

Respond to bullying and harassment

When to use

Use these steps to deal with bullying and harassment at Fire and Emergency New Zealand.

Fire and Emergency and all partner agencies and associations are committed to a safe workplace free of bullying and harassment. Fire and Emergency treats all allegations of bullying and harassment seriously.

Role

All personnel (employees, volunteers and contractors).

All personnel have a shared responsibility for ensuring our workplace is safe and free from harassment and bullying, including:

- reporting incidents of alleged bullying or harassment
- supporting others experiencing alleged bullying or harassment
- where possible, speaking up about instances of bullying or harassment that you may witness
- seeking informal ways to resolve incidents, e.g. talking to the person initially, or talking to your manager
- learning and following policies, procedure and processes that limit bullying or harassment
- contributing to a positive and safe workplace by demonstrating positive behaviours.

Before you begin

Consider the following information to decide whether what's happening at work is bullying or harassment:

Workplace bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers that can lead to physical or psychological harm.

- Repeated behaviour is persistent and can involve a range of actions over time.
- Unreasonable behaviour means actions that a reasonable person wouldn't do in similar circumstances. It includes victimising, humiliating, intimidating or threatening a person.

Harassment, as defined by the State Services Commission, is unwanted and unwarranted behaviour that a person finds offensive, intimidating or humiliating and is repeated, or significant enough as a single incident, to have a detrimental effect on a person's dignity, safety and wellbeing.

Workplace bullying examples

See pages 6 & 7 of [Bullying at work: Advice for workers quick guide\(external link\)](#) for what kind of behaviours can be perceived as bullying.

Harassment examples

Harassment can be a one-off occurrence or repeated, and ranges from behaviour that causes slight embarrassment through to criminal acts, including:

- a generally 'hostile' work atmosphere of repeated put-downs, offensive stereotypes, malicious rumours, or fear tactics such as threatening or bullying
- a general work atmosphere of repeated jokes, teasing, flirting, leering, or sleazy 'fun'
- an isolated but significant incident, such as a violent attack or sexual assault, or
- comments or behaviour that expresses hostility, contempt or ridicule for people or a particular race, age, etc.

What is *not* considered bullying or harassment

The following are some examples of behaviours that are *not* considered to be harassment or bullying, as outlined by the State Services Commission or WorkSafe:

- Friendly banter, light-hearted exchanges, mutually acceptable jokes and compliments, good natured 'ribbing'.
- Friendships, sexual or otherwise, where both people consent to the relationship.
- Issuing reasonable instructions and expecting them to be carried out.
- Warning or disciplining someone in line with organisation policy.
- Insisting on high standards of performance in terms of quality, safety and team cooperation.
- Legitimate criticisms about work performance (not expressed in a hostile, harassing manner).
- Giving negative feedback, including in a performance appraisal, and requiring justified performance improvement.
- Assertively expressing opinions that are different from others.
- Free and frank discussion about issues or concerns in the workplace, without personal insults.
- Targeted affirmative action policies, parental leave provisions, or reasonable accommodation and provision of work aids for staff with disabilities, etc.
- Warning or disciplining workers (paid or unpaid) in line with Standards of Conduct and other policies.

While harassment could be a one-off occurrence, workplace bullying is not a single incident of unreasonable behaviour, but it could escalate and should not be ignored.

See the WorkSafe: [Bullying prevention toolbox\(external link\)](#) for more information and tools to help you.

Steps

1. Consider the behaviour that is concerning you before you decide how to respond. In particular:
 - How would you describe the behaviour?
 - How bad is the behaviour?
 - How often does the behaviour happen?
 - How does it affect you personally?
 - How does it affect your work?
 - How many people has it affected?
 - What do you want the outcome to be?
 - Have you contributed to the situation?
 - How have you responded to the behaviour?
 - What is the likely reaction of the person who is responsible for the behaviour?
2. Determine the level of response based on what you consider appropriate for the situation.

Response	Action	
Self-help	Action	Notes
	Tell someone that you trust immediately	They may offer you an objective point of view about whether the behaviour could be bullying, harassment or something else. Their advice and support may also help you.
	Confront the person whose behaviour concerns you	<ul style="list-style-type: none"> • Confront bullying early with firmness and respect. • Use assertiveness. Just explaining to the bully how you feel is unlikely to help. • Use appropriate language. • Name and/or describe the behaviour (with specific examples or incidents) and ask for it to stop. • Politely explain the consequences if it doesn't stop. • Watch your own reactions. Don't do anything that could make you seem to be in the wrong.
	Look after yourself	<ul style="list-style-type: none"> • Take notes of incidents, i.e. names, dates, times, places, witnesses. This may assist you with your recollection at a later stage. • Safeguard yourself.
Informal intervention	<ul style="list-style-type: none"> • Speak to your manager, or a higher manager if your manager is the person responsible for the behaviour. For volunteers, this could be your Chief Fire Officer or Controller, or other leadership. Seek guidance from them on how to deal with the situation. • Use an existing support person for advice or help, e.g. a union or association representative, Region Safety, Health & Wellbeing Coordinator, HR Services Team, etc. 	

- Use informal approaches, such as mediation and facilitated meetings to reach agreement for the behaviour to stop.

Formal intervention Put your concerns in writing to your manager, or a higher manager if your manager is the person responsible for the behaviour. For volunteers, this could be your Chief Fire Officer or Controller, or other leadership. They may then initiate an investigation. See process: [Report and investigate alleged misconduct](#) or [Raise and resolve employment relationship problem](#).

External intervention Contact one or more of the following for assistance:
Service When to use

[Mediation Service\(external link\)](#), Ministry of Business, Innovation and Employment For free help in resolving an employment relationship problem. It's not necessary to bring a personal grievance to gain access to this service.

[Employment Relations Authority\(external link\)](#) For employees to bring a personal grievance claim against Fire and Emergency New Zealand.

This is action against the employer, not the person who is responsible for the behaviour, and generally should follow an initial approach to the mediation service. See process: [Raise and resolve employment relationship problem](#).

[Human Rights Commission\(external link\)](#) To lay a complaint where there is discrimination on one of the thirteen grounds prohibited in the [Human Rights Act.\(external link\)](#)

[WorkSafe New Zealand\(external link\)](#) To report a breach of duty of care to take all practicable steps to provide a safe workplace.

New Zealand Police To report threats of violence, actual physical violence or other criminal acts.

Note for managers: Guiding principles when dealing with concerns about bullying and harassment include:

- Involve your HR Services team for policy and process advice and guidance, and involve your Safety, Health and Wellbeing team for advice and guidance on matters of wellbeing, if necessary, to support those involved. External professional support and guidance can be provided through your Safety and Wellbeing team.
 - Treat all matters seriously.
 - Talk to the individual about the behaviour and how they want the complaint to be managed.
 - Act promptly.
 - Ensure non-victimisation of all parties.
 - Support the wellbeing of all parties.
 - Explain the process and what may happen.
 - Maintain the confidentiality of all parties.
 - Keep good documentation.
3. Seek other expert advice, counselling and support, as required. See How do I: [Seek safety, health and wellbeing support](#).

What happens next?

If the bullying or harassment... then...

stops the procedure ends.

return to step 1 to review what level of response you want to take.

If you feel that all discussions have failed, seek advice on what to do next by contacting:

continues

- Ministry of Business, Innovation and Employment on 0800 209 020. This is a free service and is available to both employers and employees.
- UFBA on 0508 832 269, if you're a volunteer. You can access [UFBA/FRFANZ advocacy and support services\(external link\)](#) for any dispute, complaint or conflict free of charge.
- WorkSafe New Zealand on 0800 030 040.