

Canterbury
District Health Board
Te Poari Hauora o Waitaha

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9(2)(a)



RE Official Information Act request CDHB 10229

I refer to your email, dated 20 November 2019, requesting information under the Official Information Act from Canterbury DHB. We note that your request was re-scoped on 29 November 2019 as below.

We note that you are particularly interested in whether there is a correlation between incidences of bullying/harassment in a DHB work setting and the staffing levels in that setting, and whether NZNO and the DHB take both into account when acting to address an issue. For example, whether a bullying / harassment investigation might result in an increase in staffing levels as a way of improving the work setting, and whether other parts of an investigation might be put on hold in favour of that. Specifically, your questions are:

- 1. Reports, meetings, agendas and letters that have been shared between the DHB senior leadership and NZNO on bullying and harassment in the 2018/19 financial year.**
- 2. Reports/minutes/agendas and letters that have been shared between the DHB senior leadership and NZNO on nurse staffing numbers including those relating to the Safe Staffing/Care Capacity Demand Management programme in the 2018/19 financial year.**

I have been advised that we have no record of any reports, meetings, agendas or letters that have been shared between the DHB senior leadership and NZNO on bullying and harassment in the 2018/19 financial year.

Similarly, there is no record of any reports/minutes/agendas and letters that have been shared between the DHB senior leadership and NZNO on nurse staffing numbers including those relating to the Safe Staffing/Care Capacity Demand Management programme in the 2018/19 financial year.

There are individual cases where bullying and / or harassment has been raised as an issue. Such cases will be dealt with according to the Canterbury District Health Board's policy on maintaining a bullying, harassment and discrimination free workplace (attached as **Appendix one**) and with NZNO support as needed. We consider that such individual cases are outside of the scope of this request and we are therefore declining to provide this information.

The Canterbury DHB is strongly committed to the principle that all of its people have the right to work in an environment free from bullying, harassment and discrimination. We will therefore not tolerate bullying, harassment and/or discrimination in the workplace and we encourage our people to speak up where they are subject to or witness bullying, harassment and/or discrimination in the workplace

I trust that this satisfies your interest in this matter.

Please note that this response, or an edited version of this response, may be published on the Canterbury DHB website after your receipt of this response.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Carolyn Gullery', with a long, sweeping horizontal line extending to the right.

Carolyn Gullery
Executive Director
Planning, Funding & Decision Support

Maintaining a Bullying, Harassment and Discrimination Free Workplace Policy

Purpose

This policy sets out the Canterbury District Health Board and West Coast District Health Board (referred to as **our** or **we**) approach and commitment to maintaining a bullying, harassment and discrimination free workplace; and provides the foundation for us to meet our obligations under the Health and Safety at Work Act 2015.

Policy

We are committed to providing a safe workplace for all our people. We recognise that maintaining a workplace free of bullying, harassment and discrimination ensures:

- our people enjoy being in the workplace and remain in the workplace due to a positive work culture; and
- the safety of our people, patients or visitors is not compromised.

All our people have the right to work in an environment free from bullying, harassment and discrimination. We will therefore not tolerate bullying, harassment and/or discrimination in the workplace and we encourage our people to speak up where they are subject to or witness bullying, harassment and/or discrimination in the workplace

1. Bullying, Harassment and Discrimination

Note: These terms are not mutually exclusive, so harassment and/or discrimination can be part of bullying.

1.1. Bullying

Bullying is *unreasonable and repeated behaviour* towards a person or group that can lead to physical or psychological harm.

Repeated behaviour is persistent and can include a range of actions. Unreasonable behaviour covers actions which a reasonable person wouldn't do in similar circumstances, including, but not limited to, victimising, humiliating, intimidating, threatening or excluding a person or group.

A single incident isn't considered bullying but can escalate if ignored. Managing performance in line with policies and processes is not bullying.

1.2. Harassment

Harassment is behaviour, direct or indirect, whether verbal, physical or otherwise towards a person or group that:

- Is unwanted and unjustified;
- Is offensive or humiliating to the person or group; and
- Is so serious and/or repeated that it may have a detrimental effect on the person or group's job performance and/or job satisfaction.

This is most commonly sexual or racial harassment but can include other forms.

1.3. Discrimination

Discrimination is behaviour where a person is disadvantaged on the grounds of age, race or colour, disability, sexual orientation, sex (incl. pregnancy or childbirth), religion, spiritual or ethical belief, marital or family status, political opinions, employment status, gender identity or expression, ethnicity or national origins, being affected by domestic violence or being involved in union activities.

2. Managing Complaints

We have processes in place for making and managing complaints to ensure any complaint or query is treated confidentially, taken seriously and acted on promptly. The options, reporting and process steps are detailed on max.

In summary, we must:

- Support all parties involved;
- Find appropriate remedies and consequences for confirmed bullying, harassment and/or discrimination, as well as false reports; and
- Ensure confidentiality.

3. Disciplinary Action

Bullying, harassment and/or discrimination may amount to misconduct or serious misconduct and could result in disciplinary action up to and including dismissal. Our Disciplinary Policy provides details about this process and the potential outcomes.

Applicability

This policy applies to all our employees, contracted individuals, volunteers, visiting health professionals and students (referred to as **our people**).

This policy applies where bullying, harassment and/or discrimination is directed at our people, as well as toward a patient or visitor.

Roles and Responsibilities

Our people should:

- Speak up if they experience or see any bullying, harassment and/or discriminatory behaviours and;
- Accept that misunderstandings between our people can occur which can lead to an unjustified perception that bullying, harassment and/or discrimination is taking place.

We should:

- Recognise that preventing and addressing bullying, harassment and/or discrimination in the workplace is essential to meeting our obligations under the Health and Safety at Work Act 2015.
- Provide our people who feel they've been bullied, harassed and/or discriminated against with a range of options to resolve the issue.
- Promote informal or direct solutions before formal actions where appropriate. Our people can seek guidance on this on max and/or speak to People and Capability for assistance.
- Aim to repair the working relationship and promote positive work values.

Policy measurement

We will measure the number of formal complaints received regarding bullying, harassment and discrimination. This will be reported annually. All data will be reported anonymously to preserve the privacy of our people.

Associated material

- Doing the Right Thing – Our Code of Conduct
- Disciplinary Policy
- Diversity and Inclusion Policy

References

- Employment Relations Act 2000
- Human Rights Act 1993
- Health and Safety at Work Act 2015.
- WorkSafe NZ Good Practice Guidelines - Preventing and responding to bullying at work 2017.

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