

4.1. Management roles and responsibilities

4.1.1. Understanding the role of supervisors

Supporting and protecting frontline staff should be a key priority for supervisors and senior management. Supervisors need to make it clear to their staff that they have their full support in dealing with unreasonable conduct by people who have made complaints (or for that matter anybody else the staff may interact with) in accordance with the strategies provided in this manual and any policy adopted by the organisation for managing unreasonable conduct. This support enables staff to make clear and confident decisions and take decisive action in the face of such conduct.

When it is clear that unreasonable conduct is a factor in a particular case – and it seems that it will be ongoing, is already or may well use up an unreasonable amount of time and resources, and/or may have an unreasonable impact on the health, safety or wellbeing of the staff concerned – it is essential that you (as a supervisor) discuss it with the officer concerned. You can then work together to:

- make a plan about how the case will be managed
- stick to the plan as closely as possible without being inflexible.

When deciding on a plan, it is important that you do not just look at the conduct of the person acting unreasonably – but also consider whether that conduct is attributable to any deficiencies in the way the person and/or the person's issue was dealt with by the organisation or any of its staff. If so, you should ensure that appropriate steps are taken to rectify the issue with the person concerned.

Also, as a supervisor, you should ensure that – as far as the person who made the complaint is concerned – supervision happens behind the scenes. You should avoid becoming visibly involved in a matter, unless it involves a complaint about your staff or the staff member has asked you to be involved because they think it will help to defuse the situation. Otherwise, complaints should not be escalated to you simply because a person has demanded it. This will only give the person the perception that they can control how their issue is dealt with and by whom. This approach may not be applicable for organisations that operate in a competitive commercial environment where managers are likely to have greater authority to make decisions – for example, offer discounts, waive fees, etc – to retain a customer/client.

4.1.2. Responsibilities of senior management

Developing and implementing strategies to manage unreasonable conduct (particularly aggression and violence) by people who interact with the staff of an organisation is a management responsibility. Under workplace health and safety legislation, employers have a duty to take all reasonably practicable steps to protect the health and safety of their employees at work. This duty requires employers to take proactive steps to identify hazards that have the potential to affect the health and safety of their employees and implement measures to eliminate or control those hazards. This includes reducing the risk of exposure to violent and aggressive conduct as well as ensuring that staff have the training and skills they require to deal with such aggression. It also includes having appropriate policies and procedures in place for managing all types of common or likely unreasonable/unacceptable conduct that can significantly affect staff or the resources of the organisation. This includes ensuring that staff are involved in developing and reviewing these policies and procedures, and that appropriate environmental design practices and procedures are in place for preventing relevant hazards.¹¹

11. Comcare, 2007, *Bullying in the workplace A guide to prevention for managers and supervisors*, OHS 65, Canberra, p 11.

As a senior manager, to ensure compliance with these obligations – and for the approach in this manual to be effective – you should take steps to ensure that you create a safe and supportive workplace environment and culture and have systems in place for identifying, assessing and managing conduct related risks.

Safe and supportive workplace culture

A safe and supportive workplace culture is one where:¹²

- Staff safety is a foremost consideration. You need to be able to demonstrate a zero tolerance approach to violence against your staff.
- Both staff and senior managers openly and actively recognise the realities of dealing with unreasonable conduct, in particular the possibility that some people who interact with your staff may be violent and aggressive.
- The stressful nature of dealing with unreasonable conduct and its impacts is recognised and staff are encouraged to learn and practice self-care techniques.

See 4.4. – Managing Stress.

- Staff have access to support mechanisms such as Employee Assistance Programs (EAPs), counselling and trauma services and each incident involving unreasonable conduct is treated individually in terms of assessing staff support needs.
- Unreasonable conduct related policies and procedures are implemented and communicated across the organisation, with staff at various levels of the organisation involved in developing and reviewing these policies and procedures.
- All new and existing staff are trained to deal with or otherwise appropriately respond to unreasonable conduct and the strategies that they are authorised to use to manage or respond to it.
- Unreasonable conduct related issues (including security procedures) are regularly discussed and staff feel comfortable raising any doubts, fears, uncertainties or concerns they may have about dealing with unreasonable conduct.
- Incidents involving unreasonable conduct, or inappropriate strategies engaged in by people interacting with your organisation or its staff, are used as learning opportunities that inform your organisation's policies, procedures and practices for dealing with such conduct – as well as identifying new potential risks.
- It is recognised that when one staff member is subjected to unreasonable conduct, it can have an impact on their entire team and possibly even their office – so mechanisms must be in place for debriefing and providing counselling services for all staff who may be affected, if needed.¹³

You can strengthen your organisation's compliance with health and safety obligations by:

- setting up a centralised case management system for recording information about unreasonable conduct affecting your organisation or its staff, and the people engaging in such conduct
- having appropriate risk management processes for identifying, assessing, controlling and reviewing actual and potential risks associated with unreasonable conduct
- drafting clear ground rules and making them available to people who have made a complaint

12. Comcare, *Prevention and management of customer aggression*, OHS 33, Canberra, p 9.

13. Department of Human Services, *Staff safety in the workplace*, p 23.

- contacting the police in appropriate cases and having frontline staff complete formal reporting requirements, such as critical incident reporting and keeping appropriate records
- monitoring staff use of the strategies in this manual and the associated model code, and reviewing them to ensure they do not conflict with your internal protocols and procedures
- promoting a consistent approach to how unreasonable conduct is dealt with by the staff in your organisation.

Systems for identifying, assessing and managing unreasonable conduct related risks

When the approach in this manual and associated model policy is systematically applied, it should provide a robust risk management approach that helps to ensure that you meet your workplace health and safety obligations towards your staff.

However, you should also make sure that your organisation continually identifies, assesses, controls and reviews current and potentially new related risks.

Identify the nature of the potential risks

This includes assessing the workplace environment for any physical hazards that a person can use to cause harm to themselves or others. It also includes going through any records you have of incidents of unreasonable conduct or workplace violence. This might reveal whether there are problem areas that need to be addressed or if any patterns are emerging.

Assess the risks

This includes making a judgement about the seriousness of each hazard, and deciding which hazard requires the most urgent attention. Develop a list and rank the hazards from highest to lowest priority based on the level of risk, and regularly review and update the list as needed.

Control the risks

This includes addressing the hazards and potential risks that have been identified. The primary goal will be to remove the risks, where this is at all practicable, or otherwise to mitigate the risks or their consequences. For example, if the risk involves a person throwing things like staplers around the interview room, then staplers should be removed from all interview rooms.

If it is not possible to completely remove a risk, you may be able to manage it as well as possible. For example, you might consider the design layout of your office to make interview rooms more visible to all staff members in the immediate vicinity – for example, installing large or floor-to-ceiling windows in the internal walls of interview rooms. Alternatively, you might consider changing the ways certain jobs are done or have face-to-face interviews conducted by at least two staff members at a time.

Whatever the available resources, you will find that there is usually a wide range of options for addressing many risks – with little or no expense in some cases.

See – 4.3. Dealing with internal hazards through environmental design.

Regularly review the risks

This includes continually monitoring your workplace environment and assessing off-site visits to make sure that any potential new hazards are immediately identified. Staff participation will be important with this. If necessary, safety procedures may need to be changed and systems evolved to ensure they are still effective.