



Bullying, harassment, discrimination and victimisation

Working in a safe and respectful workplace

All public sector employees have the right to work in an environment that is safe, respectful and free from inappropriate behaviour.

This fact sheet explains:

- ▼ what inappropriate behaviour is
- ▼ common types of inappropriate behaviour; and
- ▼ what to do if you experience or witness it.

What is inappropriate behaviour?

Inappropriate behaviour is any conduct that does not meet the standards set out in your organisation's policies or Code of Conduct.

Types of inappropriate behaviour

Bullying: unreasonable behaviour that intimidates, offends or humiliates

Harassment: unwelcome behaviour that offends or humiliates

Discrimination: unfair treatment based on protected attributes

Victimisation: harm because someone raised or supported a complaint.

These behaviours:

- ▼ can overlap
- ▼ may be subtle or obvious
- ▼ can happen once or repeatedly
- ▼ are based on their impact, not a person's intent.

A single situation may involve more than one type of inappropriate behaviours (for example, bullying that is also discriminatory).

Bullying

Bullying is unreasonable behaviour towards a person that intimidates, offends, degrades or humiliates them. Bullying behaviour may:

- ▼ be repeated or a single serious act
- ▼ happen in private or in front of others

- ▼ be subtle or obvious
- ▼ involve exclusion, fear or humiliation.

Bullying does not need to involve a power imbalance and can occur even if no harm was intended.

What is not bullying

Reasonable management action is not bullying when carried out lawfully and respectfully. This includes giving performance feedback, setting reasonable deadlines, re-allocating work and addressing conduct concerns.

Harassment

Harassment includes sexual harassment and other behaviour that causes a person or group to feel offended, humiliated, isolated, intimidated, insulted or ridiculed.

Harassment is typically:

- ▼ unwelcome and uninvited
- ▼ unreciprocated
- ▼ often repeated, though it can occur as a single act.

Harassment is assessed based on its effect, not the intent behind it. Behaviour may still be harassment even if described as joking, banter, or “just part of the culture”.

Harassment may include bullying.

Discrimination

Under the [*Anti-Discrimination Act 1998*](#), discrimination occurs when a person is treated unfairly or disadvantaged because of a protected attribute such as age, race, sexual orientation, disability, or religion.

Direct and indirect discrimination are different:

Direct discrimination	Indirect discrimination
Treating someone less favourably because of a protected attribute	Applying a rule, requirement, or practice that seems fair to everyone but disadvantages a person or group with a protected attribute
Example: Refusing to promote someone because of their age	Example: Requiring all staff to work hours that may disadvantage staff with caring responsibilities

Discrimination may:

- ▼ be intentional or unintentional
- ▼ occur as a single incident or over time

- ▼ happen when differences are ignored instead of considered.

Victimisation

Victimisation occurs when someone is treated unfairly, harmed, or threatened because they have:

- ▼ made, or intend to make, a complaint
- ▼ supported another person's complaint
- ▼ reported, or plan to report, inappropriate behaviour
- ▼ refused to take part in inappropriate conduct.

You must not be treated unfairly for raising a concern honestly and in good faith, even if the matter is not ultimately substantiated.

Is this misconduct?

Not every concern will amount to misconduct, but all concerns are important and should be raised.

If proven, bullying, harassment, discrimination and victimisation are likely to breach your organisation's Code of Conduct and may constitute misconduct. Some behaviours may also be offences under:

- ▼ the *Anti-Discrimination Act 1998*, including sexual harassment and discrimination-based bullying
- ▼ the *Criminal Code Act 1924*, for example where physical abuse or threats are involved.

What if I experience or witness inappropriate behaviour?

You should report it so it can be addressed safely and appropriately. You can raise concerns with:

- ▼ your manager (if appropriate)
 - ▼ if not appropriate, contact Human Resources/People and Culture; or
 - ▼ an integrity or complaints unit (if your organisation has one)
- ▼ you may also contact the Integrity Commission.

Employees are protected from victimisation for making, or supporting, a genuine report. You do not need proof to make a complaint – only a genuine belief that the behaviour is inappropriate.

Because these behaviours can be subtle, all concerns should be taken seriously and dealt with promptly.

How the Integrity Commission can help

The Integrity Commission can provide support and guidance on:

- ▼ identifying non-compliant behaviour
- ▼ reporting concerns
- ▼ managing complaints
- ▼ investigating misconduct
- ▼ preventing future issues.

The Integrity Commission can accept anonymous complaints.

Raising concerns early:

- helps prevent harm
- supports fair and proportionate responses, and
- strengthens trust in public sector workplaces



The Commission can help

We are available to provide support and assistance with identifying, reporting, investigating, managing and preventing misconduct: contact@integrity.tas.gov.au or 1300 720 289.