

## Submission to Standing Committee – Workplace Bullying

### The prevalence of workplace bullying and the experience of victims of workplace bullying

Workplace bullying is endemic in NSW schools. It is having a devastating effect on education in this state. This is witnessed by the teachers who have suffered and continue to suffer under this culture of deceit, nepotism and cover ups.

Young people in this state are also suffering because they are witnessing this bullying taking place in schools. They see their much loved teachers treated with no respect and the people that perpetrate these offences are never held to account. **How can we stop bullying of students if even the teachers are bullied?**

Most teachers who undergo this treatment never teach again. They also never recover. They are forced to leave a profession that they have devoted their adult lives to and receive no closure about the issues so they can't leave these experiences behind them and get on with their lives.

What is the cost to our society, our children, our teachers and our future if these bureaucrats are allowed to continue to wreck such carnage on the education system in this state?

My experience was that in 2009 I decided to return to full time employment after working as a temporary teacher for seven years while I cared for my last child. I applied for the position using the merit selection process. I was the successful applicant and even before I commenced work at the school the head teacher's manner with me was unusual. She did not ring me to confirm any details of the position until a few before I was due to start at the school. When she did ring she asked random questions like, Do your children go to state or private schools? Where do you live? What does your husband do for a job? This I thought was odd as she did not ask me any questions about my teaching experience, nor did she give me any information about the position.

When I first attended the school the head teacher was very obfuscative. She told me very little about the position except to say that the teaching allocation was changed as they knew nothing of my experience. Her manner I believe was because teachers generally are not happy with the merit selection system as they see it as a system that can be easily manipulated by principals to get the staff members they want, irrespective of the applicant's skills and abilities. Teachers are forced to use this merit selection system as 65% of jobs in NSW are now appointed using this system and it is usually the classroom teacher

that has had to apply via merit selection who is bullied. Teachers are unlikely to bully teachers in higher positions to them.

From day one of my appointment the head teacher and two of her staff members made my life very difficult. Two teachers on staff had applied for the position I achieved and they both made me aware of this within days of me commencing the job. Stating that they wouldn't hold it against me that I got the position they had applied for.

One of these teachers was asked by the head teacher to help me familiarise myself with the school's internal computer network. This teacher told me she knew nothing about it and would not assist me. I asked the other teacher who had applied for the job if something I did was how it was performed at this school and her response was, "Far be it from me to teach grandmothers how to suck eggs." Then she walked away. This disingenuous behaviour continued and became worse during my two years at the school.

The school had no induction process for teachers who were new to the school. Most schools don't have adequate induction procedures in place that inform new staff of the school's internal systems and policies. Hence the bullies are the only people who can pass on this information. They guard this information like a treasure and the new teacher is unable to successfully fulfil their job requirements. This then leads to further alienation and bullying.

I finally went to the principal after a number of serious incidents occurred and was told that the head teacher and I should just grow up and get on with it and that she didn't intimidate him. I responded to the principal that she wouldn't intimidate him as he was in a position of power over her. I later found that this woman and her friends had behaved like this to many former employees and as a consequence they had left. One male staff member said to me early in my time at the school, "After about a week I realised that you are a nice person. I hope the head teacher is nice to you and you aren't forced to leave because of her."

After realising that I would receive no help from the principal I was forced to seek medical help as no one within the school was prepared to help me. Finally I was advised by my doctor to go on workers' compensation leave as I was in a terrible physical and mental state after putting up with this situation for two years.

This led to the start of the second stage in the insidious and heinous process of bullying and belittling teachers.

This bullying is pervasive and wears away at the teacher's confidence. The teacher has no support network within the school. The teacher has now become a whistle blower and the Department of Education and Communities (DEC) bureaucrats begin to bully the teacher, through such methods as asking them to write statements about the events at the school which the DEC then lose and ultimately say they can't deal because the persons within the school refuse to become involved. The teachers are told such things as they are using these events to further their careers. In short the teachers are not believed and ignored. So after

undergoing terrible treatment within the workplace they are then further harassed and tormented by the very people who should be helping to resolve this problem and allowing the teacher to get on with his or her career.

This process goes on for years and all the time the Australian taxpayer and the teacher themselves are footing the bill emotionally, physically and financially. Not to mention the students who are losing their dedicated teachers. The families of all concerned suffer irreparably.

The bureaucrats and the initial perpetrators walk away unscathed and ready to attack future victims. The system continues with the main players becoming more and more blatant, blasé and reckless in their lack of empathy toward teachers' and students' lives. They seem to take a malicious delight in destroying lives and maintaining their own power base. The DEC develops a "thin description" about the bullied teacher's situation and they then use this thin description to make invisible the injustices the bullied teacher has undergone. This thin description may take the form of "S/he is using this situation to obtain a better position" This teacher cannot be placed in an equivalent position to their substantive position because other teachers maybe become upset.

My situation continues with me not working after a year and a half. The DEC is being as obstructive as possible. My husband and I have been abused by School Education Directors. We have been labelled as liars and ignored. An essential teaching skill code has been removed from my portfolio. DEC has not followed their own procedures on this matter. No one within the DEC will rectify this. I have taken the matter to the head of staffing and he refuses to even read their own documentation on the matter, instead he sent the matter back down the line. The local SED also refused to read the paper work and became very aggressive yelling at my husband and me.

After a twenty four year career as an excellent classroom practitioner my career is in tatters as a group of nasty women decided to make my life within the school untenable and the very bureaucracy set up to assist teachers treats me like a criminal. This approach seems to be the modus operandi of the DEC. I now know that my situation is far too common and the same steps I went through are typical of other cases. The Department goes into cover up mode and the victim of bullying in the workplace becomes the victim of bullying by the DEC. This has devastating effects on the teacher, the teacher's family, the schools, the students and the education system which ultimately loses many outstanding teachers. The recently published book **Bullying of Staff in Schools**, forwarded by General Peter Cosgrove AC,MC. states that teachers who are bullied are usually experienced teachers and competent teachers.

## **The role of workplace cultures in preventing and responding to bullying.**

In DEC the culture is such that it protects the bullies. This is usually because the bullies are the people who have the power to make decisions. There is a culture of secrecy and locking out of the individual who is being bullied. A result of me not being taught about the school's internal structures was that I was left floundering whenever I didn't understand how the computer systems operated in that school. This made my job increasingly difficult and any time I asked for help I was treated with disdain.

At the school I was appointed to most of the teachers had been teaching at the school for over ten years and they mostly lived in the area. I was one of the very few teachers in a school of over a thousand students who did need live in the local area and this set me up as an outsider in that school community. The issues I have alluded to set me up for failure from the outset of my time at this school. This and the fact that no induction processes were in place to assist teachers. There was an induction process for beginning teachers but not for teachers who were new to that school environment and because there were so few new to that school, teachers at the school as most teachers had been there for over a decade, the new people were largely at sea when it came to knowing how to complete the elements of their jobs that were reliant on the internal systems within that school. **A possible solution is to make all schools uniform in the systems they use and to have a mandatory induction system.**

I was isolated in a faculty with a head teacher and a number of staff who clearly were not happy about the process of my appointment to the school. The other issue could have been that I came from a selective school and that may have made some people in the faculty feel intimidated. **A possible aid to avoiding this situation may have been having a communal staffroom.** Had I been around a larger group of people, like a communal staffroom I might at least have been able to connect with other staff members who were less prejudiced against me and therefore I would have had more chance of succeeding in that environment or at least I would not have suffered so much emotionally because of the isolation and alienation that was being inflicted upon me. Also if I had been in a communal staffroom the bullies would probably been less likely to have the opportunity to intimidate me as more people would have been present. **The procedures and policies of schools need to be readily accessible to all staff, rather than information that established members of staff pass onto new staff members if and when it suits them.**

**Principals must be held accountable for the professional development and fair treatment of staff who are new to the school. There must be an independent body that teachers can apply to for endorsement of codes or training courses, so that if a principal or head teacher decides not to treat the individual equitably then the teacher's skill base is not compromised by a toxic environment.**

The head teacher decides the allocation of teachers on the faculty. I was not able to teach any Advanced senior classes because the head teacher didn't like me. Instead she gave the

Advanced classes to whoever she wanted including a teacher who was not even an English teacher. I have been marking the HSC since 1992. How is this system fair? Who would you rather teach your child in the HSC years a friend of the head teacher who is untrained or an experienced trained teacher?

This type of behaviour illustrates that the workplace does perpetuate bullying in the most serious manner as head teachers and senior executive can do what they want without taking into account the skill and experience base of the teachers. It works on who you are friends with. This will surely have a devastating impact on education in this country.

There are many aspects of the job that there are no policies and procedures for and so work place bullies can try to intimidate and over step the limits of their authority by limiting the activities that teachers can become involved in. For instance my head teacher tried to stop me having any involvement in the wider school community. **Proper procedures would have stopped this from being an issue.**

The DEC should also have support mechanisms outside of the school. Teachers and other school based staff need to have officers who can advise school staff what they can do when placed in a toxic environment. At this time bullied school staff have no one on their side. The bureaucrats within the faceless organisation that is the department have no understanding or care for school staff. Their approach to any complaint is a ruthless denial of the complaint and behaviour that aims to stamp out complaints by obliterating and deflecting the issues back onto the teacher. However the fact remains that because I was not given the information I needed to complete major parts of my job my professional and personal development suffered irreparably whilst at that school.

It seems to be far too common for the DEC bureaucrats to lose all documentation that the bullied teacher is required to present them with as a matter of course. They state that the teacher complaining is elitist and concocting a situation that will further their career. In fact they will lie and cover up each other's behaviour in the hope that the bully victim goes away. Many teachers and other staff in this situation do leave the system because their mental and physical health does not with stand this level of harassment. In my case I went through two years of pervasive bullying and then finally had to go onto stress leave. I am now undergoing worse stress and this has been going for over a year because the OHS manager is ignoring me and my treating professionals and accusing me of concocting the whole scenario, even after the claim has been accepted by the insurance company. She as the DEC's spokesperson has no concern for my well being or for my successful rehabilitation into a school where I am likely to succeed.

This approach by the OHS managers again seems to be common across teaching regions. What needs to happen is the DEC must be made to work with bullied teachers in an ethic of collaboration.

In fact it appears to be standard behaviour that if the employee cannot return to their substantive position then they are placed in a difficult and hard to staff school, where the teacher has no chance of successfully re-entering the profession. The bullied teacher is punished and pushed out of the profession. The idea being that the message is to tell teachers not to complain. "The old put up and shut up mentality."

It is worth noting that teachers come under your committee's framework on two counts as we are both part of the education system in this country, that is we are supposedly instrumental in stopping students being bullied and we are employees who are being bullied. What would a clever satirist make of this situation?

What impact does this have on students? How can any real progress be made on school yard bullying if the bullying is also occurring in the staffroom. Teachers are with their students more than with other teachers. My students knew what was going on because the bully teachers would enter my classroom and start attacking me. The students soon worked out that I had no power to protect myself. What message is this sending out into the community? Some of my students had my mobile number as I was the debating coach and needed to be able to contact students outside of school hours.

My students sent me messages after I left the school asking me why I was not at school. They also saw me at shopping centres and wanted to know why I wasn't at school. I had very close professional bonds to my students and I think this furthered incited the ire of the bully colleagues. After talking to other teachers who have been bullied this professional jealousy seems to part of the pattern that leads to bullying. I stopped going anywhere where I might see students.

So in not acting on this the whole community suffers, but the workplace bullies and bureaucrats stay employed and empowered. Students see this and learn that the bully is the person or people with power. Since time began we have been told that children use adults as role models. They witness our behaviours and mimic these behaviours. So forget the written policies, what is the real message students are receiving about bullying?

What has to happen to stop this is the people within the bureaucracy must be trained to take these matters seriously. They must have actual training in how to resolve workplace issues. Maybe they have to have had worked in schools and regularly attend accredited independently run courses by specialist trained in the psychology of bullying. Dealing with how to have empathy and manage situations, rather than continue in their current belligerent behaviour that is akin to the behaviour of sociopaths. Currently the people in these positions seem to be employed by the Dec because they lack the ability to empathise.

## **The capacity for workplace based policies and procedures to influence the incidence and seriousness of workplace bullying.**

Serious workplace bullying is exacerbated by the lack of uniform policies and procedures in workplaces. If these existed it would be more difficult for bullying to occur.

There is inconsistency in procedures between schools and inconsistencies in the interpretation of policies and procedures in schools.

The merit selection system is open to corruption, nepotism and favouritism. It is not a transparent system. Principals are able to manipulate the system so that a job can be given to their favoured candidate. Positions can be filled by transfer, in which case the job goes to the candidate with the most transfer points who has the required subject codes in their profile. A significant number of teachers have atypical subject codes in their profile. In this case, the Principal puts in the job requirements and the job automatically goes to the "chosen one". Positions may also be filled through a process known as "merit selection". In this case, the Principal can manipulate the process by placing a requirement for an unattainable combination of subject codes. This then prevents the job going on transfer, even to "Priority transfer". Principals may do this to prevent a candidate who they do not want from getting the job. Then the Principal can advertise the job through merit selection, with a watered down set of requirements, where the Principal is the dominant member of the selection panel. Selection panels are inconsistent in their handling of applications; in some cases accepting candidates for interview who do not meet the selection criteria of the advertisement.

It is difficult for staff to know what the school based policies and procedures are because they are not often written down or readily available.

The DEC intranet is not structured in a manner that makes it user friendly. It is very difficult to find the necessary information.

Schools as workplaces are not positive environments. First there is the anger over the idea that the principal manipulates the codes and therefore only candidates known to the principal gets the jobs. This leads to a situation where staff don't trust each other or feel that only the principal's "cronies" have any say in school decisions. Hence any sense of collegiality among staff is quickly eroding in schools.

There is the constant battle for resources: I was unable to get the principal to give me an ergonomic chair even though I had a medical need for decent seating. The unsafe heating through unflued gas heaters is another issue as well no air conditioning in really hot climates.

Teachers actual working conditions are poor. The staffrooms are old and run down. There is often a problem with vermin.

Teachers feel they have no say in decision making within the school or the department. This leads to antagonistic behaviour which can quickly become workplace bullying.

Principals have the final say on teacher professional development. Principals can approve funds for professional development or deny opportunities as they wish. Teachers on leave (for any reason) are typically denied opportunities for professional development.

Teachers do not feel valued as professionals and are fed up with situations like having to have Autistic/ blind students or students with other special conditions in their classrooms often without any support staff or training. I was never given any programs or direction for report writing for the "Life skills" students in my classes. When I asked the head teacher what to do she yelled at me. When I asked the head teacher in charge of life skills students what to do she told that my head teacher had been given the necessary information and that the head teacher should have told me what to do. I finally asked the classroom teachers who had as an extra responsibility overseeing the reports; he said "Just make up the outcomes. That is what the other teachers are doing!"

This led me to feel totally unable to complete these reports. I was again disenfranchised and isolated. I didn't know who to turn to for assistance with this matter as I had exhausted all available avenues. This led to further stress and anxiety. A culmination of incidents like this led to the development of my anxiety disorder.

Often when a nasty incident occurs in the classroom or playground the principal and /or senior executive presumes the teacher that was involved in the incident is somehow at fault rather than the principal supporting the teacher. Even in cases where the teacher is assaulted s/he can be told s/he is overreacting.

I heard a principal say to his staff at a staff development day, "If a student tells you to off. Don't come to me. If you can't deal with the issue neither can I."

How can comments like this allow teachers to feel empowered and supported within the classroom. It does however make teacher feel victimised and bullied by the hierarchy within the school. The ultimate outcome is often that the classroom is not a safe or positive learning environment for the teachers or students.

Most principals don't teach and have lost touch with what teachers endure each day. This leads to a "them and us" mentality.

I have worked in many schools where it is known that the principal has a history at many schools of bullying and playing games with the codes to employ staff. Teachers know these principals are never reprimanded for this behaviour so this means that bullying is part of that school culture and all teachers know it exists. I wonder about the extent of student bullying is in these school.



I suggest that in environments where teachers are bullied so too are the students. One, because the teachers are probably not able to focus on the student situation as effectively, if they are suffering in a toxic workplace.

Two are the bullies who are practising against the teachers also making the students lives difficult? I know the students at the school I was at did not like being in the head teachers' class.

It is stated that an idea for stopping school yard bullying is to write any instance of bullying down about a student and in later years an employer can access this information. The idea being that the bully will think twice about bullying if it is on his or her record.

This might work but it also gives principals a lot of power and are we sure they will use this power wisely. It might also lead to bullying becoming even further underground and the results greater. EG: "if you dob on me I'll get you!"

If we do bring in such a system will principals and other staff who are known bullies have it on their files.

There are situations like a principal and deputy bullies the new deputy and this person is forced to go on leave. The individual then finds out that the two previous deputies have also been bullied. One attempted suicide and the other deputy left teaching. This principal and her crony deputy are still in their jobs. This principal is a very high profile principal who is often heard speaking to the media about education, yet she is a known bully. How does this make teachers feel? This exacerbates the incidences and seriousness of workplace bullying. These principals are never held to account for this behaviour and often move further up the promotion ladder.

There should be an external system where these incidences are forced to be externally investigated by some body that is not the education department and if the matter is upheld then the bully should be forced to pay costs and dismissed.

The lack of accountability for the workplace bully within the department seriously influences the incidents of workplace bullying.

All we have to do is look at the number of teachers on stress leave and in places like Saint John of God related to bullying incidents to realise that workplace based policies and procedures or the lack thereof are instrumental in influencing workplace bullying.

The idea that a school can have five teachers out on stress leave and the department is not held to account in any way is appalling. All they have to do is have an internal investigation.

How likely is that to be successful? It is like asking students to discipline themselves. It just isn't going to happen.

A very important skills code was removed from my teaching profile. The department has a staffing agreement and this staffing agreement outlines the procedures for giving a teacher accreditation for teaching particular subjects. I fulfil the DEC's requirements to have this skill code on my profile but the principal removed the code without reading the DEC procedure for implementing this code. I pointed this out to him and he still refused to endorse the code. This cost me an interview for a job at a different school. Had I got that job my bully problem would have been resolved.

A year and a half later I'm still trying to get someone at DEC to read and implement their own policies. It is incredible to think that the DEC refuses to read and implement their policies. There is no one and no procedure in place that allows me to have the matter looked at. So in effect this is another instance of bullying because they can reduce a teacher's employability and the teacher it seems has no recourse if the department doesn't implement or read their own policies.

### **The adequacy of existing education and support services to prevent and respond to workplace bullying.**

One of the roles of the employer is to support the victim of workplace bullying. The victim of bullying feels insecure and security of income is important. In the case of workers compensation claim for psychological injury the processes can be complex and the inevitable questioning of the claimant can aggravate the injury if not completed in a manner that is sensitive. In the case of physical injury the claiming process is transparent and easily definable, whereas this is not the case with a psychological injury. In the case of physical injury there is never any mention of the person's contributing to the injury eg: women wearing inappropriate shoes for the environment they are working in or incorrect manual handling techniques. Hence the process for making a psychological injury is far more difficult. It is as if there is a prejudice against the individuals making these types of claims.

### **Are there are further opportunities to raise awareness of workplace bullying such as community forums?**

Teachers are scared to become involved because DEC will stop at nothing to destroy dissent. DEC bureaucrats don't even seem fazed by court rulings; so onlookers who have seen their colleagues lose their livelihoods, their professional esteem, the mental and sometimes physical health, and financial capacity/ independence, their very jobs and future prospects in the profession do not want to discuss these matters. They want to be quiet and hope it never happens to them. Victims of bullying are often left in their 40 and 50s without viable work options, so other teachers, SASS staff, and teachers aides are not prepared to

stand up to the might of the DEC fearful that the same situation will also lead to their demise.

Community forums are not likely to work unless the whole culture is seen to be being overhauled. Teachers will want to know that the community forum is open and transparent before anyone is going “to put their hands in the fire.”

Any professional I have spoken to who is involved in the treatment of victims of bullying in teaching do not have a positive word to say about the DEC. It is commonly known to be the worst employer. Any community forum needs to include psychologists, mental health social workers, alternative therapists, family members, psychiatrists, lawyers, barristers and parents of students. The teachers unions need to be involved, but frankly the Teachers Federation did not want to assist me and blatantly ignored my requests for assistance. It is common place knowledge that federation is not supportive and many teachers feel the Federation are in cahoots with the DEC.

### **Whether existing regulatory frameworks provide a sufficient deterrent against workplace bullying:**

No they do not. This is evidenced by the number of teachers on stress leave and the number of teachers who after reporting a bullying incident never teach again.

These teachers suffer mental and physical illnesses. They are disenfranchised and the collective health of their families is compromised. They usually suffer depression and become very fatigued with enduring the endless round of pointless meetings and appointments that they have to undergo with the most common conclusion being that this teacher is “thrown on the scrap heap” and forced to leave teaching and seek other employment. What an incredible waste of resources. If we as a society don’t act to change this system immediately we will be left with a second rate education system in this country. I believe one of the reasons young people don’t enter teaching or leave the profession after three years is the witnessing of how their colleagues are treated. If we don’t have intelligent people entering teaching where will the education system end up?

Even parents become aware that the best teachers are often the victims of bullying.

### **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.**

I believe that the worker needs to be protected through amendments to the Work Health and Safety legislation. Workplace bullying needs to be explicitly included.

We need to overhaul and create a new way of dealing with this situation.

The key idea is that these departmental bullies must be held to account and new systems implemented so that this situation is not able to occur again.

We must get rid of the workplace monsters and sociopaths who use the workplace as a vent for their psychological problems at an incredible cost to the community.