

# HOW TO PREVENT AND MANAGE WORKPLACE BULLYING

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## Why is this important?

Under existing work health and safety legislation in New South Wales, employers have a responsibility to prevent and manage psychosocial risks to their employees. This article looks at how to prevent and manage workplace bullying behaviours and ultimately reduce the impact of new Fair Work Commission laws.

On 1 January 2014, Fair Work Commission (FWC) introduced legislation that states that employees who reasonably believe they have been bullied will be able to make an application directly to FWC. These changes create a new layer of regulation and additional liabilities for employers. They also indicate an increased focus by regulatory bodies on the issue of workplace bullying in the context of workplace health and safety.

The shift towards greater regulation may be explained by the high level of bullying being reported to Worksafe and the increasing numbers of psychological injury claims which arise as a result of alleged bullying behaviour. Safe Work Australia reported in 2013 that 22% of all psychological injury claims were lodged as a result of alleged bullying or harassment, which was second only to 'work pressure' as the most common cause.

Anecdotal evidence of the tragic consequences of bullying has also been observed in the case of Brodie Panlock, a 19-year old Victorian woman who took her own life after being the victim of ongoing and vicious bullying while working at a café in Hawthorn. More commonly, workplace bullying can result in a loss of confidence, depression, anxiety and incapacity to work. Safe Work Australia reported that the median time lost from work and the median claim cost for psychological injury claims were highest for bullying and harassment claims, indicating a more significant and longstanding incapacity for employees when bullying is a factor. In addition to worker's compensation claims, other organisational costs of workplace bullying include absenteeism, legal costs, decreased productivity, staff turnover and low workplace morale. The potential for FWC involvement will further add to these organisational costs.

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## What to do?

Traditional approaches to addressing workplace bullying involve dealing with problem behaviours directly and on a case-by-case basis, by investigating the issue and putting disciplinary or control measures in place. Although these approaches are crucial to minimise the immediate risk, the effectiveness can be limited if bullying is occurring as a result of larger organisational issues.

In order to address the underlying causes and contributing factors to workplace bullying at an organisational level, a systems theory approach should be taken. When applied to the workplace, systems theory carries the assumption that dysfunction at a local level of an organisation is a 'symptom' of dysfunction at a broader level. For example, bullying behaviours may be indicative of organisational issues such as excessive workloads, job uncertainty, or ineffective management practices.

Employers are encouraged to assess the key psychosocial risks, which may be causing or contributing to bullying behaviours using evidence based tools. Targeted and effective interventions can be implemented following the assessment process that will focus on the source of the issue in addition to dealing with bullying behaviours at a local level.

### Interventions that address key risks may include:

**Key risk:** Lack of manager accountability and/or confidence in addressing bullying

**Interventions:** Leadership in the prevention of bullying training for managers with a focus on communication skills (ie. mediation skills, assertiveness training); including performance KPIs for managers around addressing problem behaviours

**Key risk:** Job insecurity caused by inadequate performance feedback and performance management processes

**Intervention:** Updated performance review and performance management procedures; manager training in performance management and the benefits of regular feedback

**Key risk:** Lack of awareness amongst staff regarding options for dealing with bullying

**Intervention:** Anti-bullying induction training and annual refresher training; accessible grievance procedures; regular reflection on code of conduct and organisational values

By taking a holistic approach to addressing workplace bullying through a systems approach, employers are far more likely to observe longstanding positive effects on workplace culture and ultimately ensure the safety of their employees.