

# Organisational Inclusion Policy

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## Document Control

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## Revision History

Version Number	Status	Date	Author	Authorised By	Remarks
1.0	Policy	21 Mar 2019	Nina von Stebut	Board	New Policy
2.0	Policy	23 June 2021	Nina von Stebut	Board	Policy review

## Related Policies

- Organisational Code of Conduct
- Employee Grievance Policy & Procedure
- Complaints Policy & Procedure
- Child Safeguarding Policy & Procedure
- Disciplinary Procedure
- Communications Policy
- Prevention of Sexual Exploitation, Abuse & Harassment Policy
- Gender Policy (Programs)
- Disability Inclusion Policy (Programs)

## Our commitment and purpose

At ChildFund Australia, we believe that an inclusive and diverse workplace, where everybody's rights are protected, provides the foundation from which we can, not only have the greatest opportunity to deliver on our vision for the children and communities for whom we do our work, but provide the most satisfying and productive workplaces for all our personnel.

We operate on the belief that an inclusive workplace brings with it a diversity of backgrounds, experiences, skills and perspectives that both enrich our organisation and provide a fertile bedrock from which true achievement, growth and innovation can take place.

Our Organisational Inclusion Policy is not only for our extended staff, including volunteers, but for all stakeholders with whom we work. It also aims to ensure we have the greatest capacity and opportunity as an organisation to form positive partnerships, develop and maintain constructive collaborative ongoing organisational relationships and to deliver the best possible outcomes we can for the children and communities for whom and which we conduct our programs.

With this in mind, we are committed to taking all reasonable steps to promote an inclusive work environment that is fair, equitable and safe, which recognises and values the diversity of all employees and encourages everyone to reach their full potential. ChildFund Australia upholds the rights of every employee to be treated equally, with respect and fairness, while performing their work in an environment that is free from any form of inappropriate behaviour, specifically discrimination, harassment, bullying, victimisation, workplace violence and other unlawful behaviour. This commitment is underpinned by our Organisational Code of Conduct and our Organisational Values.

## Scope

This policy applies to:

- all people/ persons (*refer to Glossary for definition*)
- ChildFund services to beneficiaries and partners and interactions with other members of the public
- all aspects of Employment Relationships, recruitment and selection; conditions and benefits; training and promotion; task allocation; shifts; hours; leave arrangements; workload; equipment and transport
- on-site, off-site, or after-hours work; work-related social functions; conferences – wherever and whenever personnel may be as a result of their ChildFund duties.

## Exclusions

'Nil'.

## How this policy interprets diversity and inclusion

The application of this policy, in practice, requires an intrinsic understanding of its key concepts and the way in which ChildFund Australia interprets them. Our understanding of these key concepts in this policy is outlined below:

**Diversity** refers to the things that make each of us unique: a combination of our differences that shape our view of the world, our perspective, and our approach<sup>1</sup>. Diversity is about recognising, respecting, and valuing differences based on ethnicity, sex, gender identity, age, race, religion, disability and sexual orientation. It also includes an infinite range of individual unique characteristics

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<sup>1</sup> "Only skin deep? Re-examining the business case for diversity", Deloitte 2011

and experiences, such as communication style, career path, life experience, educational background, geographic location, income level, marital status, parental status, and other variables that influence personal perspectives<sup>2</sup>.

**Gender** is used to describe the characteristics of women and men that are socially constructed, while sex refers to those that are biologically determined. Most people are born female or male but learn to be girls and boys who grow into women and men. This learned behaviour makes up gender identity and determines gender roles<sup>3</sup>. While most people are born either male or female (some are born intersex), they are taught appropriate norms and behaviours – including how they should interact with others of the same or opposite sex within households, communities, and workplaces. When individuals or groups do not “fit” established gender norms they often face stigma, discriminatory practices, or social exclusion.<sup>4</sup>

**Discrimination** can be direct or indirect. Direct discrimination occurs if a person, or a group of people, is treated less favourably than another person or group because of their background or certain personal characteristics. Indirect discrimination can happen when conditions or requirements are put in place that appear to treat everyone the same, but actually disadvantage some people<sup>5</sup>. Discrimination, in this policy, accords with Australia’s Commonwealth anti-discrimination laws, as well as state human rights and equal opportunity legislation. (See Addendum for further explanation and types of discrimination.)

**Harassment** is unwanted and unreasonable conduct which intimidates, humiliates, or offends, where a reasonable person would expect this to be the effect of the behaviour. Behaviour which creates a hostile working environment for others can also constitute harassment<sup>6</sup>. Bullying, victimisation, and violence are forms of harassment (see Addendum for further explanation).

**Equity and Equality:** *Equity* recognizes that each person has different circumstances and, accordingly, that exact resources and opportunities need to be allocated to them to reach an equal outcome. *Equality* means each individual or group of people is given the same resources or opportunities, regardless of their circumstances. Equity is a solution for addressing imbalanced social systems.<sup>7</sup>

**Equal Employment Opportunity** is the principle that every person, regardless of attributes such as race, gender, or sexual orientation, has an equal opportunity to find employment based on merit. In Australia, several pieces of legislation seek to ensure equal opportunity and prevent discrimination in the workplace.<sup>8</sup> As an employer, ChildFund has a legal obligation to conduct its business in a manner consistent with EEO.

**Inclusion** occurs when a diversity of people (e.g. of different ages, cultural backgrounds, genders) feel valued and respected, have access to opportunities and resources, and can contribute their perspectives and talents to improve their organisation.<sup>9</sup>

## Principles that underpin this policy

ChildFund Australia promotes workplace fairness and inclusion through organisational culture, practice, and programs and is committed to ensuring a work environment that is free from

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<sup>2</sup> Chubb Insurance Group company case study - approach to diversity 2018

<sup>3</sup> WHO Regional Office for Europe – Health topics: Gender: definitions, 2021

<sup>4</sup> “WHO, Gender mainstreaming for health managers: a practical approach”, 2011

<sup>5</sup> Australian Human Rights Commission

<sup>6</sup> Australian Human Rights Commission

<sup>7</sup> “Equity vs. Equality: What’s the Difference?”, George Washington University Online Public Health, 2020

<sup>8</sup> “EEO meaning Equal Employment Opportunity”, Kathryn Sampias, Armstrong Legal Sydney, 2020

<sup>9</sup> “Beyond Diversity Towards Inclusion”, Diversity Council of Australia, 2020

discrimination, harassment, violence, bullying and victimisation (see Addendum). ChildFund Australia expressly prohibits such conduct.

This policy works in concert with ChildFund Australia's Gender Policy and Disability Inclusion Policy which are programs policies that guide the way these operations are designed and operated in the field for all stakeholder parties involved. This policy works in partnership with those and, an update to them is accordingly an update to this Organisational Inclusion Policy.

ChildFund Australia is committed to demonstrating equal opportunities for all employment relationships, success, and advancement in the organisation, irrespective of, but not limited to race, religion, ethnicity, indigeneity, disability, age, displacement, caste, gender, gender identity, sexuality, sexual orientation, poverty, class and socio-economic status. This assists us in applying an inclusive approach to all aspects of our operations, in turn ensuring that all people have equitable opportunities across the spectrum of (employment) relationships with ChildFund.

Individuals may be personally liable if they engage in unlawful conduct. Individuals, who aid, abet, encourage, or permit others to engage in conduct that is unlawful or in breach of this Policy may also be liable for their conduct.

ChildFund Australia takes all reasonable steps to ensure that all our personnel are not subject to, or engage in, conduct that is in breach of applicable laws or this policy. If any of our personnel act in breach of this policy they will be subject to disciplinary action which may include suspension, dismissal and, in the case of criminal conduct, referral to regulatory and law enforcement agencies.

## How we are putting this policy into measurable action

ChildFund Australia strives to equally value, support and provide opportunities (career and remunerative) to all employees, contractors, consultants and volunteers, both in our offices and in the field, while actively removing barriers that may challenge this. The organisation is doing this by implementing the following approaches and reporting annually, across all these spheres, to the Board on progress and findings for each:

1. Specifying and measuring ChildFund's commitment by setting clear diversity objectives, including gender and disability
2. Developing and implementing strategies to respond to identified inequalities in the workplaces we are in, including gender and disability
3. Applying best equal employment opportunity practices throughout all HR areas, including all forms of recruitment; performance management; promotions; training and development; remuneration; and leave entitlements (including parental leave and flexible working arrangements)
4. Basing all recruitment and personnel selection decisions on merit regardless of personal characteristics, i.e., recruitment is based on:
  - a. skills, knowledge, and experience of applicants in relation to the requirements of the work as defined in the position description or terms of reference. This includes applying appropriate tools and processes to assess the suitability of candidates.
  - b. alignment of the candidate with ChildFund Australia's vision, mission, and values
5. Creating an environment which encourages open dialogue and diverse perspectives in line with our ChildFund values
6. Ensuring that all external communications, including in relation to recruitment, programming, media relations, marketing, and fundraising, exemplify ChildFund Australia's commitments to Inclusion and Equal Employment Opportunities
7. ChildFund will provide training to ensure that all ChildFund people understand and can apply the policies listed at the commencement of this document, recognising unacceptable and unlawful

behaviour in Child Fund Australia activities and initiatives and know what to do if they experience, witness, or become aware of it. Training will be conducted:

- a. during induction periods
- b. refresher training will occur every 2 years.

Additionally, all personnel are expected and encouraged to model, maintain, and promote our standards of conduct and act quickly in response to any breaches of this policy.

All ChildFund Australia managers are expected and encouraged to act as role models, displaying, acknowledging, and encouraging our standards of desired behaviours.

## Processes to manage behaviour that does not accord with this policy

### Complaints and reporting processes

ChildFund Australia encourages employees to report unacceptable and/ or unlawful behaviour in the workplace through providing information to staff about complaints processes. We further support employees in doing this by providing access to advice, support and processes to raise and resolve internal grievances. During training and discussions that touch on this subject, we encourage employees to view this as an obligation.

For any grievance raised under this policy, the *Employee Grievance Policy and Procedure* should be used (available for all ChildFund Australia Staff in FILES on BambooHR). For an external complaint, the *Complaints Policy and Procedure* should be used (available through the ChildFund Australia webpage).

For instances where a person chose to remain anonymous, the *Whistleblowing Policy and Procedure* offers an anonymous reporting mechanism.

These policies provide that every grievance or complaint be responded to in a confidential, impartial, and timely manner. If the person raising the complaint is a child or young person, particular care and attention will be given.

The diagram below outlines available policies and procedures.

**'Whistleblowing'** means the reporting of suspected misconduct, illegal acts or failure to act according to Our Code.

The aim of this Policy is to **encourage employees and others** who have **serious** concerns about any aspect of our work to come forward and voice those concerns where they feel other reporting mechanisms are not appropriate.

The **Grievance Policy** enables **staff, interns and volunteers** to lodge a claim with regard to any **employment matter** or if h/she feels adversely affected by the misinterpretation or misapplication of any of our ChildFund policies.



A **complaint** is an expression of dissatisfaction, related to the standards of service, actions or lack of action by ChildFund Australia.

**Anybody affected** by our programs, including children and youth, members of the public, partners and supporters, child sponsors and other donors may raise a Complaint.

### Employee Assistance Program

ChildFund Australia offers a confidential Employee Assistance Program (EAP) to support and help build resilience in staff experiencing challenges in their work and/or private lives. ChildFund Australia staff are entitled, initially, to three (3) professional counselling or coaching sessions from our employee assistance program, [Uprise](#). The number of sessions can be increased if needed. Information on how to access the employee assistance program is available to our staff on BambooHR. The support can be extended to external complainants or survivors. In countries we work in, we provide access to local EAPs.

Employee assistance program counselling is confidential. Nothing discussed with a counsellor is communicated back to ChildFund. Employee assistance program counselling is available free to ChildFund Australia staff regardless of whether the issue is related to a workplace problem or some other issue for the staff member.

## Glossary of terms

**Employment Relationship** includes but is not limited to:

- recruitment and selection
- retention
- performance management
- terms, conditions, and benefits
- learning and development, talent and succession planning
- promotion or secondment
- separation or termination of employment.

**Gender Bias** is the differential treatment and/or representation of males and females, based on stereotypes and not on real differences<sup>10</sup>. Gender itself is not a variable that stands alone. Our race, ethnicity, social class, sexual orientation, and other social positions affect our everyday gendered experiences. Therefore, gender bias regularly intersects with other forms of bias such as those based in ethnicity, race, class and sexuality<sup>11</sup>.

**Gender identity** is how you perceive your gender, how you show this to others, and how you want others to treat you. Some people may not have a label for what they are experiencing<sup>12</sup>. A person's gender identity is not restricted to being either a man or a woman. Some people do not identify with any gender, while others identify with multiple genders. Some people identify as a man, while others identify as a woman. Others may identify as neither, both, or somewhere in-between<sup>13</sup>.

**Gender equality** refers to the equal treatment of all genders, [where] all genders will enjoy the same rights, opportunities, responsibilities, and protections. Gender equality in Australia affects everybody's experiences and makes a safer and healthier community. Gender equality is a human right. Almost every human rights treaty includes the prohibition of gender discrimination.<sup>14</sup>

Intersex is an umbrella term used to describe a wide range of innate bodily variations in sex characteristics. Intersex people are born with sex characteristics that do not fit typical definitions for male or female bodies, including sexual anatomy, reproductive organs, hormonal patterns, and/or chromosome patterns.<sup>15</sup>

**People/person** refers to all employees, interns, volunteers, board members, directors, contractors, consultants, beneficiaries of any program or support, partners, suppliers and service providers.

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<sup>10</sup> "What is gender bias in the workplace?" Bailey Reiners, Built In 2021

<sup>11</sup> "Gender Bias" iResearchNet 2021

<sup>12</sup> "What is gender identity?" factsheet, Headspace, 2021

<sup>13</sup> "Research brief: Diversity of youth gender identity", The Trevor Project, 2019

<sup>14</sup> "Gender Equality in Australia", Workplace gender Equality Agency 2020

<sup>15</sup> "Background note on human rights violations against intersex people", UN Office of the High Commissioner of Human Rights, 2016

**Reportable Conduct** includes, but is not limited to:

- breaches of legal obligations (including negligence, breach of contract administrative law)
- criminal offences
- engaging in acts of physical, sexual, emotional, psychological, or financial abuse, exploitation or neglect of beneficiaries or Staff
- actual or suspected fraud and/or corruption
- abuse of authority
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other staff
- other unethical conduct
- damage to the environment
- breach of any internal Policy including (but not limited to) the Code of Conduct, Child Safeguarding Policy, etc.
- an intentional disclosure or misuse of sensitive information, or
- concealment or failure to report knowledge of the above actions in themselves or others.

**Staff** refers to permanent or contract employees of ChildFund Australia.

**Unacceptable behaviour** is any behaviour that undermines ChildFund Australia having a diverse and inclusive workplace and includes behaviour that is not consistent with ChildFund Australia's Code of Conduct and Values.

**Unlawful conduct** are behaviours defined in various federal and state laws and include discrimination, harassment, bullying, victimisation and workplace violation.

**Workplace** is the business location where the staff member usually undertake work activities, or work remotely (for example, undertaking a field visit or overseeing a program at a partner's location). This includes working outside usual business hours and any work-related events including conferences and social events either at the usual business location or an external location.<sup>16</sup>

## Addendum: Forms of discrimination and harassment addressed in this policy (including bullying, victimisation and violence)

### Discrimination

#### Workplace discrimination

Workplace discrimination applies in all areas of employment relationships and can occur on the basis of attributes including:

- race, colour, descent, national extraction<sup>17</sup>, ethnic origin or social origin
- sex, gender identity or intersex status
- marital or relationship status, pregnancy or potential pregnancy, breastfeeding or family responsibilities
- sexual orientation

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<sup>16</sup> As provided by Australian and international human rights law

<sup>17</sup> "National Extraction includes distinctions made on the basis of a person's place of birth, ancestry or foreign origin, for instance, national or linguistic minorities, nationals who have acquired their citizenship by naturalization, and/or descendants of foreign immigrants. The meaning of 'national extraction' is a little wider than 'nationality' or 'national origin'. Nationality is generally restricted to citizenship or a country but 'national extraction' refers to past history or previous circumstances as well as citizenship. National extraction means both the nation and the nationality from which a person is derived, either by birth or by self and community identification." (<https://www.fwc.gov.au/general-protections-benchbook/other-protections/discrimination/national-extraction>).

- age
- physical, intellectual, or mental disability or impairment
- disease or injury, including work related injury
- parental status, family responsibilities or carer's responsibilities
- unrelated criminal record result, e.g., a speeding record for a job where driving is not required
- political opinion, industrial activity, or trade union membership
- physical features or
- personal association with a person identified by reference to any of the above attributes, e.g., a support person or an interpreter.

A person can unintentionally discriminate against another person if they treat that person less favorably, on one or more of the grounds listed above.

### **Gender discrimination**

ChildFund Australia recognises that gender discrimination critically undermines the rights of girls and women. Gender bias also results in the denial of rights for people whose gender or sexual identity is indeterminate, intersex, or unspecified.

Examples of workplace gender discrimination include:

- not employing a qualified woman on the assumption she will start a family soon
- dismissing an employee due to falling pregnant
- not paying a person the same salary as somebody else for the same work based on the person's sex
- allocating work tasks based on a person's sex.



## Disability discrimination

Disability discrimination can happen when conditions, requirements or practices that appear to treat everyone the same actually disadvantage some people because of their disability. This includes potential biases which can result in the denial of rights for people with disability.

Examples of disability discrimination include:

- a person who is the best person for the job is not employed because of their disability
- dismissing an employee due to their disability
- not paying a person with a disability the same salary as somebody else for the same work.

In consulting with people with disability in our organisation, ChildFund Australia is working to accommodate their needs and to make reasonable adjustments. Examples of such adjustments include:

- providing a sign language interpreter to a person with hearing impairment for a recruitment process
- modifying work premises, e.g., providing ramps or flashing lights to alert people with hearing loss
- modifying work equipment, e.g., lowering a workbench or providing an enlarged computer screen
- providing training or other assistance, e.g. running induction programs for staff with disability and their colleagues, providing a mentor or support person.

## Racial discrimination

Examples of Racial discrimination include:

- insisting that all employees speak official country language at all times, even during their breaks
- not employing someone from a particular racial group because of stereotypes
- not employing or promoting someone because of assumptions they would not 'fit in' with their colleagues or company culture
- unfair treatment in the course of work based on race such as subjecting employees to negative comments about their race.
- lack of accommodating cultural celebrations, e.g., Ramadan.

## Harassment

### Workplace harassment

Workplace harassment covers a wide range of behaviours. Some examples include:

- abusing a person loudly, usually when others are present
- significantly impairing the person's work in any way such as withholding information, removing content, or altering the intent of the person's work
- maliciously excluding and isolating a person from workplace activities that they would normally be involved in
- spreading false information about a person
- making/sending offensive messages (e.g., via email, telephone, social media platforms or other means)
- persistent and unjustified criticisms, often about petty, irrelevant, or insignificant matters.

## Sexual harassment

Sexual harassment occurs when a person:

- makes an unwelcome sexual advance
- makes an unwelcome request for sexual favours or
- engages in other unwelcome conduct of a sexual nature.

‘Conduct of a sexual nature’ includes:

- subjecting a person to any act of physical intimacy
- making, orally or in writing, any remark or statement with sexual connotations to a person or about a person and
- making any gesture, action or comment of a sexual nature.

Sexual harassment can involve physical, visual, verbal, or non-verbal conduct of a sexual nature including one-off incidents or a series of incidents. It includes workplace behaviour or behaviour in connection with work, for example, at a festive season party or at a work function outside of work hours.

Depending on the circumstances, examples of sexual harassment include:

- displays of sexually graphic material including posters, pictures, calendars, cartoons, graffiti or messages left on boards or desks
- electronic mail messages, voice mail messages, screen savers, any material of a sexual nature downloaded from the internet, or viewed on a computer, offensive telephone calls, faxes, or gifts
- deliberate and unnecessary physical contact, such as touching, patting, pinching, fondling or deliberately brushing against another body, attempts at kissing
- leering or staring at a person’s body
- sexually explicit posts on social media platforms
- inappropriate ‘humour’ such as sexually suggestive or sexist jokes or comments
- innuendo, including sexually provocative remarks, suggestive or derogatory comments about a person’s physical appearance, inferences of sexual morality or tales of sexual performance
- repeatedly asking someone to meet them outside working hours, especially after prior refusal and
- intrusive inquiries into a person’s private life or in reference to a person’s sexuality.

## Disability harassment

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harassment consists of harassing a person because of their disability or because he or she is a relative or associate of a person with disability.

Examples of disability harassment include:

- humiliating comments or action about a person's disability, such as insults
- comments or actions which create a hostile environment
- overbearing or abusive behaviour towards staff with intellectual disabilities
- disparaging remarks to staff who have made compensation claims.

## Racial harassment

Racial harassment consists of derogatory remarks, racially explicit statements, graffiti, jokes or any action of a racist nature which is directed at an individual or group from a particular ethnic or racial background, and which results in the individual(s) feeling intimidated, insulted, humiliated, embarrassed, excluded or offended, where a reasonable person would expect this to be the effect of the behaviour.

Racial harassment can be non-verbal, verbal, or physical. Examples include:

- offensive gestures
- facial expressions or mimicry of accents
- offensive publications, letters, or memos
- threatening behaviour/verbal threats
- racial jokes, comments, or abuse.

## Bullying

Workplace bullying is repeated and unreasonable actions or omissions which are undertaken by an individual or a group of individuals to gain power or dominance over another, and which are intended to create, or actually create, fear or distress, and a reasonable person would expect the behaviour to have that effect.

Bullying is a form of harassment and usually occurs when the behaviour is persistent and unwelcome from one individual or a group of individuals to another and this behaviour demeans or humiliates the individual.

Bullying can occur face-to-face, over the phone, via email, instant messaging or using mobile phone or online technologies including text messaging, social media platforms or online meetings. Bullying can occur between workplace participants at all levels of the workplace, including downwards from managers to workers, sideways between workers and upwards from workers to managers.

Workplace bullying may be direct or indirect, verbal, or physical. It can involve public humiliation, usage of offensive language, or deliberate exclusion of a Staff member from work meetings and/or social events without a legitimate reason.

Examples of direct bullying include:

- yelling, screaming or unreasonably raising your voice
- abusive, insulting, or offensive language
- interfering with a person's personal property or work equipment
- displaying offensive material – pictures, calendars, pin-up posters which can be viewed as derogatory or unprofessional
- spreading misinformation or malicious rumours
- pranks or initiation practices.

Examples of indirect bullying include:

- setting tasks that are unreasonably below or beyond a person's skill level
- deliberately denying access to information, consultation or resources in order to undermine work performance
- unreasonably overloading a person with work or not providing enough work
- setting unreasonable deadlines
- deliberately changing work arrangements, such as rosters or planned or proposed leave, for the purpose of inconveniencing a particular workplace participant.

Workplace bullying does not include legitimate differences of opinion, or reasonable management action such as:

- allocating work to a workplace participant
- rostering and allocating work hours
- reasonable and legitimate performance management
- setting reasonable work goals, deadlines, and standards (including performance management of an underperforming individual)
- reasonable supervision and performance of genuine work-based responsibilities
- legitimate restructuring or re-organising of a business, work, or job

- transferring a workplace participant to a different department or role
- providing constructive feedback on unsatisfactory work performance
- deciding not to select a workplace participant for a promotion
- termination of employment.

### Victimisation

Victimisation means subjecting or threatening to subject someone to a detrimental situation, because they propose to, have, or are believed to have:

- asserted their rights under this policy or other ChildFund Australia policies (for example Whistleblower Policy), or relevant legislation
- alleged that another person has breached this policy or relevant legislation
- assisted someone in raising an issue under this policy or relevant legislation.

A detrimental situation in employment includes demotion, dismissal, transfer, suspension, loss of a benefit, being excluded from work or work-related social functions, or being the subject of gossip or innuendo.

At ChildFund Australia, it is unacceptable to retaliate against someone because they propose to, have, or are believed to have made, a complaint of unacceptable behaviour or reportable conduct under this policy, other ChildFund policies or relevant legislation.

### Workplace violence

Workplace violence can be a form of harassment or bullying, and includes behaviour such as physical assault, aggressive, threatening, or intimidating behaviour and other disruptive behaviour. It can be physical or non-physical behaviour which may involve oral, written, or electronic statements, gestures or expressions that communicate a direct or indirect threat of harm.

For example, aggressive behaviour such as an implied threat to exert influence over another's career opportunities as a result of not carrying out an instruction may be considered to be a demonstration of indirect workplace violence and/or workplace bullying and is not permitted in the workplace.

Certain forms of workplace violence, such as an assault, may also constitute a crime and may be referred to the police or other agencies.