

Workplace Harassment and Bullying Policy and Procedure



The Uniting Church in Australia
Synod of South Australia

July 2026

Our Values

The Uniting Church in Australia, Synod of South Australia values all personnel involved in the life of the church, and recognises that all interactions should be approached through a lens of justice and fairness, care and safety, intentional growth and encouragement and accountability. In this way, the Uniting Church strives for excellence in its stewardship of its people and seeks to value each individual and the unique skills, gifts and talents they possess.

Overview

The purpose of this policy and procedure is to confirm our commitment to ensuring, so far as is reasonably practicable, that personnel are not subjected to any unwanted workplace bullying or harassment at work, and to ensure workers are aware of what constitutes workplace bullying or harassment, and inform them of their responsibilities in preventing and managing such incidents to achieve a harmonious workplace by recognising the right of all people to be treated with dignity and respect.

This policy is not incorporated into any contract of employment or contract for services.

Scope

This policy and procedure applies to all workers of a PCBU within the meaning of the WHS Act, including employees of the Uniting Church in Australia, Synod of South Australia. All Church body governing councils are encouraged to adopt this policy and procedure for their respective workplaces unless they have developed and instituted their own workplace bullying or harassment policy and procedure in which case that local procedure will apply.

This policy extends to behaviours that occur:

- in connection with work, even if it occurs outside 'normal' working hours or the physical workplace
- during work activities, for example when dealing with Church members
- at work-related events; and
- on social media where there is a relevant connection to work.

This policy and procedure replaces all previous versions.

Definitions

Term	Meaning
Church body	As per the definition of Body in the Uniting Church's Constitution, includes council, committee, department, college, board, agency or other institution <u>within</u> the bounds of UCASA: • Synod (Pirie St Office), Synod (Brooklyn Park) College Campus - Yarthu Apinhi, Uniting Venues SA, Uniting Aboriginal and Islander Christian Congress (UAICC), • Presbyteries, Congregations and Faith Communities.
Contractor	Individuals paid to provide services to UCASA, or to the Church body, who are not engaged or employed as Ministry Agents or Employees and are not a Volunteer.
Employee	• These are people who are directly employed by the UCASA, or employed by a Church body on behalf of the Uniting Church in Australia, and are remunerated for the work they undertake for their employer.
Executive Officer	An individual who is appointed to lead a UCASA ministry centre by the Synod or its Standing Committee, usually a person who has been delegated authority to make decisions on behalf of the UCASA, and is accountable for the delivery of outcomes for a department, function or program within their ministry centre, and reports to the General Secretary.
Manager	Any individual appointed by an employer or governing council of a Church body, temporarily or permanently, to a supervisory role i.e. has work performance and workplace behaviour oversight of other personnel.
Member	For the purposes of this policy, includes any Member, Confirmed Member, Member in Association, or Adherent as defined in the Uniting Church 'Constitution' and 'Regulations'.
Ministry Agent	These are people engaged in specified ministries within the bounds of UCASA - includes (as referenced in the Uniting Church's 'Regulations' and the 'Code of Ethics and Ministry Practice') Candidates, Community Ministers and Chaplains, Deacons, Deaconesses, Interns, Lay Pastors, Ministers of the Word, Ministry of Pastors, Accredited Youth Workers, and Ministers from other denominations serving in approved placements in the UCASA.
Natural Justice	Also known as procedural fairness: a process that ensures matters will be reviewed and actioned fairly, without bias, and the right to be heard.
Person Conducting a Business or Undertaking (PCBU)	Someone operating a business or undertaking for-profit or not-for-profit, whether alone or with others. The WHS Act places the primary duty of care on the PCBU. UCASA acknowledges that, as an unincorporated association, it is a PCBU in accordance with Section 5 (2) of the WHS Act; therefore each of the individual councils of the Church body being unincorporated associations are also PCBUs in their own right for their respective business or undertaking. A PCBU does not include: • a person engaged solely as a worker or an officer. • a volunteer association, where no workers are employed.
Personnel	Any person commissioned, employed and or engaged in, or contributes towards the planning/management/delivery of, and or are involved or participates in any functions, programs or activities associated with a Church

Term	Meaning
	body (includes Ministry Agent, Employee, Volunteer, Contractor, Member, Visitor, and Guest).
UCASA (the Synod)	Uniting Church in Australia, Synod of South Australia
Uniting Church (the Church)	The Uniting Church in Australia
Volunteer	Either a formal or informal volunteer.
Formal Volunteer	A formal volunteer, an individual recognised by the governing council of a Church body, who has actual capacity to influence and control, and who willingly provides work or performs a service to benefit the mission and objectives of the Church or Church body and receives no payment as a result of their work.
Informal Volunteer	An informal volunteer may not necessarily fit the definition of 'worker' (but rather 'other person') under the WHS Act as they may not be performing the work of the Church body but rather for his or her own religious purposes or values and for the good of the Church body. Meaning an informal volunteer donates their time to support the activities of their Church body through voluntary acts of helping and kindness in local communities.
Worker	As per the definition in WHS Act 2012 (SA), a worker is a person who carries out work for the Church body, including work as an employee, a contractor, a subcontractor, a self-employed person, an outworker, an apprentice or trainee, a work experience student, an employee of a labour hire company placed with a 'host employer', or as a (formal) volunteer. The term 'work' is not defined in WHS Act 2012 (SA) and has its ordinary meaning.
Workplace	A workplace is a place where work is carried out for the Church body and includes any place where a worker goes, or is likely to be, while at work. Generally this means in the context of the Church body, but may not be restricted to: • any place of worship within the bounds of UCASA • any UCASA property used by the Church body • any other property owned by The Uniting Church in Australia Property Trust (S.A.) • any other location or workplace (as defined by the WHS Act 2012 – SA) where approved Church Body work, activities or functions are being conducted.

Policy Principles

As a Christian community, we believe that God reaches out to us in love and acceptance and that our relationships with each other should express love and respect. The Uniting Church in Australia believes that all people are made in the image of God and as such we should accept every individual regardless of race, age, creed or gender. The Uniting Church is committed to embracing diversity, respecting differences and promoting inclusivity. It is a multi-cultural church which includes people of varied cultural backgrounds.

UCASA and the Church body are committed to providing its personnel and others with whom we associate at work, with a safe work environment that is free from inappropriate behaviour and will take all reasonable steps

to minimise the risks of workplace harassment or bullying. This commitment is based on our belief in the importance of individuals in God's eyes and their right to be respected, and kept safe from any harm.

It is the responsibility of Executive Officers, managers and supervisors to provide a working environment free from bullying and harassment and to ensure that all complaints are treated confidentially, seriously and sympathetically, and that appropriate action is taken whenever bullying and/or harassment occurs.

Bullying and harassment in the workplace decreases productivity, increases absenteeism and is also against the law. For these reasons workplace harassment or bullying by or towards any personnel in any work-related situation will not be tolerated under any circumstances.

Appropriate disciplinary action will be taken against anyone found to have harassed another employee.

No employee will be penalised or disadvantaged as a result of raising genuine concerns or complaints in good faith relating to bullying or harassment.

It is essential that all personnel support maintaining a safe and healthy workplace by monitoring and avoiding practices, attitudes and traditions that lead to harassment or bullying.

Law

Bullying and harassment is not acceptable. It is unlawful, pursuant to South Australian legislation (Equal Opportunity Act 1984 and Work Health and Safety Act 2012) and Federal legislation (Sex Discrimination Act 1984, Racial Discrimination Act 1975, Disability Discrimination Act 1992, and Australian Human Rights Commission Act 1986).

What is Unacceptable Conduct?

Behaviour of the following kinds is defined as "Unacceptable Conduct":

- Harassment
- Bullying
- Vilification
- Sexual Harassment
- Sex discrimination
- Conduct that contributes to the creation of a hostile work environment
- Aggression or violence
- Retaliation or victimisation against someone involved in a complaint

Each of these types of Unacceptable Conduct is defined below.

What is Harassment?

Harassment is any verbal, written or physical behaviour or conduct that is of an offensive, threatening, intimidating, abusive or belittling nature and that is unwelcome, unreciprocated, uninvited and usually, but not always, repeated.

It can also be based prejudices such as, but not limited to: race, disability, age, pregnancy, marital status, sexual preferences, gender identity, HIV/AIDS or other personal health status.

Workplace harassment usually consists of a pattern of unwelcome behaviour. However, it can consist of just

one act where this is of a serious nature. Also, there is no requirement that the harasser intended to offend or harm in order for it to be unlawful. All that is required, under the law, is that a reasonable person would consider that the person being harassed would be offended, humiliated or intimidated by the behaviour in question.

Harassment in the workplace can create an unpleasant or even hostile environment. Harassment makes work difficult for everyone – the person being harassed, as well as personnel witnessing the harassment.

What is bullying?

‘Bullying’ is generally defined as repeated and unreasonable behaviour, intentional or unintentional, that is directed towards a person or a group of persons that creates a risk to the person’s health and safety.

Bullying has many similarities to harassment, but the reasons for bullying behaviour do not have to be based upon an unlawful or discriminatory grounds. Bullying is based upon repeated unreasonable behaviour.

What isn’t Workplace Harassment and Bullying?

It is important for personnel to be aware that workplace harassment and bullying does not include the exercise of authority by an employer or manager/supervisor to direct and control how personnel perform their duties whilst at work, to monitor workflow or to provide feedback to personnel about their performance, where this is reasonable and exercised in a reasonable manner. What is reasonable or not will depend upon the specific circumstances of any one case.

This also includes:

- Reasonable action taken in a reasonable manner by an employer to transfer, demote, discipline, counsel, retrench or dismiss personnel;
- A decision by an employer, based on reasonable grounds and consistent with its policies and procedures, not to award or provide a promotion, transfer, or benefit in connection with personnel employment;
- Reasonable administrative action taken in a reasonable manner by an employer in connection with personnel employment;
- Reasonable action taken in a reasonable manner under an Act affecting personnel.

Workplace harassment and bullying may involve comments and behaviours that offend some people and not others, individuals may react differently to comments and behaviour and therefore management of the employer expects its personnel to maintain a standard of behaviour that is respectful of everyone at all times.

What is vilification?

‘Vilification’ is publicly encouraging or inciting hatred, ill-feeling or severe contempt for someone or a group of people on the basis of personal characteristics including race, religion, gender and/or disability.

What is Sexual Harassment?

‘Sexual harassment’ is defined s 28A of the *Sex Discrimination Act 1984* (Cth) and the Uniting Church in Australia Constitution and Regulations, Section 5.6.2 (a) as “any unwelcome sexual advance, or unwelcome request for sexual favours to a person, or engagement in other unwelcome conduct of a sexual nature in relation to that person, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the person complaining would be offended, humiliated or intimidated.” (Refer to the

Sexual Harassment Policy)

Incidents of sexual harassment may, in fact, constitute a criminal offence, and therefore the UCASA or Church body may report any such instances to the appropriate authorities.

What is aggression?

'Aggression and violence' includes: verbal abuse; physical violence against an individual in the form of hitting, slapping, spitting, scratching, pinching, kicking; threats of violence; and physical violence against objects, such as kicking or throwing property.

In addition to being grounds for a finding of serious misconduct, incidents of aggression may, in fact, constitute criminal assault, and therefore the UCASA or Church body may report any such instances to the appropriate authorities.

What is a hostile work environment?

A hostile work environment causes offence, humiliation or intimidation to others. This may be due to conduct directed at a particular person or the result of general workplace practices. The fact that conduct does not intend to offend, intimidate or humiliate others does not bar it from creating a hostile work environment.

What is victimisation?

Victimisation occurs when a person suffers detriment in connection with work because they raised a complaint or assisted another in raising a complaint in the workplace. This detriment could be direct or indirect, such as unfavourable treatment or targeted comments.

Examples of harassing or bullying behaviour

Harassing or bullying behaviour may include (but is not limited to):

- offensive comments on physical appearance, dress or private life;
- unwanted physical contact such as patting, hugging, touching or unnecessary familiarity;
- sexual jokes, suggestive behaviour, sexual innuendo, spoken comments or offensive telephone calls, emails;
- demands for sexual favours or unwanted comments about a person's sex life;
- leering, wolf whistles, catcalls and obscene gestures;
- display of offensive posters, pictures, graffiti, or pornographic material;
- racially based jokes or comments;
- mimicking someone with a disability;
- isolating someone;
- unfair or excessive criticism;
- initiation 'rituals'; and/or
- using aggressive language.

Consequences and taking action

All personnel have a duty to take reasonable care for their own health and safety while at work, including by telling others in our workplace if their conduct is causing offence. Equally, all personnel have a duty to take

reasonable care that their acts or omissions do not adversely affect the health and safety of others, meaning if an issue is raised with us, it is up to each of us to moderate our behaviour accordingly.

If any personnel feel that they have been harassed or bullied, they must make a complaint in accordance with the procedure below or other appropriate Church body procedures. Any personnel who witness bullying or harassment are also expected to take action that is reasonable in the circumstances, and this will usually mean a report in accordance with the procedure described below.

Perpetrating or permitting workplace harassment or bullying (including acts of aggression and conduct that contributes to the creation of a hostile work environment) amounts to serious misconduct and if proven will be grounds for disciplinary action up to and including termination of employment.

Making malicious, vexatious or frivolous allegations of workplace harassment or bullying may be grounds for disciplinary action up to and including termination of employment.

Personnel should be aware that they could be held personally liable for harassing or bullying another person or aiding, abetting, encouraging or condoning other persons to harass or bully.

The rights of the person accused of workplace harassment or bullying to be treated with natural justice will be upheld. This includes the right to know particulars of allegations made against them, a right of reply to those allegations, a presumption of innocence until evidence against them shows otherwise and the benefit of any reasonable doubt.

What will happen if you make a complaint or report?

Any complaints or reports of harassment will be treated seriously and acted upon as soon as possible. Complaints will be investigated thoroughly, impartially and confidentially. Managers, supervisors and/or Contact Officers must act as soon as possible on any reports of harassment. Personnel will not be disadvantaged in their employment conditions or opportunities as a result of lodging a complaint. Failing to act on or otherwise ignoring a complaint is grounds for disciplinary action up to and including termination of employment.

Confidentiality

While it is recognised that personnel who experience an instance of bullying or harassment may want to talk about their situation, they should not discuss it with their fellow team members or other personnel.

All personnel are advised that a complaint of harassment or bullying is a serious matter and where possible needs to be substantiated.

The principles of natural justice require that all parties to a complaint will have the opportunity to put their positions in response, or given an opportunity to do so, if an allegation is made. This also means that no decision will be made about the validity of a complaint until all parties have had a chance to respond. Personnel will be protected from intimidation, retaliation, victimisation or harassment as a result of filing a complaint or assisting in an investigation.

Any personnel who feel that they have been subjected to intimidation, victimisation or harassment as a result of filing a complaint or assisting in an investigation should advise their manager or Contact Officer immediately. Subjecting a person to intimidation, victimisation or harassment for filing a complaint amounts to serious

misconduct and will be grounds for disciplinary action in the case of employees of the Uniting Church up to and including termination of employment.

Responsibilities

UCASA and the Church body as a PCBU are committed to leading by example, minimising and eliminating instances of workplace harassment and bullying at work, and will:

- create a working environment, which is free from workplace harassment and bullying and where all personnel are treated with dignity, courtesy and respect;
- provide and make accessible, resources for all personnel relating to workplace harassment or bullying;
- distribute and regularly promote this policy to all existing and new personnel;
- model appropriate behaviour and monitor the working environment to ensure that the appropriate standards of conduct are observed at all times;
- treat all complaints seriously and take immediate action to investigate and resolve any complaint quickly and fairly and with complete confidentiality;
- ensure that personnel who make or support a complaint of workplace harassment or bullying are not subsequently subjected to victimisation; and
- take all reasonable steps to ensure there is no recurrence of the offence.

In addition, **all personnel** have a responsibility to:

- ensure that they take reasonable care to protect their own health, safety and welfare whilst at work and to avoid adversely affecting the health, safety and welfare of any other person at work as outlined in the Work Health and Safety Act 2012;
- comply with this policy by ensuring that they do not commit or encourage workplace harassment or bullying in the workplace;
- Immediately report any instances of bullying or harassment that they witness.

UCASA has appointed the Executive Officer, Resources as the “**Responsible Officer**”, who will be responsible for the education and training of all UCASA staff on workplace harassment and bullying issues, and will assist with the implementation of this policy and procedure across all Church body entities as required.

The **Executive Officer, Resources** is responsible for:

- approval of, and amending, this policy and procedure, in consultation with the Manager, Human Resources and Executive Officers;
- ensuring that this policy and procedure will be constantly reviewed to maintain their relevance and integrity in line with appropriate legislation;
- ensuring that the contents of this policy and procedure are understood and applied by all personnel.

Contact Officer is responsible for:

- maintaining appropriate sensitivity and confidentiality;
- ensuring all relevant information is appropriately documented, maintained and kept secure.

Grievance Officer is responsible for:

- ensuring all reported incidents of workplace harassment or bullying are investigated in a thorough and

timely manner;

- maintaining appropriate sensitivity and confidentiality;
- advising on appropriate outcomes (including possible disciplinary action);
- ensuring all relevant information is appropriately documented, maintained and kept secure.

Manager, Human Resources and/or Executive Officer (personnel in senior roles such as, but not limited to the Chairperson of a Presbytery or other Church body governing council) is responsible for:

- periodically assessing compliance with this policy and procedure to ensure consistency of application across their ministry centres.

Managers are responsible for ensuring they and their personnel for whom they are responsible are aware of and comply with this policy and procedure.

Failure to comply with the policy

Employees should be aware that a failure to comply with the policy and procedure, including any arrangements which are put in place under it, will be investigated and may lead to disciplinary action up to and including the termination of their employment.

Issue Resolution

Refer to the UCASA Grievance Policy procedures for further information.

- [UCASA Grievance Policy](#)

Dissemination of Policy and Procedure

A copy of this policy and procedure will be made available to all personnel. The intent of this policy and procedure will be explained to each new person at their induction.

Monitoring and Review

This policy and procedure will be reviewed in accordance with legislation changes and review procedures.

Related Legislation and Documents

- *Fair Work Act 2009* (Cth)
- *Privacy Act 1998* (Cth)
- *Sex Discrimination Act 1894* (Cth)
- *Australian Human Rights Commission Act 1986* (Cth)
- *Racial Discrimination Act 1975* (Cth)
- *Disability Discrimination Act 1992* (Cth)
- *Work Health and Safety Act 2012* (SA)
- *Equal Opportunity Act 1984* (SA)
- Uniting Church Constitution and Regulations; Code of Conduct
- UCASA Code of Conduct Policy
- UCASA Safe Church Policy and documents

- UCASA WHS Policy

Procedures

What do you do if you believe you are being harassed or bullied?

Allegations and incidents of workplace harassment and bullying can often be most effectively resolved if they are dealt with when they occur. Therefore, it is essential that all personnel report all allegations of workplace harassment or bullying as soon as they occur.

If personnel experience any behaviour that they find offensive or unacceptable, they must tell the person concerned to stop that behaviour.

It is important that personnel focus on the specific behaviour concerned and explain why it is considered to be offensive.

More often than not, this is all that is required to put an end to the matter. Often a person is not aware that their behaviour is upsetting or intimidating, and they will stop immediately once they are told.

However; if personnel feel that they are unable to resolve the matter by raising it directly or, if the behaviour does not stop, the matter should immediately be referred to the appropriate person (Officer), as set out below.

Any personnel who require advice, information or support in relation to workplace harassment or bullying should, at first instance, contact their manager/supervisor or the nominated Contact Officer to assist them in such matters.

Contact Officer

A Contact Officer will provide advice and support for any person who believes they have been harassed and/or bullied, even if they do not wish to take formal action. The Contact Officer will not be involved in any way with the formal investigation or resolution of a complaint.

Personnel who believe that they are or have been harassed or bullied within the workplace should report the incident(s) to one of the following nominated Contact Officers:

Contact Officer

- for Synod – the Executive Officer, Safe Church and/or the Associate General Secretary
- for Presbyteries – the Secretary and/or the PRC Chairperson
- for other Church body governing councils – the pastoral carer and/or the Ministry Agent

Where deemed appropriate, and where requested, complaints may be delegated to an alternate contact person as determined by the Contact Officer, e.g. the Manager, Human Resources.

If, due to the circumstances, it is inappropriate to refer the complaint to a Contact Officer, the complaint should be referred directly to the Grievance Officer.

Grievance Officer

The Grievance Officer will be suitably appointed by the Executive Officer, Resources for UCASA, or the Chairperson of the relevant Presbytery or Church body governing council, and is responsible for conducting any necessary investigations into allegations of workplace harassment and bullying. This person is independent from the Contact Officer and will only become involved when a formal complaint is made.

- In addition to the Contact and/or Grievance Officer, personnel may approach SafeWork SA or the Equal Opportunity Commission for independent advice at any time.

Approval Authority

Approval and Review	Details
Approval Authority	Executive Officer, Resources
Advisory Committee to Approval Authority	Human Resources and Remuneration Committee
Administrator	Manager, Human Resources
Next Review Date	2029 (3-years)

Feedback

Employees may provide feedback about this policy and procedure by emailing resources@sa.uca.org.au or humanresources@sa.uca.org.au

Current Policy Approved: July 2026

Replaces: April 2011

First Issued: November 2006