UNIONS NT STATEMENT

To the HOUSE STANDING COMMITTEE on

EDUCATION & EMPLOYMENT,

INQUIRY INTO WORKPLACE BULLYING

11th July 2012

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Introduction

Unions NT is the Northern Territory's peak trade union body and represents the industrial interests of 15 affiliated unions and their approximately 25,000 members throughout the NT.

The Unions NT Council and Executive Committee meet on a monthly basis to discuss, plan and co-ordinate matters of mutual concern. We endeavour to be the body speaking up and campaigning on behalf of working people, their families and communities across the Northern Territory. The organisation is registered as the 'Northern Territory Trades and Labor Council Incorporated' and operates as 'Unions NT'.

In preparation for this inquiry, we have consulted with and drawn upon the experience and knowledge of the officers of our affiliates, who have jointly agreed this statement.

Unions NT strongly endorses the ACTU submission to this inquiry and the current psychosocial policy as representing continuous improvement in identifying such risks and their effective control in the workplace. These key points need to be supported by a priority project overseen by Safe Work Australia to effectively support workers and employers where workplace bullying occurs but needs to be prevented and eliminated.

Inquiry Terms of Reference to be addressed:

1. The prevalence of workplace bullying in Australia and the experience of victims of workplace bullying;
2. The role of workplace cultures in preventing and responding to bullying and the capacity for workplace-based policies and procedures to influence the incidence and seriousness of workplace bullying;
3. The adequacy of existing education and support services to prevent and respond to workplace bullying and whether there are further opportunities to raise awareness of workplace bullying such as community forums;
4. Whether the scope to improve coordination between governments, regulators, health service providers and other stakeholders to address and prevent workplace bullying;
5. Whether there are regulatory, administrative or cross-jurisdictional and international legal and policy gaps that should be addressed in the interests of enhancing protection against and providing an early response to workplace bullying, including through appropriate complaint mechanisms;
6. Whether the existing regulatory frameworks provide a sufficient deterrent against workplace bullying;
7. The most appropriate ways of ensuring bullying culture or behaviours are not transferred from one workplace to another; and
8. Possible improvements to the national evidence base on workplace bullying.

1. The prevalence of workplace bullying in Australia and the experience of victims of workplace bullying;

We would like to point that in our view the use of the word "victim" is inappropriate for individuals who suffer this kind of behaviour. It implies an element of 'accident' when it is often the case the individual has been specifically selected and consideration given by the perpetrator of how they will conduct the bullying. We believe "target" is more appropriate terminology.

Occurrences of workplace bullying are a consistent and frequent feature of issues raised with their union by individual members of our affiliates. Examples come from all categories of employers, sizes of workplaces and levels within employment hierarchies.

Safework Australia's annual Comparative Performance Monitor (CPM) reports provide some relevant data which relates to formally notified incidents and workers' compensation claims in the bullying (psycho-social field). Unfortunately, unreported incidents and a lack of formal workers' compensation claims are not represented within the CPM reports but would substantially supplement such reported incidents providing more reliable data about the extent of workplace bullying and its impact in workplaces.

We believe it is not wise to overly rely upon workers' compensation claims to provide substantial evidence bases of bullying behaviours, as affected workers generally under-report bullying behaviours. Workers fear job loss, reduction in work hours for temporary, casual, labour hire, group training and part time employees or dismissal. Many workers opt to move on to other work environments and forms of employment to escape such behaviours or use various forms of leave to escape workplace cultures where bullying behaviours thrive.

As a result, we doubt there is an extensive evidence base for psychosocial claims that might be characterized as bullying behaviours across the NT. However, workplace bullying is an area experiencing growth in incidences of work related behaviours and injury.

NT Government moves in the 1990s to limit psychological based workers' compensation claims resulted in legislative amendments which have limited the grounds for successful work-related psycho-social claims.

Ideally we would wish to provide you statistical information on numbers and types of issued raised by members. Unfortunately such numbers are not readily available due to:

- Differing case handling processes of our affiliates;
- The need to prioritise collective over individual issues;
- A lack of comprehensive member reporting on these issues;
- Most NT based unions have very limited resource for administrative tasks such as data collection/extrapolation.

From consultation and in the experience of NT union officials, the following points are made:
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a) Occurrences of 'peer to peer' bullying are less prevalent than 'manager to worker' incidents. Occurrences involving 'employees and a client' do occur, but far less frequently than between employees of the same organisation. *

b) Affiliates report the frequency of new allegations of bullying being received on average once a fortnight. Across our affiliates, this represents one new piece of advice being sought on bullying for each working day of the year in the NT.

c) The vast majority of substantive occurrences are not of a physical nature. A majority are a repeated pattern of behaviour than often has been happening for many months (3 plus) before the victim seeks support and a resolution.

d) The NT United Voice Branch aim to include a clause covering workplace bulling procedures in their enterprise agreements, in order that its provisions are enforceable under the Fair Work Act. Whilst successful on occasion they have encountered considerable resistance from a number of employers regarding this.

e) It should be noted that some individuals (particularly at the lower ends of employment hierarchies) can confuse performance management actions and denial of promotion as being bullying behaviour. This demonstrates poor levels of explanation by managers and absence of employer specific training given to employees on both these categories of policy/legislation.

f) It should also be noted that for a significant proportion of reported occurrences it is not possible to substantiate claims as the victim may not have a sufficiently diarised detail of offending events.

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i. There is considerable variation in the nature and number of incidents across industrial sectors. A significant proportion of NT employers feature in the "Hospitality" area, it should be noted this sector has the greatest incidence of bullying globally.

ii. 'Employee to client' incidents are more prevalent in particular sectors such as NGO's delivering drug, alcohol and mental health related services in the NT. At the extreme, these incidents can be violent and lead to criminal charges. However, there is likely to be a high degree of under reporting of lesser but significant incidents in our view.

iii. We will comment further on the impact of insecure forms of employment. However, it is our experience that incidents of 'peer to peer' bullying are more prevalent in lower paid jobs and those whose tenure is other than permanent employment.

We are aware that the "NT Working Women's Centre" notes in its 2011 annual report that bullying in the workplace is constantly one of the top four issues raised by individuals seeking their advice. This situation amounted to 269 cases in 2010 to 11.

(See http://www.ntwwc.com.au/uploads/File/10-11%20NTWWC%20Annual%20Report.pdf)

Useful statistics have been generated by the Northern Territory Public Sector (NTPS) (19,000 employees) in their 2011 annual staff survey: -

- 26% of employees stated that they had been bullied or harassed in the previous 12 months;

- Of those 87% said they had reported it;
- And 27% of those who had reported it were satisfied by the way the matter was dealt with by their employer.

The 'Community and Public Sector Union' (CPSU) - who have the largest coverage within the NTPS, conducted their own survey of women members in late 2011. The survey findings demonstrated a significant (each more than 4%) difference between the responses of NTPS members compared to the overall results:

- 35.8% of NT women experienced bullying and harassment compared to 29.3% overall;
- 43.5% of NT women did not report the incident compared to 49.8% overall;
- 61.1% of NT women were not satisfied with the response compared to 50.9% overall;
- 30.9% of NT women disagreed or strongly disagreed that management placed importance on eliminating bullying and harassment from the workplace compared to 26.3% overall.

The significance of these all results are highlighted by the publication from the "Office of the Commissioner for Public Employment" of NTPS Employment Instruction 13 on Appropriate Workplace Behaviour issued on 4th July 2012.

The CPSU members surveyed also indicated these concerns appeared to be more prevalent amongst workers who had less tenuous forms of employment, which affected up to 30% of all NTPS workers.

The take up of Health & Safety Representatives (HSRs) in Federal Government workplaces is strong (over 20 years of HSRs) and has been far more enduring than has been the case in the NTPS where HSRs have only featured since 2008. This may provide part of the explanation for the disparity found in CPSU's National Women's survey between the NTPS and overall.

The experiences of our members vary greatly, particularly across industrial sectors, but there are common features. Individuals become disengaged from their work and generally less productive as their motivation and focus becomes fixed on the incident or behaviour experienced. Where such policies exist, incident investigations are frequently drawn out over considerable periods and are often seen as biased toward a manager's interpretation of events. . Members frequently report an impact on their health and family lives; though this is often not to the degree that workers' compensation would be applicable.

2. **The role of workplace cultures in preventing and responding to bullying and the capacity for workplace-based policies and procedures to influence the incidence and seriousness of workplace bullying;**

The situation within the NTPS that is demonstrated above provides a recent example of a common feature around workplace bullying experienced by all affiliates. Even where organisations put in place detailed guidance and do attempt to inform their staff and managers about their policy, these will not by themselves have the desired impact.

Creating a culture in which bullying is not tolerated and dealt with efficiently and effectively requires a number of strands in our view: -

- Organisational policy that is subject to ongoing consultation and review with workers and their representatives;
- Training and information programmes provided to all staff, not just managers;
- Support mechanisms that are available to victims and independent of line management structures;
- Encouragement given throughout the organisation that individuals should report occurrences they suffer from and also witness.

The workplace often brings together individuals who would not normally associate together. Combinations of various ages, cultural backgrounds and life experiences can create very effective teams for many employers. The range of variety in human behaviour will also bring potential problems into a workplace. For this reason a positive, informed and supportive management style and techniques are required. For workplace bullying, the awareness to identify such behaviour, the consequences for perpetrators and knowledge of how to effectively raise issues needs to be given to all staff and managers at every level.

Furthermore, all employees need to be confident that by raising issues they will be dealt fairly, consistently and effectively. In our better organised workplaces, independent support is often provided by our existing network of union delegates and health & safety representatives. Where such networks are trained and permitted to openly operate, they are extremely effective at identifying problems very early and speeding a satisfactory solution. Regrettably, these are isolated examples.

In contrast our affiliates far too frequently encounter the opposite type of workplace and attitude of managers/employers. Unions NT contends that employers operating a "master and servant" approach (or allowing a proportion of its managers to act in this manner) do not extract the full potential from their employees and are culpable for creating a workplace atmosphere were bullying is seen as "normal".

Senior management levels also need to recognise that certain types of initiatives commonly used have a direct impact on creating a culture where bullying can exist and flourish. These include individual performance targets and/or monitoring which can quickly lead to increased incident of bullying if alternative or mitigating initiatives are not consulted upon and enacted. The use of ongoing (unending) "organisational change" (often incorrectly termed "modernisation") can also result in uncertainty of tenure, changes in team/management lines and spans which can allow bullying practices to emerge.

The majority of NT businesses employ between 1 and 10 people so resort to elected HSRs and OHS Committees are more usual in workplaces with more than 20 employees. And more so in the public sector and larger private sector businesses, including in the retail, mining and resources sectors. It has only been since 1 January 2012 with harmonization of WHS laws, that Deputy HSRs have been a feature in the NT so this process needs time to mature.

3. **The adequacy of existing education and support services to prevent and respond to workplace bullying and whether there are further opportunities to raise awareness of workplace bullying such as community forums;**

The ACTU position of not using community forums to deal with workplace related health and safety issues is strongly supported by Unions NT.

In the context of workplace health & safety and in the areas where aggressive management behaviour including bullying exists, it is our experience that HSRs understand hazard identification, risk assessment and control. Whilst it is supervisors and middle managers that are often left behind in the area of WHS, duties of PCBUs and their application in the workplace.

In our view many organisations have suffered an overall productivity loss by removing dedicated employee welfare and personnel focussed sections from their structures. The development of making all management structures subservient to "operational needs" has removed a point of focus that can respond to initiatives and influences external to the workplace in order to mitigate/respond to incidents of bullying. The absence of such structures and over focus on "operations" is demonstrated by the workforce skills gap that now exists within Australia and has developed since commercial enterprises alone have had responsibility for work skills training.

4. **Whether the scope to improve coordination between governments, regulators, health service providers and other stakeholders to address and prevent workplace bullying;**

Unions NT agrees with the ACTU position that, essentially, workplace bullying is a psychosocial hazard that should be subject to national regulation by enhancing existing Work Health & Safety legislation. Safe Work Australia should develop with their social partners and publish Codes of Practice for bullying and regulate employers via a specifically trained and resourced WHS inspectorate alongside other psychosocial hazards.

Risk identification, assessment and control for bullying behaviour should be no less rigorous than is the case for any other WHS related hazard and should form part of any reform opportunity to improve legislation and provide guidance materials that address psychosocial behaviour in general but workplace bullying in particular.

The fact that until this time such a project has not occurred is probably understood in the context that the evidence base and prevalence of injury claims in relation to workplace bullying has not been seen as a priority in relation to the claims experience in comparison to slips, trips, falls, fractures, breaks strains etc or with such injury featuring prominently in the worst industries in terms of WHS performance.

There currently exists both a lack of legislative provision and expertise to effectively and consistently deal with bullying behaviours in most jurisdictions within the WHS regulator environment. This lack of expertise is evident in terms of the provision of information, materials and guidance to both workers and employers to address bullying behaviours.

A range of fora such as the Australian Human Rights Commission, Anti-Discrimination bodies, Fair Work Australia and in various jurisdictions' criminal codes should not detract from the fact that workplace bullying can occur in any workplace and should be dealt with within the jurisdiction's WHS fora.

5. **Whether there are regulatory, administrative or cross-jurisdictional and international legal and policy gaps that should be addressed in the interests of enhancing protection against and providing an early response to workplace bullying, including through appropriate complaint mechanisms;**

Unions NT supports the ACTU position that workplace bullying should be treated akin to other work health & safety hazards as an issue into which the regulator can intervene as opposed to being a lessor category of failing for which there are no (or limited) consequences for the employer.

Codes of Practice and Guidance materials that are consistent across jurisdictions can assist to more effectively address bullying behaviours as can better training and identification of bullying behaviours by WHS Inspectorates. To suggest that legislation and regulation alone will better identify and more effectively resolve such WHS problems is aspirational but perhaps naive.

Unions NT believes there is an overbearing of Northern Territory employers (both public and private sector) relying on casual, labour hire and short term contracted workers. This combined with poor (in practice) levels of regulation by Federal and Territory Government agencies compound the problems of reduced likelihood of awareness training and confidence in their ongoing employment/income in order to speak up when encountering incidents of bullying.

The Unions NT submission (February 2012) to the '**Secure Jobs Better Futures'** inquiry led by former Deputy Prime Minister Brian Howes indicated examples of reported bullying being more prevalent amongst workers whose forms of employment were less secure. Some examples offered to that inquiry includes examples such as at BHP Billiton Manganese Mine (GEMCO) at Groote Eylandt where the permanent /temporary workplace mix was then 60% permanent and 40% temporary (Labour Hire) where labour hire employees performing the same work in the same workplace were paid significantly less and enjoyed inferior terms and

conditions of employment than direct GEMCO employed workers. At that time, GEMCO mine unions also reported higher levels of industrial disputation, including lower morale and more frequent examples of bullying than was the case for GEMCO directly employed workers.

United Voice also provided examples to that inquiry of hospitality employees in some remote NT locations being coerced by their employers to perform at unreasonable levels under the threat of having jobs, visas and accommodation removed.

We contend that reducing the frequency and severity of bullying can be achieved by improving the legislative rights for workers to effectively operate self-organisation via their relevant trade union. The subsequent achievement of that self-organisation would improve the likelihood of occurrences of bullying being identified and dealt with at the earliest opportunity, within the unit or team of workplaces.

6. Whether the existing regulatory frameworks provide a sufficient deterrent against workplace bullying;

As set out earlier, existing frameworks are insufficient. Far too many employers do not recognise the significant short-fallings that exist with their policies and practices. As a consequence employers suffer a consequential productivity loss. Additionally employers of best practice suffer when employees change from an employer with poor practice. Finally, in the more severe cases, the consequences of poor practice result in suicide, self-harm and other schemes (workers' compensation, superannuation and medical) picking up the tab for employer poor practice due to the severity of the damage done to individuals and their families.

7. The most appropriate ways of ensuring bullying culture or behaviours are not transferred from one workplace to another;

We have set out earlier our belief that national definition, regulation and codes of practice are required to deal with this behaviour. All employers will need to: -

- Develop and implementation appropriate behaviours training;

- Commit to policy and procedures that do not accept bullying workplace behaviours;

- Provide staff induction training that addresses expectations of appropriate workplace behaviour at all levels of organisations;

- Conduct proactive modelling and mentoring of appropriate workplace behaviours as a key component part of organisational behaviour and priorities;

- Accept and support workers self-organisation with their relevant trade union to support and assist the above measures.

We are concerned that much of the mass media and within popular culture generally, bullying and bullies are portrayed in a humorous manner and as acceptable parts of everyday society. Broadcasting and publishing bodies should be encouraged to reflect a more progressive view of this behaviour.

8. Possible improvements to the national evidence base on workplace bullying.

Unions NT supports the ACTU recommendation on this issue. That Safe Work Australia is tasked with developing a nationally consistent approach to data collection for psychosocial injury reporting amongst and across all state, territory and federal agencies.

Furthermore Safe Work Australia is asked to explore via dialogue with the medical professions ways that the consequences of workplace bullying that present themselves into General Practitioner's surgeries are categorised as workplace bullying as opposed to work related stress which we contend is the case at present.

3 case studies (refer annexure 1) and some new comment from the Australian Nursing Federation NT Branch are provided to amplify this submission.

ANF NT Branch comments

Statistics identifying bullying and harassment (inappropriate workplace behaviour), as provided by the DoH in the NT, show nurses and midwives are by far the largest group affected by such behaviour from the public and other work colleagues.

Nurses tend to take sick leave rather than go down the path of workers compensation due to fear of intimidation and increased incidences of inappropriate behaviour in the workplace being targeted at them.

Remote health has historically been a high user of temporary contracts for Remote Area Nurses (RAN), and this fact tends to prohibit RANs from speaking out in fear that the behaviour will be escalated, or at worse that they will not be given another contract of employment.

Employers say that they have policies in place identifying their zero tolerance against inappropriate behaviour in the workplace, but it is the Australian Nursing Federations, NT Branches belief the policy has little effect on what is actually happening. Managers tend to be perpetrators of bullying behaviour and it seems little is done to address the issue. Those that are bullied are moved from their preferred workplace to another workplace, yet the bully manager stays in the same workplace, ready to bully the next unsuspecting individual. Unfortunately this happens again and again.

We have seen in some areas where groups of nurses have bandied together and have developed a pack mentality in their approach to their colleagues and managers, and as a pack have become bullies towards that individual. Yet nothing appears to be done by the employer to stop such practices. The more these issues are not addressed the stronger the bully or bullies get, believing that they are untouchable.

Inappropriate behaviour in the workplace is costing the health industry million and sadly it is escalating. Good nurses and midwives leave the industry and either cease working or go to an entirely different occupation. The intangible costs don't seem to be measured. Families are innocently involved and individuals are irreversibly damaged. Nurses and midwives look on with sadness and frustration about the inaction by employers on this issue.

ANNEXURE 1

Case Studies

Case Study 1

Worker X had been employed with a child care centre for over fifteen years and was employed as the Assistant Director. A new team leader was employed (Worker B) and the first couple of months the working relationship between Worker X and Worker B was very professional but then Worker X began to experience inappropriate behaviour from Worker B such as:

- degrading remarks about Worker X appearance
- constant and unnecessary criticism about Worker X work performance
- repeated outbursts over trivial matters such as Worker X used a red crayon instead of a blue crayon on a child's picture.
- Repeatedly using profanities to humiliate and degrade Worker X
- Throwing stationary items at Worker X such as rulers, pens, hole puncher.

Worker X health rapidly declined and sought the assistance of the committee. Worker X concerns were not addressed by the committee and they discouraged her from filling in a workers' compensation form as it would look bad for the centre. Worker X continued to be a target for this bully and her hair started to fall out. Worker X exhausted all of her leave entitlements (sick leave, annual leave and long service leave) as she was unable to work with Worker B and the rest of the workers were too scared to support her due to fear of persecution from Worker B.

Though Worker B left the child care centre, Worker X decided to leave her employment as she lost faith in the employer to provide a safe working environment and now works as a cleaner.

Case Study 2

Worker A had been working for a hotel for several years as front of house manager. The organisation was taken over by another company (transmission of business). Worker A retained his position and continued to achieve successful targets and key performance indicators (KPI). The new Director took an instant dislike to Worker A and Worker A began to experience unfavourable behaviour from the new Director.

- Key duties were taken away from Worker A
- The Director began to micro manage Worker A's every movement
- Worker A's job title was demoted to front of house employee .
- Support Staff were taken off the roster – leaving Worker A short staffed
- Worker A's workload was dramatically increased and provided with impossible deadlines.
- Worker A was moved out of his office and away from the Director and other managers.
- Worker A was repeatedly not invited to manager meetings.

Worker A reported the Director's inappropriate behaviour to the CEO and was told that the Director 'is a hard person but gets results and if you don't want to work with a winning team there is nothing stopping you from leaving'.

Worker A resigned from his employment.

Case Study 3

Bound & Gagged: Lack of job security creates environment for cover up of inept and unethical service (federally funded)

From 2008-09 to 30 June 2012 our service (within the Department of Children and Families) was Federally funded. New funding has recently been identified for post 30 June 2012 for a further 10 years.

The Australian Government (AG) believe they have funded the provision of services to Aboriginal children, adolescents and their families living in remote communities of the NT. They outlined that they were purchasing the delivery of:

- case related services to children & families; and

- non case related services (community education and external professional development to support clinical services)

to provide improvement in social, emotional and psychological wellbeing of Aboriginal children in remote communities, and increase the safety of families and communities for children.

Due to the previous funding arrangement between the AG and the NT Government, no permanent job positions exist in the service – all staff are engaged on temporary contracts or on Higher Duties Allowances (HDA). As recently as February 2012 staff were lead to believe, should further federal funding be forthcoming, the NTG would act (as a priority) on creating permanent substantive positions and appointing permanent staff through the applicable recruitment process. CPSU are informing members of positive discussions with the NT Office of the Commissioner for Public Employment (OCPE) regarding the possibility to utilise direct appointment – the Management group say OCPE have informed them all jobs will go through the full recruitment process and that CPSU are confused about what OCPE have indicated.

Some staff had long term contracts (from when they commenced through to 30 June 2012), but many others have had shorter term HDA or contracts that were repeatedly rolled over - some have been on 3 or 6 month contract roll overs for 4 years.

After a challenging initial establishment period, the service was able to gain a foot hold in remote communities – and services to children and their families commenced in earnest.

Having gained some altitude in this fledgling service, staff and service providers consequently expected a phase of consolidation. Through internal evaluation (outlined in the funding agreement) staff were of the belief their learnings would (in part) be used to form evolving service standards and guidelines. A Principal Practice Advisor (a Clinical Counsellor) position had been established in the organisational

complement to oversee and provide support with this process. Staff were repeatedly asking for documented standards for safe and guided practice, to protect the clients and service providers.

Unfortunately at this time commenced a pattern that has continued to grow. As staff who pursued this, and raised concerns about the lack of uniform and supervised service provision, were met with escalating acrimony from the management group responsible for ensuring appropriate service provision.

What was initially excused as perhaps a clash of personalities has spread to include staff of all levels and walks of life - all however held a common concern for the inept management which was directly resulting in a significant down turn of direct service provision to children, families and communities and increasing unsafe practice.

By now the concerned staff were attempting to raise their concerns with the management group, first individually then collegially. The pattern of bastardisation now became increasingly evident.

All of the staff who raised their concerns were discounted as either incompetent, emotional and/or having agendas. These staff were experienced practicing providers. Furthermore, other staff members became aware of the bullying and harassment these staff members were being subjected to and attempted to shield them and mediate the relationship/issues. Consequently, these staff then started to experience being ostracised, performance managed and not supported to do their work too (for example, some experienced vilification in the form of rejection of previously supported training and development).

Several of these staff have now been constructively dismissed, but not before suffering significant mental and emotional distress and anguish. One member who lodged an official grievance has been informed their contract would not be renewed on expiry, due to "performance issues" – this was a professional with the highest number of direct service provision events.

Meanwhile, hopeful of continued funding and planning for a best case model, the Management group reviewed the service complement and structure. No positions were identified as redundant, and several new positions were raised as pertinent if affordable.

The Management group also decided to review their own salary levels, due to a change in the award of the service level staff which reduced the difference between Management and Service provision streams.

The first outcome of this review was an increase to the salary level of all but one of the management group. Subsequently, the positions previously identified as pertinent are now unaffordable.

While waiting for a decision on continued funding for the service past 30 June, staff were informed that the intention was to continue with the status quo if refunded, with supernumerary (additional and above establishment funded positions) which were finally officially JAQ'd and JES'd (re-evaluated and re-classified) as a priority – this continued to be the case up until March 2012.

Meanwhile the alarming issues, previously raised regarding service, has worsened. Expedited by inexperienced Managers and a lower ratio of experienced to inexperienced practitioners (flipped to the inverse of what is prudent). Staff have tried to escalate their concerns about unsafe service provision and consequent staff bullying to the next level of Management but were rebuffed, disciplined and ordered to go back to the same management staff they had the issue with, again.

The Management group refuse to accept any accountability for the services problems and proffer spin - laying it off of on many other disingenuous causes. They continue to cover up the real reasons for the inarguable downturn in performance. Regardless, the fact remains that the number of service events has dropped appreciably.

To cover up the drop in service activity the management group members have more recently attempted to distort the data definitions to enable capture of far flimsier activities. This resulted in disagreement from the service's dedicated Reporting Unit, and (post announcement of further funding for 10 years) reporting staff are now informed their unit is identified to be cut in the very near future. It would seem that no data is better than bad data?

All staff have again had their temporary contracts rolled over on another raft of short term contracts/HDA (although 10yr funding has now been secured) while the Management group is covertly doing a review of the organisational structure with out staff consultation. Ironically, the Management group are now claiming the retained funding level won't continue to cover the status quo organisational establishment (which of course also now includes their salary increases) and 2 data unit positions have been identified to be cut after 30 Sept 2012 because of this – coincidentally the incumbents in the positions that are now identified to be cut are staff also named as witnesses to the previously lodged bullying grievance.

The chorus of concern is growing alarmingly to also include external persons from remote communities (community people and providers) and other NTG Departments.

To provide an example of staff concerns: **the office that has suffered most of the bullying and vilification has approx 130+ open cases; approx 40 of these cases are accepted referrals awaiting service – 32 of these are older than 100 days, 7 of which were 1,000 days or more have elapsed from referral acceptance/case creation – up to as much as 1,300 days…**

The average age of these approx 40 accepted referrals still awaiting a service is 413 days.

In summary: Temporary contracts/HDA is prohibiting staff from being able to speak out when services go bad. The very real consequence for direct retribution and position redundancy gags raising alarms .

In this instance, the pursuit to ensure safe, competent, quality service provision actually reaches the remote indigenous children who are most in need of this service, has meant staff have clearly witnessed the pattern of SPEAK-UP = VILLIFICATION+BULLYING = CONSTRUCTIVE DISMISSAL… or worse

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1 a significant number of prior (1) & current (6) project employees (20) are currently navigating 'the system' in the process of formalising a grievance against the applicable managers and exposing the ineffective management of federal funds to provide a much needed service. They have been unsuccessful in their efforts to date…Add to this 2 former employees who left because they were previously bullied after also not having their contracts renewed and another employee who on a visa from the UK and whose residency was threatened but subsequently had permanent residency approved. A total of 10 of 20 staff having experienced bullying behaviour by the same manager(s).