant in the business world for the following reasons:

- **Effective Leadership**: Leaders with high EI can lead more effectively, fostering trust and cooperation within their teams.
- **Employee Engagement**: Employees who perceive their leaders as emotionally intelligent are often more engaged and satisfied with their jobs.
- **Customer Relations**: EI is valuable in customer-facing roles, as it enables employees to understand and respond to customer emotions effectively.
- **Innovation and Problem-solving**: Teams with high EI are often better at collaborating, which can lead to more innovative problem-solving.
- **Adaptability**: In rapidly changing business environments, EI helps leaders and employees adapt to new circumstances and challenges.

To understand the practical implications of emotional intelligence in business, let's consider two real-world examples:

Example 1: Google

Google has been consistently ranked as one of the best places to work, in part due to its emphasis on emotional intelligence. The company encourages its employees to develop emotional intelligence through programs like "Search Inside Yourself," which focuses on mindfulness, empathy, and self-awareness. This has contributed to a culture of creativity, collaboration, and innovation.

Example 2: Microsoft

Satya Nadella, the CEO of Microsoft, is often cited as an example of an emotionally intelligent leader. He transformed Microsoft's culture by emphasising empathy, inclusivity, and a growth mindset. Under his leadership, the company has experienced significant growth and has become more responsive to customer needs.

Conflict is an inevitable part of any workplace. It can arise due to differences in personalities, goals, or perspectives. Unresolved conflicts can have detrimental effects on productivity, employee morale, and even the bottom line. This is where conflict resolution mediation comes into play.

Conflict resolution mediation is a process where a neutral third party, known as a mediator, helps disputing parties reach a mutually acceptable resolution. Mediation is often a less adversarial and more collaborative approach compared to traditional litigation or arbitration.

Mediation involves several key steps:

a. **Introduction**: The mediator explains the mediation process and sets ground rules for the discussion.

b. **Opening Statements**: Each party has an opportunity to present their perspective without interruption.

c. **Information Gathering**: The mediator asks questions and gathers information to understand the underlying issues.

d. **Problem-solving**: The parties work together to identify potential solutions and negotiate a resolution.

e. **Agreement**: If an agreement is reached, it can be documented and signed by all parties.

A mediator plays a crucial role in facilitating the mediation process. Their responsibilities include:

- **Remaining Neutral**: Mediators must remain impartial and not take sides in the dispute.
- **Facilitating Communication**: They encourage open and respectful communication between the parties.
- **Managing Emotions**: Mediators help manage emotions and keep the discussion focused on the issues.
- **Generating Options**: Mediators assist the parties in brainstorming and exploring potential solutions.
- **Drafting Agreements**: If an agreement is reached, the mediator can assists in drafting a clear and comprehensive agreement.

Effective conflict resolution mediation in business offers several benefits:

- **Preservation of Relationships**: Mediation allows parties to address conflicts while preserving their working relationships, which is often essential in a business context.
- **Cost-effectiveness**: Mediation is generally less costly and time-consuming than litigation or arbitration.
- **Empowerment**: Parties have more control over the outcome in mediation, leading to greater satisfaction with the resolution.
- **Confidentiality**: Mediation proceedings are typically confidential, which can encourage open and honest discussions.

Case Study 1: Hewlett-Packard (HP)

HP faced a highly publicised internal dispute in 2010 when the company's board of directors engaged in a public feud over the firing of then-CEO Mark Hurd. The conflict threatened to destabilise the organisation. To resolve the dispute, HP brought in a mediator to facilitate

discussions between the board members. Through mediation, the board members were able to reach a confidential agreement, preserving the company's reputation and stability.

Case Study 2: The National Basketball Association (NBA)

The NBA faced a labour dispute in 2011 when players and team owners were unable to reach a new collective bargaining agreement. The dispute threatened to delay or cancel the upcoming basketball season. Mediation, led by a federal mediator, was used to bring the parties together. Ultimately, a new agreement was reached, preventing a lengthy work stoppage and ensuring the continuity of the NBA season.

Authentic leadership and emotional intelligence share common ground in their emphasis on self-awareness and interpersonal skills. Authentic leaders who are self-aware are more likely to recognise the importance of emotional intelligence in themselves and their teams. Emotional intelligence, in turn, helps leaders understand and navigate the emotions of their employees and create an environment of trust and collaboration.

When authentic leadership and emotional intelligence intersect:

- **Self-awareness**: Authentic leaders with high emotional intelligence have a deep understanding of their own emotions and how these emotions impact their leadership style.
- **Transparency**: Emotional intelligence enhances the transparency of authentic leaders by helping them communicate effectively and empathise with their employees.
- **Conflict Resolution**: Leaders with both authentic leadership and emotional intelligence are better equipped to resolve conflicts through empathetic listening and effective communication.

Conflict resolution mediation complements authentic leadership and emotional intelligence by providing a structured process for addressing and resolving conflicts. Authentic leaders and emotionally intelligent individuals are more likely to embrace mediation as a proactive approach to conflict resolution rather than resorting to avoidance or confrontation.

The synergy of these three elements:

- **Conflict Prevention**: Authentic leaders with emotional intelligence are skilled in recognising and addressing conflicts early, preventing escalation.
- **Mediation Effectiveness**: Authentic leaders and emotionally intelligent individuals are more effective participants in mediation sessions, as they can communicate their needs and concerns clearly and empathetically.
- **Conflict Resolution**: The mediation process aligns with the principles of authenticity and emotional intelligence by encouraging open dialogue, empathy, and collaborative problem-solving.

The synergy of authentic leadership, emotional intelligence, and conflict resolution mediation fosters a culture of openness and trust within an organisation. When leaders are authentic and emotionally intelligent, employees feel safe expressing their thoughts and concerns. Conflict resolution mediation serves as a safety net, providing a structured mechanism for addressing conflicts when they arise, further reinforcing trust.

This culture of openness and trust has several benefits:

- **Improved Communication**: Employees are more likely to communicate openly and honestly with their leaders and colleagues.
- **Higher Engagement**: Trust and transparency lead to higher levels of employee engagement and commitment.
- **Enhanced Problem-solving**: Teams that trust one another are more effective at collaborating and solving complex problems.
- **Lower Turnover**: A positive, trust-based culture can reduce employee turnover, saving the organisation time and resources.

To integrate authentic leadership, emotional intelligence, and conflict resolution mediation effectively, businesses can consider the following strategies:

- **Leadership Development Programs**: Develop leadership development programs that emphasise self-awareness, transparency, and emotional intelligence.
- **Mentoring and Coaching**: Pair emerging leaders with mentors or coaches who exemplify authentic leadership and emotional intelligence.

- **Conflict Resolution Training**: Provide conflict resolution training for employees and leaders, emphasising mediation as a preferred method of resolving disputes.
- **Feedback Mechanisms**: Establish feedback mechanisms that encourage open and honest communication between leaders and employees.

Training programs are essential for cultivating authentic leadership, emotional intelligence, and conflict resolution mediation skills. These programs should be ongoing and tailored to the specific needs of the organisation. Key components of training programs may include:

- **Self-awareness exercises**: Tools and exercises that help leaders and employees develop a deep understanding of their emotions, strengths, and weaknesses.
- **Communication skills**: Training in effective communication, active listening, and empathetic communication techniques.
- **Conflict resolution skills**: Education on conflict resolution strategies, including mediation, negotiation, and problem-solving.
- **Leadership development**: Leadership programs that focus on authenticity, transparency, and ethical decision-making.

Identifying and nurturing leadership talent is crucial for the long-term success of any organisation. To do so:

- **Identify Potential Leaders**: Identify individuals with the potential for authentic leadership and emotional intelligence early in their careers.
- **Provide Growth Opportunities**: Offer leadership development opportunities, including mentorship and challenging assignments.
- **Feedback and Evaluation**: Provide regular feedback and evaluations to help leaders grow and improve their skills.

Clear and effective conflict resolution protocols are essential for organisations. Consider the following steps:

- **Mediation Resources**: Establish a pool of trained mediators within the organisation or retain external mediation services.
- **Clear Procedures**: Develop clear procedures for initiating mediation, including how disputes are reported and resolved.

- **Confidentiality**: Ensure that mediation sessions are confidential to create a safe space for open communication.
- **Feedback and Improvement**: Continuously evaluate and improve conflict resolution protocols based on feedback and outcomes.

Continuous improvement and evaluation are crucial for ensuring that authentic leadership, emotional intelligence, and conflict resolution mediation initiatives remain effective. Organisations can:

- **Collect Feedback**: Gather feedback from employees, leaders, and mediators to assess the impact of these initiatives.
- **Measure Outcomes**: Use key performance indicators (KPIs) to measure the impact of authentic leadership, emotional intelligence, and mediation on employee satisfaction, turnover, and productivity.
- **Adapt and Evolve**: Be willing to adapt and evolve these initiatives based on changing organisational needs and feedback.

In the world of business, authentic leadership, emotional intelligence, and conflict resolution mediation are not isolated concepts but rather interwoven elements that contribute to organisational success. Authentic leaders inspire trust and credibility, emotional intelligence fosters self-awareness and effective relationships, and conflict resolution mediation mitigates disputes and enhances teamwork. The synergy of these elements creates a culture of openness, trust, and collaboration, leading to improved employee engagement, innovation, and overall business performance.

As the business landscape continues to evolve, the importance of authentic leadership, emotional intelligence, and conflict resolution mediation is likely to increase. Organisations that invest in developing these skills and creating a culture that values them will be better equipped to navigate challenges and seize opportunities. The future of business success lies in the hands of leaders who can inspire trust, understand emotions, and effectively resolve conflicts while fostering a collaborative and inclusive environment.

In conclusion, the synergy of authentic leadership, emotional intelligence, and conflict resolution mediation is a powerful trio that can drive business success. These elements, when cultivated and integrated effectively, create a workplace culture that is not only

productive but also fulfilling for employees. By recognising the significance of these concepts and implementing them in a harmonious manner, businesses can position themselves for sustained growth, innovation, and prosperity in the ever-changing world of business.

CHAPTER FIVE – MANAGEMENT COMMITMENT

Australian workplace bullying-related workers' compensation claims have increased in the past ten years. 1 in 10 workers is affected by bullying, and it costs up to $47 billion each year in Australia. Workplace bullying is getting worse, regardless of government attempts to stop it. Organisational management is now in the position to drive lasting change in organisational commitment to creating Psychological Safety Cultures to eliminate the risk of injury from workplace bullying through compliance with the Safe Work Australia Managing Psychosocial Hazard at Work Code of Practice 2022. The code of practice is binding on organisations under the Victorian and harmonised national Work Health and Safety legislation duty of care to eliminate the risk of psychological injury.

Directors, accountants and financial officers are in the best position to encourage the elimination of psychosocial hazards and workplace bullying by helping management understand the long-term advantages of compliance and recruiting cost reduction, increasing productivity and creativity while attracting the best employees as a recognised employer of choice. The main concern for management should be the concern over directors' and managers' personal liability under the work health and safety duty of care arising out of the new code of practice. The code identifies all the behaviours that need to

change and assesses the risks in accordance with work health and safety risk management procedures. It leaves the control of risks and monitoring to organisations to develop and review controls in consultation with their workers and makes everyone responsible for its implementation.

The code identifies psychosocial hazards as conflict escalation, discrimination and poor job design. While job design is within the control of management through strategic human resource management, conflict and discrimination are not in the direct control of management. The key to controlling these risks is employee education and management commitment to positive behaviour between employees. This can be achieved through early conflict resolution skills training for employees and for managers to provide mediation as soon as possible before conflict escalates to bullying. Discrimination and self-interest may require individualised training or counselling for high-value employees; however, employment contracts can now be used to remove predatory bullies breaching work health and safety duties for risks identified in the psychosocial hazard code of practice.

These controls require specialised legal, management, psychology and health sciences knowledge to develop, which are now available off the shelf in the form of online AI education, training, policy and employment contracts. Because the technology is so new for small businesses, the use of specialised third-party solutions can be cost-effective in comparison to the recruitment and coordination of all the specialists needed to develop and test effective solutions. For larger organisations, the specialised training required to provide solutions may not be part of the organisation's core business. Just like suppliers of other protective equipment like helmets, personal protective equipment or height protection harnesses, psychosocial hazard protective controls are best developed by dedicated third-party specialists for off-the-shelf purchase and in-house application. Third-party providers usually can provide and maintain products most cost-effectively with larger economies of scale. Empathyse ® is an evidence-based, web-based, and subscription-based product available within Australia for immediate application in any organisation of any size. Trusted third-party suppliers can also have greater credibility with the organisation's workers than in-house initiatives.

Accountants and financial officers are the trusted advisors for small business owners and directors of larger organisations. They are responsible for the ongoing profitability of large and small organisations. They are also in the position to help protect the personal wealth of

directors and small business owners from legal liability, which is not covered under directors' standard professional indemnity insurance. The reduction of compliance and recruiting costs and increased productivity far outweigh the short-term gains from turning a blind eye to psychosocial risks.

EARLY CONFLICT MEDIATION SKILLS

Early Conflict Mediation provides support for managers to encourage the use of early conflict resolution skills, Policy, Training and Action. Employees need to be encouraged to use appropriate bullying responses to encourage reasonable conversations. Authentic leadership skills inspire confidence in the mediator to assist. The objective is for all the parties to practice early conflict resolution skills to defuse personal conflict before it escalates to bullying. Mediation needs to start as soon as practical after unreasonable behaviour is brought to the attention of the mediator. It may not work when personal conflict escalates to workplace bullying.

The appropriate bullying response is a process to assist de-escalation of the conflict by talking to resolve the person-related conflict. If talking does not work to return the conversation to task-related conflict, then separating the parties to calm down will allow any anger, fear or sadness to subside before returning to reasonable discussions. Asking for help to mediate the conflict will allow an impartial person to guide the conversation using early conflict resolution strategies.

An authentic leader needs to be Approachable and trusted as an impartial mediator, be a role model of positive behaviour without displaying any discrimination or personal bias, recognise their own biases and refer the mediation to another more impartial mediator. The role of the mediator is not to solve the conflict but to help the parties safely use early conflict resolution to resolve the conflict themselves.

Early conflict mediation facilitates the use of early conflict resolution skills by the conflicting parties to restore the conflict to a task-related conflict. Task-related conflict is good to ensure that wrong decisions are challenged in a safe and supportive environment to ensure tasks are fully vetted. Personal conflict can easily be misinterpreted or deliberately initiated under the influence of discrimination or personal bias. Early conflict resolution turns the personal conflict into a task-related conversation to resolve the personal issues. Early Conflict mediation ensures that any harassment is not repeated to cause workplace bullying injury.

Emotion coaching and the emotional response wheel provide the framework to prevent workplace bullying by resolving destructive personal conflict to restore constructive task-related conflict. It shows how task-related conflict can be misinterpreted as a personal attack. The perception may be by one or more parties to the conflict. The continuation could then easily escalate to bullying. The perceived personal attack still needs to be identified and resolved. You need to identify what the parties under attack feel using emotional awareness and confirmation by labelling the feelings. You need to empathise and validate the feelings under the perceived circumstances with understanding. You need to set boundaries and provide space where anger may be acted upon. Where a party is frightened, reassure with safety. When a person is sad, they should be reassured with hope. You can return to the original task-related discussion when all the parties have returned to a proper frame of mind to do so.

Individual Counselling and Implementation Guide

To assist in early conflict resolution, three posters have been developed: Appropriate bullying responses, Early conflict resolution strategies, and Positive behaviour. It is important to display these posters as a reminder of what can be achieved. Repeated training will also assist in reinforcing the strategies and skills to prevent workplace bullying before it happens.

ADVANCED - CONFLICT MEDIATION AND POSITIVE BEHAVIOUR SUPPORT

Positive Behavior Support (PBS) is a comprehensive approach that emphasises proactive strategies to understand, prevent, and address behavioural challenges in various settings, including businesses. It involves fostering a positive environment, understanding behaviour through assessment, and implementing tailored interventions to support desired behaviours.

Conflict Mediation refers to the process of resolving disputes or conflicts between individuals or groups within an organisation through facilitated communication and negotiation. It aims to find mutually agreeable solutions while preserving relationships and promoting a conducive work environment.

Importance of Positive Behavior Support and Conflict Mediation in Business

Enhancing Employee Well-being: PBS and Conflict Mediation contribute to reducing stress, fostering job satisfaction, and promoting mental well-being among employees. **Boosting Employee Engagement**: By addressing conflicts and supporting positive behaviours, employees feel valued, leading to increased engagement and commitment to the organisation's goals. **Example: Google's Approach to Positive Work Environment** Google is renowned for its positive work culture. Through initiatives like the "G-Factor" program, which encourages employees to share their passions and hobbies, they create a sense of community and support among staff. This positively impacts employee well-being and engagement.

Reducing Disruptions: Addressing behavioural issues and conflicts promptly minimises disruptions to workflow, enhancing productivity. **Fostering Collaboration**: A positive environment encourages teamwork and collaboration, essential for innovation and achieving business objectives. **Case Study: Zappos' Conflict Resolution** Zappos, an online retailer, emphasises conflict resolution by training employees to address issues

promptly. They encourage open dialogue through regular meetings and have dedicated "culture ambassadors" who facilitate conflict resolution, leading to improved productivity and teamwork.

Behavioural Assessment Tools: Utilizing assessments, surveys, and interviews to understand employee behaviour patterns and triggers. **Data Collection and Analysis**: Gather data on behaviours and analyse trends to identify areas for intervention. **Real-world Application: Behavioral Assessments at Microsoft** Microsoft utilises behavioural assessments to understand employee behaviour patterns. Through tools like surveys and focus groups, they gather data to identify triggers for conflicts and areas requiring intervention.

Promoting Positive Reinforcement: Recognizing and reinforcing desired behaviours through incentives and acknowledgment. **Training and Skill Development**: Providing training programs to enhance skills and competencies, fostering positive behaviours. **Case Study: Southwest Airlines' Positive Reinforcement** Southwest Airlines reinforces positive behaviour through its "LUV Notes" program, where employees acknowledge and appreciate each other's contributions. This promotes a supportive culture and enhances employee morale.

Resistance to Change: Employees and management may resist adopting new behavioural approaches. **Resource Allocation**: Implementing PBS may require investments in training, tools, and personnel. **Example: Challenges Faced by Walmart in Implementing PBS** Walmart faced resistance when implementing PBS due to the scale of its workforce. They addressed this by gradually introducing PBS principles through training programs tailored to different departments.

Communication Enhancement: Fostering open communication channels to address conflicts early. **Mediation and Facilitation**: Engaging neutral mediators to facilitate dialogue and find mutually acceptable solutions. **Real-world Application: IBM's Mediation Approach** IBM utilises mediation by employing trained mediators to facilitate discussions and resolve conflicts. They've integrated this into their corporate culture, leading to reduced conflicts and improved relationships.

Training Programs: Providing conflict resolution training to employees and managers. **Establishing Policies and Procedures**: Developing clear guidelines for conflict resolution processes. **Case Study: Coca-Cola's Conflict-Resolution Policies** Coca-Cola has clear conflict-resolution policies and procedures in place. By training managers and employees in conflict resolution, they've reduced the escalation of disputes and fostered a more collaborative work environment.

Lack of Skills: Not all individuals possess conflict resolution skills, necessitating training. **Deep-Seated Conflicts**: Some conflicts may be deeply rooted, requiring extensive mediation efforts before they escalate to workplace bullying.

Improved Morale and Satisfaction: Creating a positive environment fosters a sense of belonging and satisfaction among employees. **Reduced Turnover Rates**: Addressing conflicts and supporting positive behaviours lowers employee turnover rates. **Example: Pixar's Focus on Employee Morale** Pixar Animation Studios emphasises a positive work environment by organising regular events and gatherings. This has led to improved morale and reduced turnover rates among employees.

Streamlined Workflow: Addressing conflicts and promoting positive behaviours contribute to a more efficient work environment. **Innovation and Creativity**: A harmonious workplace fosters an environment conducive to innovation and creative thinking. **Case Study: Amazon's Conflict Management** Amazon employs a multi-tiered conflict management approach, encouraging employees to resolve conflicts at the lowest level. This streamlined process minimises disruptions and enhances efficiency.

 Positive Behavior Support and Conflict Mediation are indispensable tools for cultivating a positive, productive, and conflict-resilient workplace environment in businesses. While challenges exist in their implementation, the long-term benefits in terms of improved employee relations, heightened productivity, and a thriving organisational culture make their incorporation worthwhile. Embracing these strategies can drive businesses toward sustained success and growth in the competitive landscape.

The integration of Positive Behavior Support and Conflict Mediation in various business settings, as exemplified by these case studies and real-world applications, demonstrates their tangible impact. These strategies not only mitigate conflicts but also create environments conducive to collaboration, innovation, and employee well-being. Businesses that prioritise these approaches are better positioned to thrive in today's dynamic and competitive landscape.

CHAPTER SIX – WORK HEALTH AND SAFETY REPRESENTATIVES

Work Health and Safety Officers are now in the position to drive lasting change in organisational commitment to creating Psychological Safety Cultures to eliminate the risk of injury from workplace bullying through compliance with the Safe Work Australia Managing Psychosocial Hazard at Work Code of Practice 2022. The code of practice is binding on organisations under the Victorian and harmonised national Work Health and Safety legislation duty of care to eliminate the risk of psychological injury. The code identifies all the behaviours that need to change and assesses the risks in accordance with work health and safety risk management procedures. It leaves the control of risks and monitoring to organisations to develop and review controls in consultation with their workers and makes everyone responsible for its implementation. Developing these controls is no easy task. Early conflict resolution supported by emotional awareness and authentic leadership can control workplace bullying resulting from conflict escalation, alongside improved job design and positive organisational behaviour.

An early conflict resolution process needs to consider the need for task-related conflict to ensure creativity and prevent tunnel vision when collaborating on operational objectives. While task-related conflict can be resolved by a fair compromise, very few power relationships are equal. This can lead to one or both parties accommodating, competing or avoiding conflict, which rarely resolves an issue as well as collaboration. In these cases, task-related discussion can easily degrade to personal conflict as emotions play a part in

heated or evaded discussions. This is a normal process. However, care needs to be taken to ensure that emotional conflict does not escalate out of control to cause repeated workplace bullying. The best time to implement early conflict resolution is to give employees the skills to resolve personal conflict before it escalates to bullying. The key to resolution is to acknowledge the emotional involvement as natural and deal with the emotional needs, whether actual or perceived, before restoring task-related discussions. In extreme cases, this may need individual training or counselling, but in a majority of workplace relations, emotional awareness and early conflict resolution processes can be trained and successful.

Emotional awareness skills are essential to early conflict resolution. Emotional conflict cannot be resolved unless parties can recognise non-verbal emotional cues in others and themselves to how others are reacting to your communication. Emotional awareness is also necessary to identify the effect of your own biases and self-interests that may be perceived to be unfair. With Emotional awareness, we can recognise the destructive effect of psychosocial hazards as unreasonable behaviour causing a risk to health and safety. Through adherence to positive behaviour codes of conduct, procedures and training, discrimination and personalised conflict can be controlled and prevented before workplace bullying happens. Emotional awareness is a skill that can be learnt and effectively practised by anyone when supported with regular reinforcement.

Authentic leadership uses emotional awareness to relate, connect, inspire and work with their teams. Authentic leaders act with integrity, take responsibility for their actions, and make decisions based on principle rather than short-term success. They are best suited to implement strategic performance management by ensuring job design based on the organisation's strategic objectives, setting achievable targets, and providing adequate resources and training to complete long-term organisational goals. Authentic leadership skills are essential to conflict mediation when early personal conflict resolution needs external guidance. Authentic leadership is another skill that can be developed by any manager.

Work Health and Safety Officers can help eliminate the risk of injury to workers by preventing workplace bullying before it happens. Empathyse has developed the complete online workplace bullying solutions to provide all the education, training, policy and

employment contract resources to control the risks identified under the Psychosocial Hazard Code of Practice.

WORK HEALTH AND SAFETY CONSULTATION

This may be part of an organisation's statutory obligation, such as Australia's, but in any event, it ensures employee input that the positive behaviour policies, agreements, and training are appropriate for the organisation to create a psychological safety culture.

Social Norm Intervention Behaviour Model
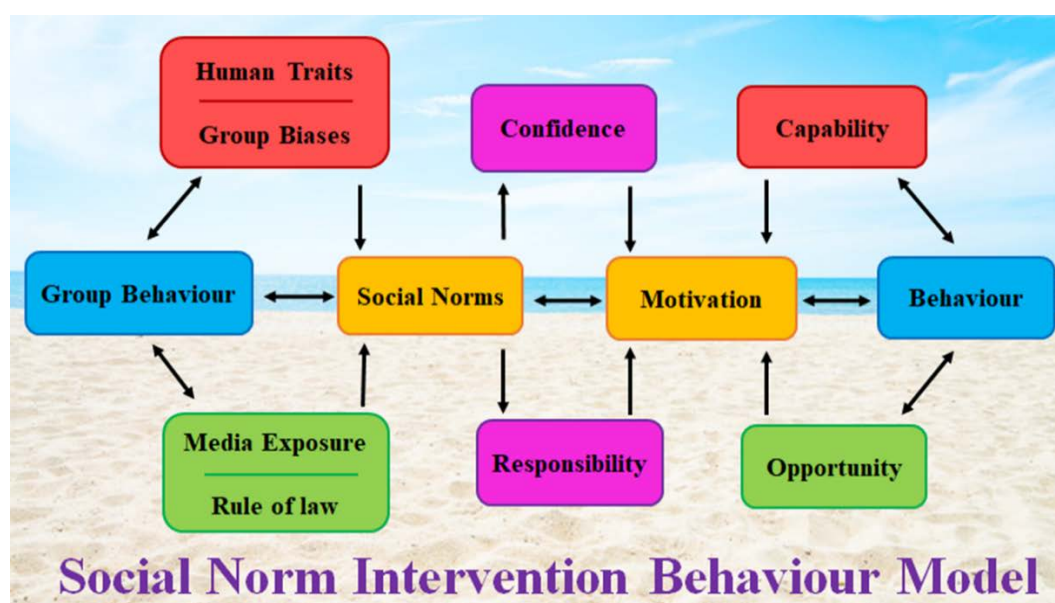
We all know someone who's been bullied, even if we haven't been bullied or seen it ourselves. Over the last ten years, we have seen workplace bullying getting worse for employees and supervisors, not better. 1 in 10 workers is still affected by bullying, and it costs 37.4 billion dollars each year in Australia.

Ten years ago, an Australian Commonwealth Senate inquiry was supposed to stop this negative group behaviour, using a standardised definition of what is and what isn't workplace bullying based on the clinical definition of bullying. While this reactive definition discourages extreme bullying, it is inappropriate for a proactive duty of care to stop workplace bullying before it happens.

Using grounded theory interviews, a fresh look at this continuing problem was conducted. That study analysed the use of workplace bullying law by human resource managers to identify why it isn't working. It found that legal definitions and exemptions create negative social norms of workplace bullying tolerance, such as incivility, unfair dismissal and

unreasonable targets, particularly through exempt management decisions, small business protections, and single acts of harassment. Rather than defining what bullying is, we must define what behaviour needs to change to stop bullying.

That research identified three key behaviours that need to change: personal conflict escalation, discrimination and personal bias, and poor job design. From that research, the Social Norm Intervention Behaviour Model was created to help disrupt the effect of negative social norms on individual behaviour. Using this model, we combined targeted education, training, policy, and employment contracts to help stop workplace bullying.

Ideally, effective government guidelines and media exposure should be used to apply the law properly. However, good behaviour can be motivated by organisations without proper government intervention, teaching confidence with emotional awareness and responsibility through employment contracts reinforcing a belief in consequences. Capabilities need to be developed through early conflict resolution skills and authentic leadership training. Opportunities can be created using strategic performance management and positive organisational behaviour policy borrowed from schoolyard bullying research.

We all need to stop encouraging psychological harm to workers and wasting organisational resources using these innovative resources.

The positive behaviour policy is designed to address the three main types of clinical workplace bullying: Interpersonal conflict, Predatory harassment, including personal bias and discrimination, and Unreasonable work environments. The new policies are not intended to extend legal liability. They provide organisational tools to stop workplace bullying before psychological injury occurs using employment contracts and agreements.

The training is designed to provide employees with the early conflict resolution personal skills needed at the right time to prevent conflict from escalating out of control before it causes workplace bullying and psychological injury. It explains the policy and confirms management's commitment to encouraging positive behaviour through proactive policy and training.

The positive behaviour policy encourages the above positive behaviour to positively encourage early personal conflict de-escalation and prevent unfair work practises or harassment resulting from discrimination and personal biases. This is not an exhaustive list of reasonable conduct, and there should be no surprises as to what is regarded as positive behaviour. It is a good starting point to indicate the type of behaviour the organisation expects of its employees to stop bullying before it happens.

A psychological safety culture is as important as a health and safety culture to reduce compliance costs, generate productivity and enhance the reputation of the organisation as a preferred employer and trusted brand. Safe Work Australia managing psychosocial hazards at Work Code of Practice 2002 Use the Risk management process. The psychosocial Hazard code of practice identifies the risk rather than the problem and assesses the risk of psychological injury, including anxiety and depression. It is then up to the organisation to control those identified risks using

Empathyse Advanced Workplace Bullying Solutions

Empathyse online solutions and review the control measures. Everyone needs to fulfil their duty of care to eliminate the risk of psychological injury from bullying, including the organisation, managers, workers, contractors, customers and invitees. There is a requirement to consult with employees to ensure acceptance and confirmation of management commitment to a psychological safety culture.

The behaviour that needs to change to prevent Psychosocial hazards creating workplace bullying includes conflict escalation from task to personal to bullying. Discrimination, personal self-interest biases, and poor job design are not based on the strategic objectives of the organisation. Failure to control those risks can lead to serious psychological injury, including anxiety and depression, which can lead to PTSD and suicide. Once the risks are identified and assessed, it is up to organisations to control those risks to the satisfaction of work health and safety regulators.

Conflict Escalation can be controlled through Early Conflict Resolution, Emotional Intelligence and Emotion Coaching. The Empathyse resources are designed to control this risk. The three posters are available as a permanent reminder of the simple processes that workers can use to achieve a psychological safety culture.

Discrimination and bias risk can be controlled through positive organisational behaviour codes of conduct and training, equal employment opportunity policy protecting all vulnerable employees, enforceable employment contracts and positive behaviour agreements to encourage a belief in consequences for breaching the duty of care to eliminate the risk of psychological injury.

Eighty per cent of the population responds to Positive Behaviour programs to create Psychological Safety Cultures. The remaining twenty per cent may respond to advanced positive behaviour training or individual counselling. Successful recruitment strategies rely on a reputation as an employer of choice to attract employees with personal values that match your organisational culture. Empathyse provides a complete online workplace bullying solution to target eighty per cent of the population through policy, training, and contracts. Existing high-value key personnel and management may need advanced training or individual counselling where practical to develop the values to match the organisational culture before considering termination for any breach of their WHS Duty of Care.

Management commitment to control hazard risk in job design to create a psychological safety culture can be achieved through authentic leadership training using emotional intelligence to create empathetic managers' strategic performance management, ensuring targets and appraisals are fair, documented and substantiated. Controlling the effect of exposure to physical risk, including sexual harassment, abuse and violence involving customers and co-workers, through security and critical incident counselling. Exposure to physical risk can cause psychological harm as well. Poor Physical Environment includes heat, noise, smell, and isolation. Violence and Sexual Harassment includes exposure to risks travelling to and from work. Traumatic Incidents may require individual counselling to control the risk of injury.

While Empathyse can help control conflict, bias and poor job design, consultation on these specific issues is important because it is dependent on considering the business location, hours of work, nature of work and other security needs of each workplace.

Monitoring of the risk controls should look at the level of sick leave and workers' compensation claims, resignations, terminations, and recruitments, as well as feedback from exit interviews, bullying complaints, and claims. Monitoring and retraining should occur annually to ensure the skills and knowledge support the continuing Psychological Safety Culture.

ADVANCED – WORK HEALTH AND SAFETY CONSULTATION REQUIREMENTS

Duty holders who have a role in either consultation, cooperation or coordination include persons conducting a business or undertaking (PCBUs), designers, manufacturers, importers, suppliers and installers of plant, substances or structures, and officers. Workers and other persons at the workplace also have duties under the WHS Act, such as the duty to take reasonable care of their own health and safety at the workplace. A person can have more than one duty, and more than one person can have the same duty at the same time. Early consultation and identification of risks can allow for more options to eliminate or minimise risks and reduce the associated costs.

Persons conducting a business or undertaking PCBUs have a duty to consult workers about work health and safety and may also have duties to consult, cooperate and coordinate with other duty holders. A PCBU must consult, so far as is reasonably practicable, with workers who carry out work for the business or undertaking and who are (or are likely to be) directly affected by a health and safety matter. This duty to consult is based on the recognition that worker input and participation improves decision-making about health and safety matters and assists in reducing work-related injuries and disease.

The broad definition of a 'worker' under the WHS Act means a PCBU must consult with employees and anyone else who carries out work for the business or undertaking. A PCBU must consult, so far as is reasonably practicable, with contractors and subcontractors and their employees, on-hire workers, outworkers, apprentices, trainees, work experience students, volunteers and other people who are working for the PCBU and who are, or are likely to be, directly affected by a health and safety matter. Workers are entitled to take part

in consultations and to be represented in consultations by a health and safety representative who has been elected to represent their work group.

A PCBU has a duty to consult, cooperate and coordinate activities with all other persons who have a work health or safety duty in relation to the same matter, so far as is reasonably practicable. There is often more than one business or undertaking with responsibility for the same health and safety matters, either because they are involved in the same activities or share the same workplace. In these situations, each duty holder should exchange information to find out who is doing what and work together in a cooperative and coordinated way so risks are eliminated or minimised so far as is reasonably practicable.

Duty holders' work activities may overlap and interact at particular times. When they share a duty, for example, a duty in relation to the health and safety of the same worker or workers, or are involved in the same work, they will be required to consult, cooperate and coordinate activities with each other so far as is reasonably practicable.

The principal contractor for a construction project has a specific duty under the WHS Regulations to document, in their WHS Management Plan for the project, the arrangements in place for consultation, cooperation and coordination between the PCBUs at the site.

Officers, for example, company directors, have a duty to exercise due diligence to ensure the PCBU complies with the WHS Act and WHS Regulations. This includes taking reasonable steps to ensure the business or undertaking has appropriate processes for complying with the duty to consult workers as well as the duty to consult, cooperate and coordinate with other duty holders.

Workers have a duty to take reasonable care for their own health and safety and to not adversely affect the health and safety of other persons. Workers must comply with reasonable instructions, as far as they are reasonably able, and cooperate with reasonable health and safety policies or procedures that have been notified to workers, for example, procedures for consultation at the workplace.

Consultation is a legal requirement and an essential part of managing health and safety risks. A safe workplace is more easily achieved when everyone involved in the work communicates with each other to identify both physical and psychosocial hazards and risks,

talks about health and safety concerns and works together to find solutions. This includes cooperation between duty holders, the people who manage or control the work and those who carry out the work or who are affected by the work. By drawing on the knowledge and experience of their workers, PCBUs can make more informed decisions about how the work should be carried out safely.

Effective health and safety consultation can create greater awareness and commitment because workers who have been actively involved in how health and safety decisions are made will better understand the decisions. It can create positive working relationships because understanding the views of others leads to greater cooperation and trust.

In situations where a PCBU shares responsibility for health and safety with another person, the requirement to consult, cooperate and coordinate activities with other duty holders will help address gaps in managing health and safety risks that often occur when there is a lack of understanding of how the activities of each person may add to the hazards and risks to which others may be exposed, duty holders assume someone else is taking care of the health and safety matter, or the person who takes action is not the best person to do so.

Consulting, cooperating and coordinating activities with other duty holders assists each duty holder in understanding how their activities may impact health and safety, and the actions each duty holder takes to control risks are complementary. Many organisational decisions or actions have health and safety consequences for workers. For example, introducing new equipment into the workplace may affect the tasks your workers carry out, the timeframes for doing work, how they interact with each other and the environment in which they work.

As a person conducting a business or undertaking (PCBU), you must consult with workers when identifying hazards and assessing risks to health and safety arising from the work carried out or to be carried out. Also, when making decisions about ways to eliminate or minimise those risks, making decisions about the adequacy of facilities for the welfare of workers, and proposing changes that may affect the health or safety of your workers. Finally, when making decisions about procedures for consulting with workers, resolving health or safety issues at the workplace, monitoring the health of your workers, monitoring the conditions at the workplace under your management or control and providing information and training for your workers. However, it may also be useful to consult workers about matters not listed above. Regular consultation is better than consulting only as issues

arise on a case-by-case basis because it allows you to identify and fix potential problems early.

In deciding how to eliminate or minimise risks, you must consult with your workers who will be affected by this decision, either directly or through their health and safety representative. Their experience may help you identify hazards and choose practical and effective control measures. A duty holder must review control measures if consultations indicate a review is necessary. Regularly walking around the workplace, talking to your workers and observing how work is done will also help you identify hazards. Conducting a survey of your workers can provide valuable information about work-related health issues, for example, workplace bullying, stress and muscular aches and pains that can signal potential hazards.

Workers and their health and safety representatives may request access to information, for example, technical guidance about workplace hazards and risks associated with plant, equipment, and substances. Information should not be withheld just because it is technical or may be difficult to understand. The WHS Act requires you to allow health and safety representatives for a work group to have access to the information you have relating to hazards, including associated risks, affecting workers in the work group and also information about the health and safety of workers in the work group. This does not extend access to personal or medical information that identifies or could reasonably lead to the identification of a worker without the worker's consent.

Facilities are things provided for the welfare of workers, for example, toilets, drinking water, washing facilities, eating facilities, change rooms, personal storage and first aid. You must consult your workers when making decisions about what facilities are needed (for example, the number and location of toilets), taking into consideration the number and composition of your workforce, the type of work your workers do, the nature of the hazards in the workplace and the size and location of your workplace. The consultation should include access, cleaning and maintenance of the facilities. If the facilities are already provided at the workplace, you should consult your workers and their health and safety representatives when there are changes affecting the adequacy of the facilities. This will help you determine if you should change or expand your facilities.

You must consult your workers when proposing changes that may affect their work health and safety. Some examples of when consultation would be required include when you are

proposing to change work systems such as shift work rosters, work procedures or the work environment, develop a new product or plan a new project, purchase new or used equipment or use new substances, or restructure the business.

A procedure sets out the steps to be followed for work activities. You must consult with affected workers when developing procedures for consulting with workers on work health and safety, resolving work health and safety issues, monitoring workers' health and workplace conditions, and providing information and training for workers. Procedures should be in writing to provide clarity and certainty at the workplace and assist in demonstrating compliance. They should clearly set out the role of health and safety representatives, both legislative and workplace-specific, and other parties involved in the activity. The procedures should be easily accessible, for example, by placing them on noticeboards and intranet sites.

The WHS Regulations set out default issue resolution procedures, which you must follow unless you choose to develop your own procedures. If you choose to develop your own procedures, you must follow the minimum requirements and steps set out in the WHS Act and WHS Regulations. These include setting out your procedures in writing and communicating the procedures to all workers they cover.

Consultation is a two-way process between you and your workers where you talk to each other about health and safety matters, listen to their concerns and raise your concerns, seek and share views and information, and consider what your workers say before you make decisions. Consultation requires that relevant work health and safety information is shared with workers, workers are given a reasonable opportunity to express their views and to raise health or safety issues, workers are given a reasonable opportunity to contribute to the decision-making process relating to the health and safety matter, the views of workers are taken into account, workers are advised of the outcome of any consultation in a timely manner, and if the workers are represented by a health and safety representative, consultation must include that representative.

Management commitment and open communication between managers and workers are important in achieving effective consultation. Your workers are more likely to engage in consultation when their knowledge and ideas are actively sought, and concerns about health and safety are taken seriously. Consultation does not mean telling your workers

about a health and safety decision or action after it has been taken. Workers should be encouraged to ask questions about health and safety, raise concerns, report problems, make safety recommendations, and be part of the problem-solving process. While consultation may not always result in agreement, agreement should be the objective as it will make it more likely the decisions are effective and actively supported.

You must share relevant information with workers and their health and safety representatives about matters that may affect their health and safety. This information should be provided early on so workers and health and safety representatives have enough time to consider the matters, discuss them and then provide feedback to you. You should make available the information you have relating to the health and safety matter to enable informed and constructive discussions. This information may include health and safety policies and procedures, technical guidance about hazards, risks and risk control measures, hazard reports and risk assessments, proposed changes to the workplace, systems of work, plant or substances, and data on incidents, illnesses or injuries (in a way that protects the confidentiality of personal information).

The information should be presented in a way that can be easily understood by your workers and take into account literacy needs and the cultural or linguistically diverse backgrounds of your workers. Young workers and those with limited English may be less likely to question health and safety practices or speak up if they are unsure. They may find it easier to communicate through a health and safety representative, an interpreter or a worker representative. Information should also be simplified and presented in different ways to make it easier to understand, for instance, using diagrams. Meeting face-to-face is usually the most effective way of communicating, although it may not always be possible or preferable. Information can also be shared in other ways, including by telephone or video call, email, and featuring current health and safety news and information on intranet sites or noticeboards. Information should be updated, and attention should be drawn to new material so people who do not regularly check health and safety information will know what is happening in their workplace.

Workers must be given a reasonable opportunity to express their views, raise work health and safety issues and contribute to health and safety decisions. This may involve providing a suitable time during work hours for consultation with workers, allowing opinions about health and safety to be regularly discussed and considered during workplace meetings, and

providing workers with different ways to provide feedback, for example, using email, setting up an intranet health and safety page or a suggestion box.

How long the consultation process takes will depend on the complexity of the health and safety matter, how many people are being consulted, the accessibility of workers and the methods of consultation. A simple issue affecting only a small number of workers can probably be dealt with in a few hours or days through regular channels of communication. A complex technical matter or consulting a large workforce may require more time. If there are health and safety representatives for the workplace, you must include them in the discussions, with or without the direct involvement of workers.

You must take the views of your workers and health and safety representatives into account before making a decision. Consultation does not require consensus or agreement, but you must allow your workers to contribute to the health and safety decisions you make in your business. You should agree to respond to concerns and questions raised by workers within a certain timeframe and offer feedback about the options they propose. You must inform your workers of your final decision or course of action as soon as possible. You should provide information to help them understand the reasons for your decision.

You must consult on health and safety matters so far as is reasonably practicable with workers who carry out work for you and who are (or are likely to be) directly affected. This includes consulting with your employees, contractors and subcontractors, the workers of contractors and subcontractors, employees of labour-hire companies assigned to you, out workers, trainees and apprentices, work experience students and volunteers (if any) about health and safety decisions directly affecting them and which you influence or control. Consultation that is 'reasonably practicable' is both objectively possible and reasonable in the particular circumstances. What is reasonably practicable will depend on an objective consideration of relevant factors, for example, the size and structure of the business, nature of the work carried out in the business, nature and severity of the particular hazard or risk, nature of the decision or action including the urgency to make a decision or take action, availability of the relevant workers and health and safety representatives, work arrangements, for example, shift work and remote work, and characteristics of the workers including languages spoken and literacy levels.

The aim of consultation should be to ensure you have sufficient information to make well-informed decisions, and the workers who may be affected are given a reasonable opportunity to provide their views and understand the reasons for the decisions. You are not expected to consult if it is not possible in the circumstances but are required to take a proactive and sensible approach to consultation. For example, an urgent response to an immediate risk may necessarily limit the extent of consultation in some circumstances. It may also not be reasonably practicable to consult with workers who are on extended leave. However, it would be appropriate to ensure these workers are kept informed about matters affecting their health and safety when they return to work.

It is not always necessary to consult with every worker in your workplace. The workers you consult with will be those who are or could be, directly affected by the health and safety matter. For example:

- A problem with air temperature experienced on one level of an office block may not directly affect the work health and safety of workers on other levels. Only workers on the affected level may need to be consulted about the matter.
- If only one section of the workforce is required to deal with distressing material as part of their role, consultation about this hazard may only be needed with these workers and any health and safety representatives, not the whole workforce.

Consultation with workers and with other duty holders does not have to be documented unless specifically required under the WHS Regulations. However, it is good practice to keep records to demonstrate compliance with consultation requirements. Records of consultation may also assist the risk management process and make disputes less likely. Records should include outcomes of discussions. Records can be brief and simple and cover what the safety matter is, who was identified as affected or likely to be affected, who was involved in consultations, key issues consultation identified, what decision has been made, why the decision has been made, who is to take action and by when, and when the action was completed. If established, the health and safety committee should decide on how records of the meetings will be documented.

Consultation with workers can be undertaken in various ways depending on the size and complexity of the workplace. It may involve a formal, structured process, or it may be as simple as talking directly to workers and considering their views when making decisions,

identifying hazards, assessing risks and proposing changes that affect health and safety. Consultation can be undertaken through health and safety representatives and health and safety committees. However, the WHS Act does not require the establishment of these consultation mechanisms unless in relation to a health and safety representative—a request is made by a worker, in relation to a health and safety committee—a request is made by five or more workers or a health and safety representative. However, a PCBU may also choose to establish a health and safety committee on their own initiative. If workers are represented by a health and safety representative, any consultation must involve that representative.

As a person conducting a business or undertaking (PCBU), you may establish arrangements for consultation to suit your workers and workplace situations, including agreed consultation procedures, as long as those arrangements are consistent with the requirements of the WHS Act.

Workplaces may need to use a mix of consultation arrangements to effectively consult with different types of workers in different situations. Consultation arrangements should take into account the size of the business and how it is structured, the way work is arranged and where workers are located, what suits your workers, and the complexity, frequency and urgency of issues that require consultation. To determine how best to consult, you should discuss with your workers the duty to consult, the purpose of consultation, the range of work and associated health and safety issues at the workplace (e.g. both physical and psychosocial hazards), the various ways for consultation to occur including your workers' right to elect health and safety representatives, and your workers' ideas about the most effective way to consult. How would your workers prefer to raise and discuss health and safety concerns or suggestions? What forms of consultation will help to overcome any barriers to workers' engagement?

You should develop methods that meet your duty to consult and support you to effectively protect the health and safety of workers and others, so far as is reasonably practicable, and ensure all affected workers can participate in the consultation, including shift workers, workers who work non-standard hours or flexibly, and mobile workers, seasonal or temporary workers (e.g. labour-hire workers), workers who have a disability, workers with diverse language or literacy needs, contractors and others at the worksite will best integrate with the way your business manages health and safety.

Individual Counselling and Implementation Guide

You should consider how management normally communicates with the workers. You may not need to establish separate consultation arrangements if there are regular discussions and interactions between managers or supervisors and the workers. For example, weekly team meetings provide opportunities for consultation to occur. This may be the case in a small business with few workers where there are direct discussions between the PCBU and workers as part of everyday work. You should agree on ways to support ongoing, effective consultation with your workers.

Some examples include:

- raising health and safety matters in pre-start briefings (paid time)
- Use regular team meetings to ask workers and their health and safety representatives about any health and safety concerns, how problems could be solved, and advise workers of the outcomes of consultation (e.g. feedback on decisions made and the reasons for these)
- talking with workers about their health and safety concerns or ideas when you walk the floor
- having an open-door policy for your workers on health and safety
- using 'toolbox talks' to discuss specific health and safety issues and
- Use your regular staff updates and emails to raise health and safety matters and seek feedback.

Effective consultation with your workers may also require you to stagger the times you consult to include workers on different shifts, allocate specific, dedicated time for workers to raise non-urgent health and safety issues with managers, use surveys and feedback forms to seek workers' views, including anonymously, hold focussed meetings to discuss health and safety issues with workers who undertake specific tasks, use culturally appropriate approaches and translation and interpretation for culturally and linguistically diverse workers (e.g. this could include inviting bilingual workers to translate).

If your workers are fly-in fly-out or drive-in drive-out, work remotely or are spread across different sites, you may also need to ensure pre-start and de-brief meetings between shifts and swings provide important health and safety messages and the opportunity to raise issues and discuss controls, ensure consultation arrangements effectively engage with all workers across shifts and swings (e.g. ensure health and safety representatives are readily

accessible to all workers), ensure consultation includes health and safety issues related to any accommodation or other facilities provided to workers, ensure consultation includes the psychosocial hazards that may be associated with workers spending extended periods away from their home, consider using a communication platform to virtually meet with your workers, and consider consulting with workers pre-departure to remote sites and on return.

Electing health and safety representatives or establishing health and safety committees may be appropriate in organisations where it may not be reasonably practicable for the PCBU to consult each worker directly or where a more formal arrangement better suits how the business is structured or the nature of work. Health and safety representatives and committees are also valuable where anonymity encourages engagement, for example, when identifying and controlling psychosocial hazards.

Some workplaces may need to use a mix of consultation arrangements to effectively consult with different types of workers and to suit different situations and hazards. For example, a business may have a number of full-time workers where structured arrangements involving health and safety representatives and committees may be suitable. On occasions, the business may also engage contractors or on-hire workers to carry out specific tasks, where additional approaches, for example, 'toolbox talks' on specific health and safety topics relevant to the task, maybe the most practical way of consulting.

When unexpected matters arise in the workplace, there may not be time to plan a consultation. Consideration should be given to whether the issue can be addressed through one of the regular communication channels or if there is a need to do something different, like holding a one-off meeting.

The WHS Act does not require agreed procedures for consultation, but doing so will help make consultation more effective. Agreeing on procedures for consultation with workers can save time and confusion about how and when consultation must occur. The agreed consultation procedures should clarify the key responsibilities of people in the workplace and clearly state when consultation is necessary. If you and the workers have agreed to procedures for consultation, the consultation must be in accordance with those procedures. Before consultation procedures can be agreed upon, you must consult about the proposed procedures with affected workers, including health and safety representatives for the relevant workers.

If procedures for consultation are agreed upon, they must be consistent with the requirements of the WHS Act, and consultations must then be conducted in accordance with those procedures. For example, the procedures must include sharing of information and allowing workers a reasonable opportunity to express their views. They cannot remove the powers of health and safety representatives or the functions of health and safety committees established for the workplace.

Agreed consultation procedures are likely to be most effective if they include the matters requiring consultation, who will be consulted, the ways consultation will occur, for example, through regular meetings, toolbox talks or health and safety representatives, how information will be shared with workers and health and safety representatives, what opportunities will be provided for workers and health and safety representatives to give their views on proposed matters, how consultation will occur with workers who have a disability, special language or literacy needs, how feedback will be given to workers and health and safety representatives, and timeframes for reviewing the procedures.

To facilitate the consultation process, the procedures may also include the provision of practical help for affected workers and health and safety representatives. For example, time may be made available for affected workers and their health and safety representatives to come together to consider the information provided, to discuss the issues and to form their views.

While more detailed procedures will assist in providing consistency and certainty of approach, the procedures should be flexible enough to respond to different circumstances, for example, urgency. Consultation procedures should be monitored and reviewed to ensure they continue to be effective.

In a small business with few workers, effective informal agreed procedures understood by everyone in the business should be sufficient, though these should be discussed and reinforced regularly. In larger workplaces, documented procedures are appropriate.

A worker may ask to elect a health and safety representative to represent them on work health and safety matters. If a worker makes this request, one or more work groups must be established to facilitate the election. The process requires you and your workers to negotiate and agree on the formation of work groups. The purpose of the negotiations is to

determine the number and composition of work group/s to be represented by health and safety representatives, the number of health and safety representatives and deputy health and safety representatives (if any) to be elected, and the workplace or workplaces to which the work groups will apply.

A workgroup may operate across multiple businesses or workplaces if parties agree to such an arrangement. To establish a workgroup, you must take all reasonable steps to commence negotiations with the workers within 14 days after a worker makes the request, negotiate with a worker's representative (such as a union official) if a worker asks you to do so, and notify the workers of the outcome of the negotiations and of any work groups determined by agreement as soon as practicable after negotiations are complete.

If negotiations fail, any party to negotiations can ask the regulator to appoint an inspector to assist negotiations and determine certain matters if negotiations remain unresolved. Even if your workers do not make a request to elect a health and safety representative, you may alert them to their rights under the WHS Act to be consulted and to elect health and safety representatives. Where health and safety representatives have been elected, they must always be included in consultation affecting, or likely to affect, the health and safety of members of their work group.

A health and safety committee brings together workers and management to assist in the development and review of health and safety policies and procedures for the workplace. You must establish a health and safety committee within two months after being requested to do so by five or more workers at the workplace or by a health and safety representative for those workers. Health and safety representatives may choose to be members of the health and safety committee. In total, at least half of the members of the committee must be workers who are not nominated by management. If you and your workers cannot agree about the health and safety committee in a reasonable time, either party can ask the regulator to appoint an inspector to decide on the makeup of the health and safety committee or whether it should be established at all. Health and safety committees must meet at least once every three months and at any reasonable time at the request of at least half of the committee members.

You can also establish a health and safety committee on your own initiative for a workplace or part of a workplace. You may consider exercising this initiative if it will help you meet

your duty to consult and assist your workforce in making health and safety decisions. One example of where a health and safety committee can be a good option is if workers are reluctant to take on the role of a health and safety representative, but some would be willing to participate on a committee. Another example of where a committee may be effective is when a business needs to consult on matters that are the same across a number of work groups or workplaces. The benefits of a health and safety committee include having regular, planned and structured discussions about health and safety matters, encouraging a cooperative approach to health and safety, bringing together a group of worker and business representatives from across the business or undertaking to collaboratively discuss and develop ways of improving the systems for managing health and safety at the workplace and encouraging the development and retention of corporate knowledge on health and safety matters for the workplace.

The membership of the health and safety committee should be determined by agreement between you and the workers at the workplace to be represented by the committee. If agreement cannot be reached, anyone involved in the process can ask the regulator to appoint an inspector to assist. The inspector's decision is taken to be your decision, as the PCBU and the workers. When a workplace has both a health and safety committee and health and safety representatives, then there should be a clear distinction between their roles. Health and safety representatives are involved with the specific health and safety issues relevant to the work group they represent. While health and safety representatives are also entitled to be on a health and safety committee (but are not obliged to do so), the health and safety committee is the forum for consultation on the management of health and safety across the whole workforce. It should consider the development, implementation and review of the policies and procedures associated with the organisation's work health and safety system. If the workplace has a health and safety committee but does not have health and safety representatives, the committee may agree to consider the issues a health and safety representative would be consulted on.

A health and safety committee may include workers across multiple businesses or workplaces if parties agree to such an arrangement. Important details of a health and safety committee (e.g., its membership, functions, and how it will operate) are agreed upon through the development of a 'constitution'. Effective health and safety committee meetings

have an agreed agenda circulated ahead of the meeting and record key points of discussion, decisions, and action items in meeting minutes circulated soon after.

If you have contractors, subcontractors, the employees of contractors or subcontractors or employees of a labour-hire company as part of your workforce, you owe a duty of care to these workers. Any business providing workers will also owe them a duty of care. You and that business will both have a duty to consult these workers on work health and safety issues. You must consult, cooperate and coordinate arrangements for the consultation with the workers, so far as is reasonably practicable, with the contractor, subcontractor or labour-hire company. In doing this, you should consider the types of issues that may arise where you would need to consult the contractor, subcontractor or labour-hire company and their workers.

There are often situations where more than one business or undertaking operates at a workplace and where people share responsibility for work health and safety to varying degrees, for example, shopping centres, construction projects, labour hire and multi-tenanted office buildings. The WHS Act requires that where more than one person has a duty for the same matter, each person retains responsibility for their duty in relation to the matter and must discharge the duty to the extent to which they can influence and control the matter. In these situations, each person with the duty must, so far as is reasonably practicable, consult, cooperate and coordinate activities with all other persons who have a work health or safety duty in relation to the same matter.

People often assume someone else is going to take action for health and safety, perhaps because the other person is more directly involved in the activity. This may be more likely where there are numerous people involved in the work. This can mean nobody takes the necessary action. Each person conducting a business or undertaking (PCBU) must, so far as is reasonably practicable, eliminate or minimise risks to health and safety. This includes ensuring, for example, that a safe plant is used, there are adequate welfare facilities for workers and training is provided to workers.

As a PCBU, you must ensure these requirements are met, even if others may also have the duty to do so. You may ensure the outcomes by not necessarily taking the required action yourself but by making sure another person is doing so. Talking to, cooperating with, and coordinating activities with others who are involved in the work or things associated with the

work will make the control of risks more effective and assist each duty holder in complying with their duty. It can also mean health and safety measures are more efficiently undertaken.

What is reasonably practicable for consulting, cooperating and coordinating activities with other duty holders will depend on an objective consideration of the circumstances, including the nature of the work and the extent of interaction. For example, two contractors working together may engage in direct discussions and planning as part of their everyday work, whereas the owner of a large shopping centre may need formal mechanisms with the retail businesses, for example, written agreements and consultative committees.

The first step is to identify the other duty holders you must consult, cooperate and coordinate activities with. The WHS Act requires each person with a health and safety duty to consult, cooperate and coordinate activities with each other person who has a duty over the same matter. Some examples are listed below.

Various contractors who are involved in the same work at the same time at a workplace will need to consult, cooperate and coordinate activities with each other as they may each affect the health or safety of their own workers or the workers of other business operators or other people at or near the workplace.

An installer of a plant at a workplace and the person with management or control of the workplace should consult, cooperate and coordinate activities with each other in relation to when, where and how the plant is to be installed to control health and safety risks.

A landlord or managing agent should consult, cooperate and coordinate activities with commercial tenants, for example, about emergency plans and procedures or with a contractor carrying out maintenance or repair work.

Each of the business operators involved in the supply and logistics chain (the consignor and consignee, the operator of a warehouse, the trucking company and sub-contracted drivers) should consult, cooperate and coordinate activities with each other on the timing and process for the collection and delivery of the goods.

A franchisor and franchisee should consult, cooperate and coordinate activities with each other when determining how the franchise arrangements are to operate and the

requirements the franchisor may impose on the franchisee relating to work health and safety.

You should start consultation, cooperation and coordinating activities with other duty holders when you become aware they are or will be involved in the work. This will usually be apparent from the circumstances, through contractual arrangements, presence on site or the need for others to be involved in the work. You should identify who else will be involved in the work, make contact with them and start discussions as soon as they are reasonably able to do so. This may occur as part of contractual negotiations discussions when you are engaged to carry out the work or when you engage another business to carry out work for your business or undertaking. You may not be the first business or undertaking to be involved in the work or may not initially be aware others are involved in it. You may be contacted by another duty holder and asked to engage in consultation.

Consultation should start during the planning of the work to ensure health and safety measures are identified and implemented from the start. A need for further consultation may arise when circumstances change over the period of the work, including the work environment and the people involved in the work. This is particularly likely in construction and other long-term projects. Cooperation and coordination with other duty holders should be an ongoing process throughout the time in which you are involved in the same work and share the same duty.

The objective of the consultation is to make sure everyone associated with the work has a shared understanding of what the risks are, which workers are affected and how the risks will be controlled. The exchange of information will allow the duty holders to work together to plan and manage health and safety. The consultation should provide the information required for the risk management process. This process should involve identifying hazards and (if

necessary) assessing risks, controlling risks, reviewing control measures, and consulting with workers throughout.

What is required for cooperation should have been identified in the consultation process. Cooperation may involve implementing arrangements in accordance with agreements reached during consultation with the other duty holder and involve not acting in a way that may compromise what they are doing to ensure health and safety. Cooperation also means if you are approached by other duty holders wanting to consult with you on a health and safety matter, you should not obstruct communication, and respond to reasonable requests from other duty holders to assist them in meeting their duty.

Coordinating activities requires duty holders to work together so each person can meet their duty of care effectively without leaving gaps in health and safety protection. You should plan and organise activities together with the other duty holders. This will include making sure the measures you each put in place work effectively together to control the risks. You should identify when and how each control measure is to be implemented and ensure control measures complement each other. Coordinating activities may include scheduling work activities so each duty holder carries out their work separately or at the appropriate time. It may require work to be arranged in a way that will allow for necessary precautions to be in place or pre-conditions met before particular work is done. Where work is not coordinated effectively, the parties should consult further to determine what should be changed.

What is reasonably practicable for you to consult, cooperate and coordinate may depend on the level of participation of other duty holders. For example, there may be a disagreement between parties about the extent of consulting, cooperating and coordinating activities required in the circumstances. This does not mean you should simply accept what you consider to be inadequate action by another duty holder. You should check they are aware of this duty and what you consider is needed to comply with it and with the health and safety duties you each have. Written arrangements are not essential, but they may help to clarify everyone's expectations. You should consider including in your contracts a requirement for other parties to consult, cooperate and coordinate on safety matters. This will make the other party clearly aware of the obligation and give you a contractual right to enforce it.

CHAPTER SEVEN – HUMAN RESOURCE MANAGEMENT

Human Resource Managers can now drive lasting change in organisational commitment to create Psychological Safety Cultures to eliminate the risk of injury from workplace bullying through compliance with the Safe Work Australia Managing Psychosocial Hazard at Work Code of Practice 2022. The code of practice is binding on organisations under the Victorian and harmonised national Work Health and Safety legislation duty of care to eliminate the risk of psychological injury. The code identifies all the behaviours that need to change and assesses the dangers by work health and safety risk management procedures. It identifies the risks as conflict escalation, discrimination, and poor job design. It leaves the control of risks and monitoring to organisations to develop and review controls in consultation with their workers and makes everyone responsible for its implementation. Through improved job design and data analysis, strategic human resource management can reduce workplace bullying from poor performance management and improve early conflict resolution and positive organisational behaviour.

Poor job design includes role and task ambiguity, lack of resources and training, laissez-faire or autocratic leadership, unachievable goals and targets and exposure to physical safety and security risks. Most positions and jobs are designed reactively as the need arises in response to growth or turnover with little time for preplanning. This can result in overlaps or gaps between the responsibilities of reliant positions, causing unnecessary

confusion and conflict. Resources and training are sometimes scarce as different individual priorities compete for preferential funding, causing frustration and further conflict. Destructive management styles, including avoidance of responsibility or over-management, can leave workers feeling unsupported and devalued to stifle creativity through feeling held responsible for failure. An inexperienced line manager's self-interest or oppressive performance management can be used to set unachievable goals and targets, causing unethical behaviour or unnecessary turnover where life is made so difficult that an employee is forced to resign. Finally, isolated, insecure or dangerous working conditions can lead to trauma through exposure to abuse, assault and violence.

Under the safe work psychosocial hazard code of practice, these job design risks can be managed through strategic human resource management. Human resource managers have advocated for strategic performance management for a long time without significant success or representation at the board table. With the code of practice, strategic job design is now exposed as an essential tool to improve productivity and reduce unnecessary compliance and recruitment costs. Strategic human resource management aligns the strategic objectives of the organisation with every position, from job design, resource allocation, training, targets and security to performance management. The advantage of good job design, together with positive behaviour and early conflict resolution, is staff retention and fostering a reputation as an employer of choice to encourage the recruitment of talented employees and managers.

With the coordinated alignment of job design with strategic objectives comes the added bonus of comparative big data analysis on how employee performance is achieving strategic objectives. This access to manageable data places human resource managers as an integral resource for organisational management to proactively plan ahead to achieve organisational objectives. The monitoring of worker progress toward these goals allows organisations to pivot their strategic objectives in advance to anticipate known obstacles before they arise.

Strategic human resource management positions human resource managers as an integral source of management data to steer the direction of organisational strategic objectives. Strategic performance management reduces costs and increases productivity while providing clear supervision to line managers on the strategic objectives of creativity, workplace safety, employee wellbeing and retention of valuable employees.

HOW TO IMPLEMENT THE EMPATHYSE SYSTEM WITHIN YOUR ORGANISATION
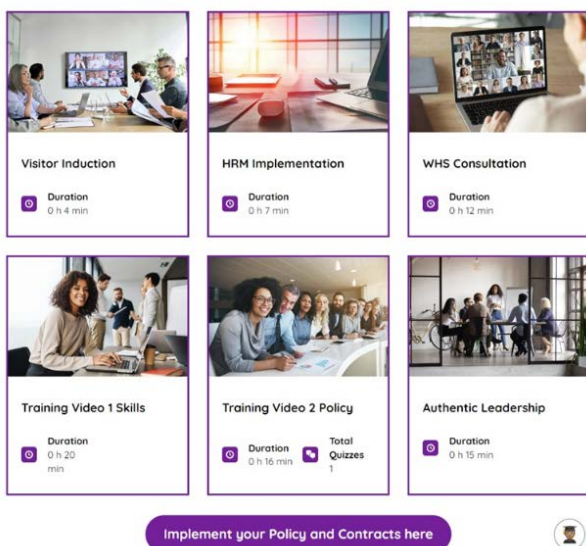
Once you log into the Empathyse program, you arrive at the courses page. This is the page where all employees will arrive when you provide the login for them to conduct training. The instructions for training are at the top of the page. To access the Empathyse Tutor, press the tutor icon at the bottom right of the screen for detailed answers to questions on the course content. For Human Resource Management access to the resources to implement policy and Contracts, go to the link at the bottom of the page or the resources page at the top of the screen. You can always ask the online tutor.

Once you arrive at the resources page, you will have access to the documents, resources, and completion certificates to implement the positive behaviour action plan. Download the top five documents to get started. The action plan will give a step-by-step process to follow. The positive behaviour policy will provide the HR policy to implement the program. This policy needs to be adopted by management and sent to every employee to read. The positive behaviour agreement is signed by all staff upon completion of the training as a commitment to a psychological safety culture. The Early conflict resolution posters should be printed and posted around each workplace to remind employees of the process to follow to de-escalate conflict and encourage positive

behaviour. The job design checklist is used to create job descriptions and set goals and performance criteria. To access the Empathyse Tutor, press the tutor icon at the bottom right of the screen for detailed answers to questions on the resource implementation.

The next section contains links to valuable resources, including the psychosocial hazard Code of Practice, to ensure job designers consider psychological safety. The People at work survey is a recognised employee satisfaction and safety survey. The Fair Work employment templates provide the resources for workplace relations compliance. The Business Victoria HR Policy template provides a standard HR policy manual to complement your new positive behaviour policies. The Australian government Business employment contract template is available if you do not have employment contracts in place. They are a basic template to complement your positive behaviour agreements. To protect your business, reputation, assets and clients, you may wish to purchase and download our full employment contract from the services page. Finally, the certificates at the bottom of the page provide an employer-of-choice certification and logo to use when the program is completed in your business. At the end is additional access to the training quiz and certificate for staff who need access after completing their training course.

The Empathyse strategic human resource management program is designed to be easily implemented in any sized business with basic management skills. Strategic human resource management and contracts are the job of people and culture teams. The key to strategic human resource management is to have consistent documentation for the job design of every position, from recruitment, targets and training to performance management. You can always ask the online tutor for help.

Psychosocial hazards identified in the Code of Practice are the unreasonable behaviour that needs to be stopped to prevent workplace bullying. The Code of Practice identifies the risk and assesses the risk that needs to be eliminated. Those risks include personal conflict escalation, discrimination and biased self-interest, poor job design and psychological trauma associated with exposure to physical risks. Empathyse and positive behaviour are the controls to eliminate that risk.

Early conflict resolution prevents uncontrolled conflict escalation. Positive Behaviour encourages fairness and equality. Strategic human resource management provides documented and substantiated processes to justify performance management targets and decisions. Enforceable contracts support management decisions to protect staff from psychological injury. Authentic leadership ensures management commitment to the care and well-being of their staff through responsible leadership and conflict management. Reviewing the controls can be done using the People at Work survey link.

The job design checklist is used to prepare job design advertisements, plan training and resources, set target hours and pay, perform management and appraisal, plan advancement, and protect workers from injury. These are the psychosocial hazards that need to be eliminated with proper planning and review. This checklist can be used for employee self-assessment, Supervisor task evaluation, And strategic performance management and assessment as well.

ADVANCED - STRATEGIC HUMAN RESOURCE MANAGEMENT IMPLEMENTATION

This comprehensive plan outlines the implementation of Strategic Human Resource Management (SHRM), Strategic Performance Management (SPM), and Big Data Strategic Human Resource Analysis in an organisation. These initiatives aim to align human resources (HR) practices with strategic objectives, enhance performance, and leverage data for informed decision-making.

In today's competitive business environment, organisations need to strategically manage their human resources. This plan provides a step-by-step guide to implementing SHRM, SPM, and Big Data HR Analysis, emphasising the importance of aligning HR practices with organisational goals.

Strategic Human Resource Management Implementation

Assessment and Preparation

- **Current State Assessment**: Begin by evaluating the organisation's existing HR practices. Identify what works and what needs improvement. Analyse the turnover rate and employee satisfaction surveys.

Example: Conduct a survey to gather feedback from employees regarding their satisfaction with HR services. Analyse the results to identify areas for improvement.

- **Resource Allocation**: Allocate resources such as budget, personnel, and technology to support the SHRM implementation. Consider hiring HR specialists if necessary.

Example: Allocate a budget for HR technology upgrades and hire an HR analytics specialist to manage data analysis.

- **Leadership Buy-In**: Secure commitment from top leadership by demonstrating the value of SHRM in achieving strategic goals. Provide them with data and examples of successful SHRM implementations.

Example: Present a business case to the CEO and board of directors, highlighting how SHRM can improve workforce productivity and align with company objectives.

Strategic Alignment

- **Define Organizational Goals**: Work with the leadership team to clearly define organisational goals and objectives. Ensure they are specific, measurable, achievable, relevant, and time-bound (SMART).

Example: Instead of a vague goal like "Increase sales," set a SMART goal like "Achieve a 10% increase in sales revenue within the next fiscal year."

- **Alignment Analysis**: Evaluate the alignment between current HR practices and organisational goals. Identify gaps and areas for improvement.

Example: If the organisation aims to expand into a new market, assess whether HR has the capacity to recruit and train employees with the required language skills and market knowledge.

- **SWOT Analysis**: Conduct a SWOT analysis to identify internal strengths and weaknesses, as well as external opportunities and threats.

Example: Identify strengths like a highly skilled workforce, weaknesses like outdated HR technology, opportunities like market expansion, and threats like talent shortages.

Policy and Procedure Development

- **Policy Review and Update**: Revise HR policies and procedures to align with strategic goals. Ensure that these policies are communicated clearly to employees.

Example: Update the employee performance appraisal policy to emphasise the importance of aligning individual goals with organisational objectives.

- **Communication Plan**: Develop a communication plan to inform employees about policy changes. Use multiple communication channels to ensure awareness.

Example: Send out email notifications, conduct town hall meetings, and provide training sessions to educate employees about policy changes.

- **Compliance Monitoring**: Implement mechanisms for monitoring policy adherence. Regularly audit HR practices to ensure compliance with updated policies.

Example: Conduct quarterly audits of HR processes to ensure that new policies are being followed consistently.

Talent Acquisition and Development

- **Skill Gap Analysis**: Identify skill gaps within the organisation through skills assessments and surveys.

Example: Administer skills assessment tests to employees and compare their results to the skills required for their roles.

- **Recruitment Strategy**: Develop a recruitment strategy that targets the acquisition of talent with the skills needed to achieve strategic goals.

Example: If expanding into a new market requires language skills, modify recruitment strategies to attract bilingual candidates.

- **Training Programs**: Design and implement training and development programs to bridge skill gaps and enhance employee capabilities.

Example: Develop language training programs for employees who need to communicate with clients in a new international market.

Performance Metrics and Key Performance Indicators (KPIs)

- **Key Performance Indicators (KPIs)**: Define KPIs that measure HR and organisational performance. Ensure these KPIs are aligned with SMART goals.

Example: If the goal is to increase customer satisfaction, a relevant KPI could be "Achieve a customer satisfaction rating of 90% within the next six months."

- **Performance Measurement Tools**: Implement tools for tracking and analysing KPIs. These tools can include HR software, surveys, and analytics platforms.

Example: Use employee engagement survey software to collect and analyse employee feedback, measuring factors that impact organisational performance.

- **Regular Reporting**: Establish a reporting structure for KPIs. Create dashboards and reports that provide real-time updates on performance.

Example: Generate monthly reports that showcase progress toward achieving KPIs, highlighting areas that need improvement.

Change Management

- **Change Leadership Team**: Appoint a dedicated change management team responsible for guiding and facilitating the change process.

Example: Assemble a cross-functional team of HR professionals, communication specialists, and change management experts.

- **Employee Engagement**: Develop strategies to engage employees in the change process. Provide forums for employees to voice their concerns and ideas.

Example: Host regular town hall meetings and establish an online platform for employees to submit feedback and suggestions.

- **Feedback Mechanisms**: Create channels for employees to provide feedback on changes. Act on this feedback to make necessary adjustments.

Example: Implement a feedback system where employees can anonymously report concerns and suggest improvements related to the SHRM implementation.

Strategic Performance Management (SPM) Implementation

Goal Setting and Alignment

- **Goal Cascading**: Align organisational goals with individual and team objectives. Ensure that all employees understand how their work contributes to the achievement of strategic goals.

Example: If the organisational goal is to increase market share, ensure that sales team members have individual goals related to market share growth.

- **SMART Goals**: Ensure that all goals are Specific, Measurable, Achievable, Relevant, and Time-bound (SMART).

Example: Instead of setting a vague goal like "Improve customer service," set a SMART goal like "Increase customer service satisfaction ratings by 10% within six months."

- **Alignment Assessment**: Regularly assess the alignment between individual goals and organisational objectives. Identify and address any discrepancies.

Example: Conduct quarterly performance reviews to ensure that employee goals remain aligned with evolving organisational priorities.

Performance Appraisal Framework

- **Performance Appraisal Process**: Develop and document a standardised performance appraisal process. Ensure that it is fair, transparent, and well-communicated.

Example: Create a performance appraisal guide that outlines the steps, criteria, and timelines for the appraisal process.

- **360-Degree Feedback**: Introduce 360-degree feedback for holistic assessments. Encourage employees to provide feedback on peers, subordinates, and superiors.

Example: Implement a 360-degree feedback tool that allows employees to anonymously evaluate the performance of their colleagues.

- **Appraisal Training**: Train managers and employees on the appraisal process. Provide guidance on how to set goals, conduct evaluations, and provide constructive feedback.

Example: Offer workshops on performance appraisal techniques and interpersonal skills for managers.

Continuous Feedback and Coaching

- **Regular Feedback**: Encourage a culture of continuous feedback between managers and employees. Ensure that feedback is constructive and timely.

Example: Managers should provide feedback to employees on a weekly or bi-weekly basis, addressing both strengths and areas for improvement.

- **Coaching and Development Plans**: Implement coaching and development plans for employees. Identify opportunities for skill development and career advancement.

Example: Create individual development plans (IDPs) for employees, outlining their career goals and the steps needed to achieve them.

- **Performance Improvement Plans**: Establish procedures for addressing underperformance. Provide support and resources to help employees meet performance expectations.

Example: When an employee consistently fails to meet performance targets, HR should work with the manager to develop a performance improvement plan (PIP).

Recognition and Rewards

- **Recognition Programs**: Implement recognition programs to acknowledge outstanding performance. Recognise and celebrate employees' achievements.

Example: Introduce an "Employee of the Month" program with a small monetary reward and public recognition at team meetings.

- **Incentive Structures**: Develop incentive structures linked to performance. Offer bonuses, commissions, or other incentives to employees who consistently exceed targets.

Example: Sales representatives could receive a commission percentage increase for every 10% increase in sales revenue achieved.

- **Fairness and Transparency**: Ensure fairness and transparency in reward systems. Communicate the criteria for rewards and recognition clearly.

Example: Publish the criteria for "Employee of the Month" awards on the company's intranet for all employees to access.

Big Data Strategic Human Resource Analysis Implementation

Data Infrastructure and Technology

- **Data Infrastructure Setup**: Establish the required hardware and software infrastructure for data storage and analysis. Invest in cloud-based platforms, if necessary.

Example: Deploy a cloud-based HRIS (Human Resource Information System) to store and manage HR data efficiently.

- **Data Security**: Implement robust data security measures to protect sensitive HR data. Ensure compliance with data protection regulations.

Example: Utilize encryption for data at rest and during transmission, restrict access to HR data to authorised personnel, and regularly update security protocols.

- **Integration with HR Systems**: Ensure seamless integration of data systems with HR processes. Data from recruitment, onboarding, payroll, and performance management should flow seamlessly.

Example: Integrate the HRIS with the organisation's time and attendance system to automate data updates for accurate payroll processing.

Data Collection and Storage

- **Data Sources**: Identify sources of HR-related data, including employee records, surveys, performance data, and recruitment data.

Example: Sources can include HR databases, applicant tracking systems, employee surveys, and employee management software.

- **Data Quality Assurance**: Implement data quality assurance measures to ensure accuracy. Regularly clean, validate, and deduplicate data.

Example: Conduct quarterly data audits to identify and rectify discrepancies, inaccuracies, or duplications in employee records.

- **Data Storage Solutions**: Choose appropriate data storage solutions, considering scalability and data retention policies.

Example: Select a cloud-based storage solution with scalability options that can accommodate data growth over the next five years.

Data Analytics and Interpretation

- **Data Analysis Tools**: Select data analytics tools for processing and analysing HR data. Invest in tools that offer data visualisation capabilities.

Example: Utilize software like Tableau or Power BI to create visually compelling HR dashboards that provide actionable insights.

- **Data Visualization**: Create dashboards and visualisations to communicate insights effectively. Ensure that these are accessible to relevant stakeholders.

Example: Develop an interactive HR dashboard accessible to HR managers and department heads, displaying real-time data on key HR metrics.

- **Predictive Analytics**: Explore predictive analytics for workforce planning. Use historical data to forecast future workforce needs and identify potential issues.

Example: Use predictive analytics to anticipate employee turnover rates and take proactive measures to retain top talent.

Data-Driven Decision-Making

- **Data Governance**: Establish data governance policies and procedures. Define roles and responsibilities for data management and access.

Example: Designate a data steward responsible for ensuring data quality and compliance with data governance policies.

- **Decision Support**: Promote data-driven decision-making by providing insights to management. Create a process for regular data reviews and decision-making meetings.

Example: Hold monthly HR data review meetings with HR leadership to discuss insights and make strategic decisions based on data.

- **Continuous Improvement**: Continuously refine data analysis processes based on feedback. Encourage employees to suggest improvements to data collection and reporting.

Example: Implement a suggestion system that rewards employees for submitting ideas to enhance HR data analysis.

Integration and Alignment of SHRM, SPM, and Big Data Analysis

Alignment of HR Initiatives

- **Cross-functional Teams**: Form cross-functional teams to ensure alignment between SHRM, SPM, and Big Data initiatives. Include representatives from HR, IT, and business units.

Example: Create an "HR Transformation Team" comprising HR professionals, IT specialists, and representatives from each department.

- **Shared Goals**: Ensure that HR initiatives support and enhance each other. Regularly review and adjust HR strategies to maintain alignment with organisational objectives.

Example: Coordinate SHRM, SPM, and Big Data initiatives to improve employee performance, which, in turn, contributes to achieving strategic goals.

Creating Synergies

- **Data-Driven SPM**: Integrate data analysis into SPM for more precise performance insights. Use data to identify trends, strengths, and weaknesses in employee performance.

Example: Utilize data analysis to identify high-performing teams and replicate their best practices across the organisation.

- **Data-Informed Talent Management**: Use data to inform talent acquisition and development strategies. Analyse workforce data to identify skill gaps and target training efforts.

Example: Analyze data on employee skills and competencies to identify areas where training programs can improve workforce capabilities.

Feedback Loops

- **Feedback Mechanisms**: Create feedback mechanisms between HR, SPM, and Big Data teams. Encourage regular communication and information sharing.

Example: Establish a monthly meeting where representatives from each team share insights and discuss how their initiatives can complement each other.

- **Continuous Improvement**: Use feedback to continuously improve processes and alignment. Adapt HR initiatives based on lessons learned from data analysis and performance evaluations.

Example: If SPM data indicates that certain performance metrics are not improving as expected, collaborate with the Big Data team to analyse the root causes and adjust HR strategies accordingly.

Change Management and Communication

Stakeholder Analysis

- **Identify Stakeholders**: Identify all stakeholders impacted by these initiatives. This includes employees, managers, executives, and external partners.

Example: Stakeholders could include employees affected by changes in performance appraisal processes or external recruiters engaged in talent acquisition.

- **Stakeholder Needs**: Understand their needs, concerns, and expectations. Conduct surveys or interviews to gather feedback and tailor communication strategies accordingly.

Example: Conduct focus group sessions with employees to understand their concerns and expectations related to the SHRM implementation.

- **Stakeholder Engagement Plans**: Develop engagement plans for each stakeholder group. Customise communication and engagement strategies based on stakeholder needs.

Example: Create a communication plan that outlines how to engage and inform external recruiters about changes in the recruitment process.

Communication Plan

- **Communication Strategy**: Develop a comprehensive communication strategy that outlines what information will be communicated, when, and through which channels.

Example: Create a communication plan that includes regular email updates, monthly town hall meetings, and an intranet portal for employees to access relevant information.

- **Regular Updates**: Provide regular updates on progress and changes. Keep stakeholders informed about milestones, achievements, and any modifications to the implementation plan.

Example: Send out bi-weekly email updates to all employees, summarising the progress of the SHRM, SPM, and Big Data initiatives.

- **Feedback Channels**: Establish channels for stakeholders to ask questions and provide input. Create an environment where employees feel comfortable sharing their thoughts and concerns.

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Example: Set up an anonymous suggestion box where employees can submit questions or suggestions related to HR initiatives.

Training and Development

- **Training Programs**: Develop training programs for employees and managers involved in these initiatives. Ensure that they have the necessary skills and knowledge to succeed.

Example: Create online training modules on using HR analytics tools and require all HR staff to complete them within the next two months.

- **Change Champions**: Appoint change champions to support and advocate for the initiatives. These champions can help drive adoption and address concerns.

Example: Identify enthusiastic and knowledgeable employees who can serve as SHRM, SPM, and Big Data champions within their respective departments.

- **Feedback Loops**: Incorporate feedback from training into continuous improvement efforts. Use feedback to refine training materials and programs.

Example: After conducting training sessions, collect feedback from participants to identify areas for improvement in the training content and delivery.

Monitoring and Evaluation

Key Performance Indicators (KPIs)

- **Establish KPIs**: Define KPIs to measure the success of SHRM, SPM, and Big Data initiatives. Ensure that these KPIs are specific, measurable, achievable, relevant, and time-bound (SMART).

Example: KPIs for SHRM could include "Increase employee engagement by 15% within the next year," while for Big Data, it could be "Reduce time-to-hire by 20% through data-driven recruitment within six months."

- **Regular Reporting**: Implement regular reporting mechanisms for KPIs. Create dashboards or reports that provide real-time updates on progress toward achieving KPIs.

Example: Develop a KPI dashboard that HR leadership can access at any time to monitor progress toward HR and organisational goals.

- **Adjustment and Realignment**: Be prepared to adjust strategies based on KPI results. If KPIs are not being met, identify root causes and adapt the implementation plan accordingly.

Example: If the KPI for reducing turnover rates is not on track, conduct exit interviews and analyse data to identify the reasons behind employee departures and make necessary changes.

Regular Audits and Assessments

- **Periodic Audits**: Conduct periodic audits to ensure compliance and effectiveness of HR practices. Evaluate whether policies, procedures, and initiatives are achieving their intended results.

Example: Conduct an annual audit of the recruitment process to ensure compliance with diversity hiring goals and to identify areas for improvement.

- **Feedback Mechanisms**: Collect feedback from employees and stakeholders for improvements. Create surveys, focus groups, or suggestion systems to gather input.

Example: Administer an annual employee survey to gauge satisfaction with HR services and identify areas where HR can enhance its support.

- **Continuous Learning**: Use audit results for continuous learning and adaptation. Leverage feedback to make data-driven improvements in HR processes and practices.

Example: After analysing the results of an HR audit, implement changes to the onboarding process to address identified weaknesses and enhance the new employee experience.

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Implementing Strategic Human Resource Management (SHRM), Strategic Performance Management (SPM), and Big Data Strategic Human Resource Analysis requires meticulous planning, cross-functional collaboration, and a commitment to change management. These initiatives can enhance HR practices, align with organisational goals, and empower data-driven decision-making, ultimately contributing to organisational success.