



Psychologically Safe Workplace Policy

V1, July 2021

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Policy governance

Responsible Service/Department:

Governance & Organisational Performance
Department

Adoption authorised:

Council

Date of adoption:

TBA

Date effective from:

TBA

Content Manager folder:

TBA

Content Manager file #:

TBA

Endorsed CEO or ELT member or department manager to make or approve document editorial amendments:

Chief Executive Officer

Annual desktop review date:

August 2022

Review date:

August 2023

Completion date:

August 2025

Version number:

1

Stakeholder review and engagement:

People & Culture, Digital Technology Services, Customer Service

Relevant Legislation:

Occupational Health & Safety Act 2004

Workplace Injury Rehabilitation Act 2013

Local Government Act 2020

Equal Opportunity Act 2010



Public Interest Disclosure Act 2012

Associated Strategic Direction #5:

Well Governed

Review History:

Name	Content Manager File Reference	Date	Description of Edits
Psychological Safe Workplace Policy	#TBA		

Contents

Psychologically Safe Workplace Policy	1
Policy governance	2
Contents	4
Tables	4
Purpose	5
Outcomes	5
Definitions	5
Responsibilities	6
Scope	8
1 What is Psychological Safety and why is It important?	8
2 Council’s Obligation to Manage the Risk of Psychological Injury	9
3 Psychologically Safe Workplace Objectives	9
4 Psychological Safety of Councillors	10
5 Psychological Safety of Staff	11
Relevant policy, regulations or legislation	13

Tables

Table 1: Definitions of terms	5
Table 2: Responsibilities of roles	7



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Purpose

promote healthy, respectful and productive relationships between individual Councillors, between Councillors and staff, and between Councillors, staff and community members.

To achieve its purpose, this policy will ensure that all relevant Council policies (set by the Council) and relevant organisational policies (set by the CEO) are aligned and contain appropriate preventative, response and support mechanisms to mitigate the risk of psychological injury to Councillors and all staff (including the CEO) .

Outcomes

1. A workplace where people feel safe and supported to voice thoughts, feelings and behaviours in a respectful manner without fear of any adverse consequences.
2. Improved governance and decision making through the promotion of respectful debate between Councillors and the creation of an environment where staff can provide frank and fearless advice to Council.
3. Council support; as the city governing body, for the CEO to manage their legislative obligations and accountabilities for the health and wellbeing of staff and of Councillors in the workplace.
4. To mitigate the risk of psychological injury and reduce the costs and impacts on the organisation from psychological injury, including personal impacts on individuals, direct costs related to injury management, and impacts on Councillor and staff engagement, staff retention, morale and productivity.
5. To ensure that Council as an employer complies with its obligations under the *Local Government Act 2020 (LG Act)*, the *Occupational Health and Safety Act 2004 (OHS Act)*, the Fair Work Act, the WIRC Act and other relevant legislation.

Definitions

Table 1: Definitions of terms

Term	Definition
Psychologically Safe Workplace	A workplace where people feel safe and supported to voice thoughts, feelings and behaviours in a respectful manner without fear of any adverse consequences.
Staff	Employees and contractors.
Councillor Code of Conduct	Provides information on the expected behaviour of Councillors as required under the Local Government Act 2020.
Media and Social Media Policy	Provides understanding and guidance for the appropriate use of communications tools, including verbal, printed, and



Term	Definition
	digital, for Councillors and all staff while conducting Council business.
Governance Rules	Section 60 of the Local Government Act 2020 requires each council to adopt and apply governance rules that describe the way they will conduct council meetings.
Councillor Contact Guidelines	Provides guidance and support for Councillors and council staff in the performance of their respective roles. It outlines how Councillors can get the information they need to perform their role in a timely manner and through the appropriate channels.
Employee Code of Conduct	Provides information and direction for staff around expected behaviour and decision making along with other professional obligations.
Equal Opportunity Policy	Demonstrates a commitment that all individuals receive fair and consistent treatment in a workplace that is free from harassment, discrimination, bullying and unfair treatment.
OH&S Policy	Demonstrates a commitment to maintaining a safe and healthy working environment for all staff, visitors, contractors, subcontractors and the public, and recognises that this is an integral part of our business.
DoneSafe	Incident management and reporting software that records all near misses, hazards and incidents.
Managing Complaints Policy	Outlines the approach to managing complaints about services and staff and third-party contractors carrying out services on Council's behalf.
Unreasonable Complainant Conduct Procedure	Provides guidance for Council Officers dealing with unreasonable complainant conduct by a customer or community member, that may result in a change, restriction or ban from Council services.
Public Interest Disclosure Policy	Outlines the way in which any individual, including members of the public, staff and Councillors can disclose information which enables the prevention of fraud and corruption.

Responsibilities

Table 2: Responsibilities of roles

Role	Responsibility
Council	<p>Consider this policy while completing official council business and at any time while representing council.</p> <p>Support and contribute to a culture of respect with the aim of providing a mentally healthy workplace for all workers.</p>
Councillor	<p>Consider this policy and possible impact on fellow Councillors when campaigning or representing their constituents.</p> <p>Support fellow Councillors in their awareness of this policy.</p> <p>Report incidents to the CEO to enable the CEO to record incidents on the Incident Management software, Donesafe.</p>
CEO	<p>Accountable for providing and maintaining, so far as is reasonably practicable, a safe workplace that is free of risks to health.</p> <p>Support and contribute to a culture of respect with the aim of providing a mentally healthy workplace for all workers.</p> <p>Record and encourage reporting of incidents on the Incident Management software, Donesafe.</p>
Manager Governance & Organisational Performance	<p>Responsible for ensuring induction and training of Councillors of this policy.</p>
General Managers and Managers	<p>Responsible for mitigating psychological risks in their area of management.</p> <p>Responsible for encouraging reporting of incidents on the Incident Management software, Donesafe.</p> <p>Responsible for ensuring induction and training of health safety and wellbeing including psychological safety.</p> <p>Responsible for ensuring staff abide by the Councillor Contact Guidelines.</p>
Staff	<p>Responsible for understanding this policy and seek clarification where required.</p> <p>Responsible for following the Councillor Contact Guidelines.</p>



Role	Responsibility
	Identify and report on hazards and factors that may impact on workers' psychological health and safety.
	Support and contribute to organisational culture with an aim of providing a mentally healthy workplace for all staff.

Scope

This policy applies to Councillors and all Council staff.

It outlines the roles and responsibilities in relation to mitigating the risk of psychological injury between Councillor to Councillor, Council to staff (including the CEO), CEO to staff and with members of our community.

1 What is Psychological Safety and why is It important?

Psychological (or mental) safety is an essential part of work health and safety, in the same way that physical safety is essential. "Psychologically safe" workplaces are characterised by a climate of interpersonal trust and mutual respect. They are places where people feel comfortable to be themselves and are supported to deliver the best work within their capacity and capability. They are places where genuine mistakes provide an opportunity for learning and reflection and where people can take measured risks in their work to drive innovation and continuous improvement. They are also places where people have open minds, actively consider and benefit from divergent points of view.

A psychologically safe workplace is one in which psychosocial hazards are eliminated or reduced so far as is reasonably practicable. Psychosocial hazards are anything in the design or management of work that increases the risk of work-related stress. Prolonged or severe work-related stress can cause both psychological and physical injury.

Common psychosocial hazards include:

- Poor workplace relationships – including where there is workplace bullying, aggression, conflict, or other unreasonable behaviour in the workplace;
- High or low job demands;
- Low job control;
- Poor support;
- Low role clarity;
- Poor organisational change management – for example inadequate consultation;



- Low recognition and reward – including a lack of positive feedback; or
- Poor organisational justice – for example, poor management of underperformance.

Psychological safety is an important part of creating a safe, healthy and productive workplace, and to minimise the risk of psychological and physical injury. If Councillors and staff feel psychologically safe this improves well-being, morale, job satisfaction and productivity. It also increases Council's ability to attract and retain talented and diverse Councillors and staff. If people feel psychologically unsafe, this can have very serious consequences for the individual affected, bystanders and Council; including but not limited to psychological and/or physical injury and absenteeism. Work related mental injuries are currently the second most common cause of workers compensation claims in Australia and these claims tend to see workers unable to return to work for a longer period than physical injuries.

2 Council's Obligation to Manage the Risk of Psychological Injury

The OHS Act defines 'health' to include 'psychological health'. Council as an employer has a duty to ensure, so far as is reasonably practicable, the health and safety of Councillors and staff and also to ensure that other persons are not put at risk from work carried out by Council, or arising from Council's business or undertaking. The primary responsibility in relation to health and safety lies with the CEO, as the employer of staff, and as the manager and controller of the workplace.

Under the LG Act, the CEO is also responsible for, among other things, managing interactions between staff and Councillors and ensuring that policies, practices and protocols supporting arrangements for interactions between Council staff and Councillors are developed and implemented. This is one such policy.

As the CEO's employer, Councillors also have a duty under the OHS Act to ensure, so far as is reasonably practicable, the health and safety of the CEO (including psychological safety). Further, Councillors are 'officers' for the purpose of the OHS Act, which essentially means that the Councillors need to take reasonable care to ensure that Council (through the CEO) complies with its health and safety duties. This means that Councillors need to provide support and assistance to the CEO to ensure Council's compliance with the OHS Act.

Psychologically Safe Workplace Objectives

This policy seeks to align relevant Council and Organisational policies to ensure there is a comprehensive approach to achieving the following policy objectives:

1. The prevention of psychological injury to Councillors, the CEO and staff of Council through the adoption of policies, processes and mechanisms that reduce the risk of psychological injury.
2. Responding effectively to incidences of psychological injury to minimise impacts on the individual, Council and the wider organisation.



3. Supporting Councillors, and staff to recover from incidences of psychological injury to minimise the impacts of psychological injury on individuals.

The table below shows current policies that are relevant to achieving these objectives:

4 Psychological Safety of Councillors

4.1 Council actions to prevent psychological injury to Councillors

Council recognises the importance of robust and well-informed debate between Councillors to enable good decision making in the governance of the city. Council also recognises the need to support diversity of opinion and create a climate where individual Councillors are able to express different points of view and opinions without risk of psychological injury in their interactions with other Councillors and with members of the community.

To prevent psychological injury to Councillors, Council will:

- Establish and implement a **Code of Conduct for Councillors** and provide mandatory training to all Councillors in the Code of Conduct, as required under the Local Government Act 2020.
- Establish and implement **Governance Rules** to ensure meetings are conducted in a manner that encourages respectful debate and efficient decision making. The Governance Rules will also ensure that members of the public remain respectful of Councillors and staff when addressing Council.
- Establish a **Media and Social Media Policy** to mitigate the risk of psychological injury to a Councillor.
- Develop a process to support the resolution of issues that may arise from time to time when there may be a power in-balance, e.g. Councillors and staff / staff and the CEO.

4.2 Council actions to respond to psychological injury to Councillors

- Councillors are encouraged to immediately withdraw from interactions where there is a risk of psychological injury to themselves and seek advice from the Mayor and / or CEO.
- If the risk of psychological injury to a Councillor is from interaction with a community member or customer of Council, the matter should be referred to the CEO who will consider if application of the Council's Difficult Customer Guidelines is appropriate and sufficient to mitigate the risk.
- Councillors are encouraged to report any threats made to a Councillor by a third party to the CEO, who will advise the Mayor and refer the matter to the police where it is appropriate to do so.



- Councillors who suffer a psychological injury are encouraged to advise the Mayor who will request the CEO to provide support to the Councillor. The CEO will record all incidences of psychological injury on Donesafe, Council's Incident Management software.

4.3 Council actions to support Councillors who experience psychological injury

The CEO will offer support to the Councillor including:

- Immediate contact from the CEO to ascertain any additional support that needs to be provided to the Councillor.
- Provision of access to EAP services.
- Support for injury management through the Workers Compensation scheme if a Workers Compensation claim is lodged by the Councillor and accepted.
- If the injury results in the Councillor being unable to carry out their duties as a Councillor, the CEO will work with the Mayor and where appropriate Port Phillip's WorkCover agent to put arrangements in place to facilitate a safe return to duties for the Councillor.

5 Psychological Safety of Staff

The CEO is responsible for the safety and wellbeing of staff and will exercise this responsibility by ensuring that relevant policies, processes and mechanisms are in place to prevent psychological injury to staff; by responding to allegations from staff of behaviour that is causing psychological injury; and by supporting staff who have experienced psychological injury. The CEO is also responsible for Councillors as deemed workers with respect to the Workplace Injury Rehabilitation and Compensation Act 2013.

5.1 CEO actions to prevent psychological injury to staff

The CEO will seek to prevent psychological injury to staff through the following actions:

- Establishing and implementing an **Employee Code of Conduct** that governs the behaviour of staff towards each other, towards Councillors and towards community members and other relevant stakeholders.
- Establishing and implementing an **Equal Opportunity, Discrimination, Harassment & Bullying Policy** that recognises the rights of individuals and groups to be free from discrimination, harassment, and bullying, and ensures that staff who conduct business on behalf of and with Council conduct themselves in a professional manner and treat each other with respect and dignity at all times.
- Ensuring that the **Occupational Health and Safety Policy** addresses the risk of psychological injury and that appropriate systems and mechanisms are in place to mitigate this risk.
- Establishing and implementing **Councillor Contact Guidelines** that govern the interaction between Councillors and staff to ensure that these interactions are appropriate, professional



and respectful. Including ensuring that the Councillor Contact Guidelines require Councillors to act in their interaction with staff in accordance with the requirements of the organisational Equal Opportunity, Discrimination, Harassment & Bullying Policy.

- Ensuring all staff receive relevant induction training and ongoing training as required in the above policies.
- Regularly reviewing incidences of psychological injury to staff and update organisational policies and processes as required.
- Providing advice and recommendations to Council on Council policies, processes and practices that require adjustment to prevent psychological injury to staff.
- Establishing a **Media and Social Media Policy** to seek to mitigate the risk of psychological injury to staff or a breach of an employee's privacy.

5.2 CEO actions to respond to the psychological injury of staff

The CEO will respond to incidences of psychological injury, including allegations of harassment and bullying of staff through the following actions:

- Establishing and implementing a **Complaints Policy** to receive, investigate and resolve complaints from staff about the alleged behaviour of other staff towards them.
- Embedding the **Public Interest Disclosure Policy** to afford protection to those staff who seek it.
- Ensuring that all incidents of psychological injury are recorded on the **OH&S Incident Management software** (Donesafe).
- Establishing protocols to act immediately to remove staff from situations where they are at risk of psychological injury due to the behaviour of others.

5.3 CEO actions to support staff

The CEO will ensure that staff and deemed workers (Councillors) who have experienced a psychological injury will:

- Receive management support to determine additional support that needs to be provided to the employee/deemed worker.
- Receive access to EAP services
- Receive support for injury management and return to work (where this is required) through Port Phillip's injury management services.

5.4 Council actions to enable the psychological safety of staff

Whilst the CEO has the primary responsibility for the safety and wellbeing of staff, Council (which is made up of the Councillors) recognises that it has a responsibility as the governing body to assist the CEO to create a psychologically safe workplace for Council staff. Council also recognises that as the employer of the CEO; it has a specific responsibility to create a



psychologically safe workplace for the CEO. Councillors, as 'officers' under the OHS Act, also recognise that they need to take reasonable care to ensure that Council (through the CEO) complies with its health and safety duties. To manage these responsibilities Council will:

- Establish a **Code of Conduct** for Councillors that recognises the responsibilities of Council to assist in creating a psychologically safe workplace by requiring Councillors to abide by the **Councillor Contact Guidelines** for interaction with staff that is established by the CEO.
- Create an environment where all staff are able to provide frank and fearless advice to Council through the development and **application of its Governance Rules**.
- Develop a process to support the resolution of issues that may arise from time to time when there may be a power in-balance, e.g. Councillors and staff / staff and the CEO.

Relevant policy, regulations or legislation

- Occupational Health and Safety Act 2004
- Local Government Act 2020
- Workplace Injury Rehabilitation and Compensation Act 2013
- Public Interest Disclosures Act 2012
- Equal Opportunity Act 2010