

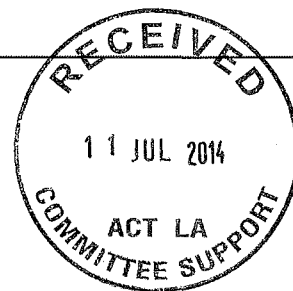


LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2014-2015

Brendan Smyth MLA (Chair), Mary Porter MLA (Deputy-Chair),
Giulia Jones MLA, Yvette Berry MLA



ANSWER TO QUESTION ON NOTICE

Ms Giulia Jones: To ask Ms Katy Gallagher MLA

In relation to bullying and harassment

I am interested in the Directorate's/Agency's approach to dealing with bullying complaints and issues.

Tell me about bullying in the directorate/agency and what is being done about this issue?

How many reports of bullying have been made in the last (5 years) and (10 years) periods?

How many non-official reports and complaints were made

How many of these reports are substantiated? How many of these people suffering bullying are currently off work on workers' compensation, and how many have had time off work on workers' compensation?

Over the same time period, have there been reports of sexual harassment or other types of harassment, such as pregnancy harassment?

What has been the process for dealing with reports of this nature?

Katy Gallagher MLA: The answer to the Member's question is as follows:—

ACT Health is embedding the Respect, Equity and Diversity (RED) Framework to support the prevention and management of bullying and harassment and embedding organisational values. The 2012 staff survey results showed positive trends and a significant shift in measures since 2009. Given this success, the following programs have been continued:

- "Managing and preventing discrimination, bullying and harassment" training rollout – since early 2011 to 5 May 2014, 4159 staff and 767 managers have attended the training.
- Manager's Orientation (especially content on the Values and RED framework)
- Building and supporting the RED contact officer network. As at 5 June 2014, there are 103 trained RED Contact Officers.
- Supporting managers and executives to effectively resolve workplace issues through case management approach in the *People Strategy and Services Branch*.
- The ACT Health Anti-discrimination, bullying and harassment policy has been reviewed to better align with the RED Framework and new national legislation. This policy was distributed for consultation on 2 June 2014.

- In light of the Whole of Government Workplace Culture Survey that was conducted in May 2014, ACT Health is planning to conduct its next workplace culture survey in March 2015.
- In addition, a new program is being developed to further educate supervisors and managers on the informal/formal resolution processes for addressing inappropriate behaviours, legislative changes to the *Fair Work Act*, and addressing conduct in line with the ACTPS Performance Framework. It is anticipated the program will be offered from early July 2014.
- The Organisational Development Unit continues to provide an internal consultancy service for managers/teams to enable effective analysis of workplace culture issues and targeted strategies which take into account the unique factors of each team. In 2013-14 over 30 different teams have received this targeted assistance, with good improvement outcomes.

Data is not available where reports are not subject to a formal process. Staff, supervisors, managers and executives are empowered to deal with workplace issues in the workplace as they arise. If a formal process is undertaken, this data is reported below in formal investigations.

In 2009, there were seven formal reports of bullying and harassment, none of which were substantiated.

In 2010, there were 11 formal reports of bullying and harassment, three of which were substantiated.

Following the 2010 calendar year, reports of statistical data changed from calendar year to financial year.

In 2011/2012, there were eight formal reports of bullying and harassment, none of which were substantiated.

In 2012/2013, there were 15 formal reports of bullying and harassment, seven of which were substantiated.

In 2013/2014, there were seven formal reports of bullying and harassment, two of which were substantiated.

With regard to workers compensation claims, from 2004 to 23 June 2014 there were 73 claims forwarded to Comcare that are work related harassment and/or workplace bullying claims. Of these:

- 49 were accepted;
- 22 were rejected;
- 1 is undetermined; and
- 1 was withdrawn.

The total number of ACT Health employees that had time off on compensation is 41.

ACT Health statistical data does not differentiate different forms of harassment. However, the following breaches were recorded in relation to Section 9 (f) of the *Public Sector Management Act 1994* – A public employee shall, in performing his or her duties not harass a member of the public or another public employee, whether sexually or otherwise.

2009 – 1

2010 – statistical data not available

2011/2012 – 3

2012/2013 – 12

2013/2014 – 1

Reports of bullying and/or harassment are managed in accordance with the RED Framework and the misconduct provisions of the employee's Enterprise Agreement.

In terms of reporting concerns about conduct, details were provided in evidence by Mr Kefford, Deputy Director-General, Workforce Capability and Governance, about the range of channels through which concerns about misconduct can be raised. These include through an immediate supervisor; RED contact officers and sponsors; the Commissioner for Public Administration; the Work Safety Commissioner, and in some cases; the Ombudsman.

Approved for circulation to the Select Committee on Estimates 2014-2015

Signature: 

Date: 11.7.14

By the Minister for Health, Katy Gallagher MLA