



OFFICIAL: Sensitive

## GENERAL ORDER DIVERSITY AND INCLUSION

<b>General Order title</b>	<b>Diversity and inclusion</b>
<b>Date of issue</b>	15 November 2023
<b>Date of operation</b>	30 October 2023
<b>Review date</b>	October 2026
<b>Review responsibility</b>	Head of Diversity and Inclusion
<b>Replaces</b>	General Order 8420, <b>Human resource management, Diversity and inclusion</b>
<b>PCO reference</b>	2017/3316
<b>Gazette reference</b>	SAPG 219/23
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General Orders provide an employee with instructions to ensure organisational standards are maintained consistent with SAPOL's vision. To this end, General Orders are issued to assist an employee to effectively and efficiently perform their duties. It is important that an employee constantly bears in mind that the extent of their compliance with General Orders may have legal consequences.

Most orders, as is indicated by the form in which they are expressed, are mandatory and must be followed. However, not all situations encountered by an employee can be managed without some form of guidance and so some of these orders are prepared as guidelines, which should be applied using reason. An appendix to a General Order will be regarded as part of the General Order to which it relates. At all times an employee is expected to act ethically and with integrity and to be in a position to explain their actions. Deviation from these orders without justification may attract disciplinary action.

To ensure best practice an employee should be conversant with the contents of General Orders.

The contents of General Orders must not be divulged to any person not officially connected with SAPOL. Requests for General Orders will be managed as follows:

- Civil subpoena and disclosure requests—contact the Information Release Unit.
- Criminal subpoena and disclosure requests—refer to General Order, **Disclosure compliance and subpoena management**.
- Freedom of information requests—contact the Freedom of Information Unit.
- Any other requests (including requests by employees)—refer to instructions provided within General Order, **Corporate policy framework, 5. GENERAL ORDER REQUESTS/RELEASE**.

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## 1. GENERAL ORDER STATEMENT

SAPOL is committed to an inclusive, professional and respectful workplace where all employees are treated fairly, diversity is acknowledged and valued, communication is open and courteous, conflict is addressed early and there exists a positive culture that encourages employees to reach their potential.

### Scope

This General Order applies to all employees of SAPOL.

Employees who are aggrieved by actions or decisions which relate to administrative decisions should consult the relevant General Order pertaining to grievance management contained within General Order, **Grievance prevention and management**, as these matters are not within the scope of this General Order.

### Commentary

The perspectives and experience present in a diverse and inclusive workforce enhance the quality and depth of decision making and improves collaboration at all levels of the organisation.

SAPOL has a responsibility to provide a safe, ethical, inclusive and productive work environment and to set standards of behaviour that supports a workplace culture free of bullying, harassment and discrimination. The safety and well-being of everyone working in SAPOL is of paramount importance.

The benefits of implementing strategies that support a positive workplace culture that are underpinned by the principles of respect include:

- greater capacity to attract and retain the best people and be seen by the community as an employer of choice
- high morale, greater workplace harmony and reduced complaints
- a more capable, productive and adaptable workforce that is responsive to community needs and expectations
- a more culturally aware workforce that reflects and better understands the community it serves
- a more innovative organisation
- improved health and wellbeing of employees.

SAPOL promotes prevention and early intervention as preferred strategies when dealing with inappropriate workplace behaviour; however, certain matters will always be dealt with through disciplinary processes. Employees who exhibit inappropriate behaviour(s) will be held to account and provided with support and development to create positive behavioural changes to reduce the risk of future inappropriate behaviour.

The expectations of employee behaviour within SAPOL are clearly set out in publications including the [South Australia Police Code of Conduct](#), the [Code of Ethics for the South Australian Public Sector](#), the [Leadership Charter](#), [SAPOL Our Strategy 2030: Safer Communities](#) (Our values) and within this General Order.

This General Order should be read in conjunction with General Order, **Complaints and disciplinary framework**, General Order, **Engage performance and development** and General Order, **Conflict of interest**.

## 2. DEFINITIONS

**Alternative dispute resolution (ADR)**—an overarching term for processes, other than judicial determination, in which an impartial person assists those in a dispute to resolve issues by way of parties negotiating an agreed settlement, avoiding the need for punitive measures. Where appropriate, SAPOL aims to resolve complaints, disputes and notifications early and manage them proactively through centralised early intervention and the application of ADR processes where appropriate.

ADR methods include but are not limited to:

- **Mediation**—a voluntary form of dispute resolution where an independent third party (the mediator) assists the parties to resolve a dispute because they have been unable or unwilling to do so themselves. The objective is for the parties to reach what they consider a workable solution and achieve a binding agreement settling all the matters in dispute. Mediation usually occurs by the mediator speaking with each party separately, before bringing the parties together in the same room. However, shuttle mediation can also occur, whereby the parties to the dispute remain in separate rooms and the mediator goes between the two rooms to relay information.
- **Facilitation**—involves individuals who are in a state of potential dispute and wish to engage in dialogue in order to achieve harmony of viewpoint or their supervisor would like them to engage in dialogue in order to resolve potential conflict early. Often there is tension between their viewpoints due to a clash of values. The role of the facilitator is to ensure as best as possible that the discussions between the individuals are as constructive as possible. The objective of the discussions is directed towards achieving better understandings in order to make sense of what has occurred, avoid future disputes or to path the way for future detailed agreement.
- **Conflict coaching**—a one-to-one voluntary and confidential structured process that helps individuals develop a goal that relates to resolving a specific, incident-related conflict. A trained conflict coach assists participants to self-reflect and speak about their triggers, how their values, identity and boundaries may have been crossed, and their reactions and consequences. The coach then guides the participant to identify the same from the other person's perspective, moving towards working through assumptions, other possibilities and next steps to resolving the conflict.
- **Communication coaching**—a one-to-one voluntary and confidential, forward-focused process in which a coach supports and assists individuals to understand and improve communication during difficult conversations in the workplace. The coach helps individuals to identify behaviours which may need to change in the workplace, as well as perceptions, triggers, and understanding of why others may communicate differently. The coach helps develop practical methods for preventing unnecessary conflict, resolving disputes and enhancing communication skills.

- **Workplace conferencing**—a process designed to bring together those most affected by harmful workplace behaviours. The objective is that the group will come to an agreement about how to repair the harm caused and how to move forward. This process is facilitated by a trained mediator and all the participants involved in the process meet with the mediator separately for a confidential conversation prior to the conference.

**Bullying**—workplace bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety. Refer to **6. BULLYING** further in this General Order.

**Confidentiality**—details of a notification must remain confidential, unless in accordance with this General Order and the [Diversity and Inclusion Branch Confidentiality](#) policy.

**Conflict of interest**—refer to **14. CONFLICT OF INTEREST** further in this General Order. The Diversity and Inclusion Branch (D&I Branch) has a specific [Conflict of interest](#) policy.

**Diversity**—refers to all the ways employees differ; for example differences in age, caring responsibilities, cultural background, physical and mental ability, sex, gender, sexual orientation, work styles, and personal philosophies and values.

**Employee**—all *Police Act 1998* and *Public Sector Act 2009* employees and temporary employees including contractors, sub-contractors, students and volunteers.

**Inclusion**—refers to welcoming, respecting and actively engaging with diverse groups by valuing different perspectives and treating all people fairly and with respect; encouraging all to contribute to SAPOL's goals and uphold SAPOL's values.

**Notifier**—an employee who notifies the D&I Branch about inappropriate workplace behaviour.

**Notification**—a notification to the D&I Branch from an employee concerning inappropriate behaviour in the workplace; or a notification that arises from conflict relating to one or more work-related interpersonal relationships. Refer to **15. NOTIFICATIONS** further in this General Order.

**Respondent**—an employee who has a notification lodged about them regarding inappropriate workplace behaviour.

**Work-related activities**—include workplace conferences, training, work social functions and business trips.

**Workplace**—any physical or virtual location in which the employee is discharging their duties as a member of SAPOL or engaging in work-related activities. This includes official buildings/police stations, police vehicles, public patrol areas and field locations.

### 3. FORMS

The following forms apply:

- **PD185—Complaints and reports about breaching code of conduct (PD185)**
- **PD351—Notification of Workplace Discrimination, Harassment or Bullying (PD351)**
- **PD352—Outcome of Discrimination, Harassment or Bullying Notification (PD352).**

## 4. ROLES AND RESPONSIBILITIES

Everyone has a role to play in the creation and maintenance of a positive work environment free of negative workplace behaviours.

### Executive Leadership Team

The Executive Leadership Team will:

- ensure this General Order is supported by adequate training, education and resource material
- as far as is reasonably practicable, ensure that the work environment is free from unreasonable or unlawful workplace behaviours
- monitor the health and safety of employees and the conditions of the workplace to ensure that work-related illnesses and injuries are prevented
- implement systems to monitor and respond to unreasonable or unlawful workplace behaviours.

### Officers in charge/managers

Officers in charge/managers are responsible for:

- holding themselves and others responsible for achieving SAPOL's goals and objectives
- developing and improving their inclusive leadership capabilities by focusing on diversity and inclusion in all areas of their work across SAPOL
- ensuring that diversity and inclusion is part of strategic discussions at the highest levels in SAPOL.

### Diversity and Inclusion Branch

The D&I Branch is responsible for:

- working collaboratively to provide support to managers and supervisors on people and policy matters
- managing the Diversity and Inclusion representative (D&I rep) and Gay and Lesbian Liaison Officer (GLLO) networks
- providing a timely and confidential centralised notification reporting process that addresses all diversity and inclusion notifications including workplace conflict and inappropriate workplace behaviour such as bullying, discrimination and sexual harassment
- providing early intervention for the prevention of workplace conflict through mediation and other forms of alternative dispute resolution and investigating significant, complex and inappropriate workplace behaviour
- facilitating employees' awareness of their rights and responsibilities in regard to workplace bullying, sexual harassment and discrimination
- providing a fair, timely and effective conflict resolution procedure for all SAPOL employees
- educating about appropriate, respectful and professional workplace behaviours

- investigating and managing unlawful workplace conduct
- referring notifications to the Officer in Charge, Internal Investigation Section (IIS), as required.

### Managers and supervisors

Managers and supervisors are responsible for:

- providing a safe work environment that enables employees to carry out their work responsibilities free of negative workplace behaviours
- adopting proactive strategies to prevent negative workplace behaviours
- leading the way by being good role models of respectful workplace behaviour and conduct
- continual monitoring of the work environment to ensure that high standards of respectful behaviour are observed (including monitoring of indicators of negative workplace behaviour which may include low morale, increased absenteeism, staff turnover and conflict)
- facilitating employees' understanding of their rights and responsibilities, contained within this General Order
- maintaining a harmonious and respectful workplace
- engaging with the D&I Branch as required to achieve a safe, inclusive and respectful organisation
- implementing and monitoring resolution outcomes as directed by the D&I Branch
- monitoring workplace behaviour and utilising early intervention initiatives to reduce the risk of unreasonable or unlawful workplace behaviour
- ensuring all new employees to a work location are inducted appropriately regarding appropriate and accepted standards of respectful behaviour
- identifying and promptly responding to all incidents of unreasonable or unlawful workplace behaviours without jeopardising the resolution or subsequent disciplinary options
- lodging **PD351s** and **PD352s** in accordance with this General Order
- protecting and supporting all individuals who either notify of unreasonable or unlawful workplace behaviours or are legitimately involved in the administration of this General Order
- ensuring the names and contact details of D&I reps are readily available to all employees in the workplace
- ensuring all employees are aware of a D&I rep's role and how they can access information from them
- providing the necessary administrative and other relevant support to D&I reps
- working collaboratively with the D&I Branch to manage and monitor outcomes of early intervention processes and implement strategies developed by the D&I Branch.



## Employees

Every employee will ensure they:

- behave professionally and treat other employees with dignity and respect
- comply with the provisions of this General Order and the [Respectful workplace behaviours guidelines](#)
- recognise their individual role in contributing to and maintaining a respectful and positive workplace culture
- comply with their obligations under the *Work Health and Safety Act 2012* including taking reasonable care that their acts or omissions do not adversely affect the health and safety of other persons; and to comply with reasonable instructions and co-operate with reasonable policy and procedure relating to health or safety at the workplace that has been notified to employees
- take responsibility for their own actions and behaviour in the workplace, and where the actions of others are disagreeable, attempt to resolve issues as early as possible in a respectful and courteous way
- report any behaviour against another person that they observe in the workplace that may amount to bullying, discrimination, harassment, vilification or victimisation.

An employee who observes or has concerns about behaviour that may breach this General Order is obliged to raise their concerns with their manager or supervisor, a D&I rep, the D&I Branch, or another appropriate person or through the submission of a **PD351**.

All employees are encouraged to attempt self-resolution of workplace issues when they feel safe and confident to do so. Alternatively, early reporting of inappropriate behaviour to local supervisors or managers can result in early intervention.

Any response to inappropriate behaviour in the workplace must be proportionate and occur promptly whilst supporting all parties and ensuring procedural fairness is applied, with only the most serious matters proceeding through the disciplinary framework.

## Diversity and inclusion representative (D&I rep)

The role of a D&I rep is to support employees who are experiencing or have questions about local workplace matters involving potential discrimination, sexual harassment or bullying behaviours and to facilitate next steps for support. D&I reps promote diversity and inclusion and model respectful behaviour in the workplace.

Further information about the role of the D&I rep, including the selection process, tenure and training, can be found in the [D&I rep Guidelines](#).

## Gay and lesbian liaison officer

GLLOs have been established to provide a partnership and support between SAPOL and the wider LGBTIQ+ community.

GLLOs also provide support to LGBTIQ+ employees within SAPOL by promoting diversity and inclusion within the workplace.

Further information regarding becoming an GLLO is available through the [Diversity and Inclusion intranet site](#).

## 5. RESPECTFUL BEHAVIOUR

SAPOL has a responsibility to provide a safe, ethical, inclusive and productive work environment and to set standards of behaviour that supports a workplace culture free of bullying, harassment and discrimination. SAPOL is committed to building a workplace culture where the principles of diversity and inclusion are integrated into employees' everyday work and conduct, and that commitment to diversity and inclusion goes beyond legal compliance.

Respectful workplace behaviour includes but is not limited to:

- interacting with others in a professional, courteous and polite manner that does not interfere with the emotional well-being and safety of others
- treating others in the way they wish to be treated
- communicating in a clear, calm and professional manner to others
- being open to and accepting that others have different experiences, skills and attributes and views on life and work
- being approachable, considerate and honest when dealing with others.

The [Workplace values and behaviour framework](#) aligns expected behaviours to SAPOL's values—refer to **16. WORKPLACE VALUES AND BEHAVIOUR FRAMEWORK**. Whilst the list is not definitive it provides sound expectations as to the type of behaviours required.

### Resolving respectful behaviour complaints

Employees are encouraged wherever possible to raise matters directly with the other person(s) involved in the inappropriate behaviour when they feel safe or capable to do so. This is often the most effective and timely way to address issues and resolve any potential misunderstandings.

In circumstances where an employee feels comfortable to do so, they should calmly and professionally inform the other person(s) as soon as possible of inappropriate behaviour by:

- raising their concerns informally and in a non-confrontational manner
- explaining that the behaviour is unwelcome and they would like it to stop
- explaining that the behaviour is impacting adversely on them
- focussing on the unwanted behaviour rather than the person
- not retaliating and maintaining professionalism.

In circumstances where an employee does not feel safe or capable of raising issues directly or the behaviour continues after they raise the issue, the employee should contact the D&I Branch.

### Bystander responsibilities

All employees are expected to take positive action when confronted with negative or inappropriate behaviours. Intervening is important as it can protect the notifier and discourage the perpetrator from repeating the behaviour. Bystander intervention sends a clear message that the behaviour is unacceptable.

Effective bystander actions include:

- call out—confronting the perpetrator and calling out the behaviour
- challenge—confronting the perpetrator after the fact
- interrupt—interrupting the situation without directly confronting those involved
- support—offering support to the affected person
- advice—offering advice to the affected person about where they can get help
- report—ensuring reporting obligations are met.

Taking some form of bystander action is important. More than one action may be taken—this may be during an incident or after it has occurred.

Employees should always ensure their own safety, and their actions should never put themselves or others in a dangerous situation.

## 6. BULLYING

Bullying behaviours are manifested verbally, physically and/or through body language, and can take the form of action or inaction. Examples of bullying include:

- abusive, insulting or offensive language and comments
- aggressive and intimidating conduct
- belittling or humiliating comments
- being subjected to practical jokes
- unjustified criticism
- deliberately excluding or isolating employees
- withholding information that is vital for effective work performance
- setting unreasonable timelines or constantly changing deadlines
- setting tasks that are unreasonably below or beyond an employee's skill level
- denying access to information, supervision, consultation or resources to the detriment of the employee
- spreading misinformation or malicious rumours
- changing work arrangements such as rosters and leave to deliberately inconvenience a particular employee or employees.

## 7. REASONABLE MANAGEMENT ACTION

Supervisors may take reasonable management action to direct and control the way work is carried out. It is reasonable for supervisors to allocate work and give feedback on an employee's performance. These actions are not considered to be workplace bullying when they are carried out in a reasonable and lawful manner.

Examples of reasonable management action include but are not limited to:

- setting reasonable performance goals, standards and deadlines
- rostering and allocating working hours where the requirements are reasonable

- not selecting an employee for a development opportunity where a reasonable process has been followed
- informing an employee about unsatisfactory work performance in an honest, fair and constructive way
- implementing organisational change or restructuring
- disciplinary action, including suspension or terminating employment.

## 8. CONFLICT

Conflict is a normal part of life and human interaction and occurs in the workplace. People can have differences and disagreements in the workplace without engaging in repeated, unreasonable behaviour that creates a risk to health and safety. Conflict managed well, can be a healthy part of the workplace.

Differences of opinion and disagreements are generally not considered to be workplace bullying. However, in some cases conflict that is not adequately managed may escalate to the point where it turns into bullying.

## 9. DISCRIMINATION

Discrimination occurs when a person is treated less favourably than another person or group because of one of the following characteristics:

- sex race (including ethno-religion)
- age
- marital or domestic partnership status
- sexual orientation
- disability
- gender identity
- intersex status
- caring responsibilities
- pregnancy
- spouse or partner's identity.

### Direct discrimination

Direct discrimination occurs when a person (or a group of people) is treated less favourably in the same or similar circumstances than another person (or group of people) because of a particular characteristic.

Direct discrimination occurs because someone has a stereotyped view about people from a particular group.

Examples:

- denying work-related opportunities to a person or a group of people because of a prohibited ground of discrimination

- ignoring, isolating or segregating a person or group because of a prohibited ground of discrimination.

### **Indirect discrimination**

Indirect discrimination occurs where a condition or requirement is imposed which, although neutral on its face, has a disproportionate impact that is less favourable on people with a particular characteristic, and the condition or requirement is not reasonable in the circumstances.

Indirect discrimination generally results from treating everyone the same rather than considering whether the policy, condition or requirement being applied to everyone is reasonable in the circumstances.

An example of indirect discrimination is a policy that requires all employees to attend meetings early in the morning or late in the afternoon when it is not necessary or reasonable in all the circumstances and is likely to disadvantage employees with carer's responsibilities.

### **Exceptions**

The law allows for some exceptions to the rules for example:

- special measures mean organisations can implement recruitment programs to assist particular groups—for example First Nations people, women, people with disabilities or people from culturally and linguistically diverse backgrounds
- not offering employment to an applicant for a job in circumstances where they cannot meet the inherent requirements (essential as opposed to non-essential) of a job
- making reasonable accommodation and provision of work aids for employees with disabilities
- not being able to accommodate the request of an employee with carer's responsibilities for a particular roster because it is not operationally appropriate or possible.

## **10. HARASSMENT (INCLUDING SEXUAL HARASSMENT)**

Harassment is unlawful under both State and Commonwealth legislation when:

- it is unwelcome, uninvited or unreciprocated; and
- a reasonable person would anticipate that the recipient would be offended, humiliated or intimidated; and
- it is either sexual in nature or targets a person on a discriminatory ground.

Harassment, including sexual harassment, can occur whether or not a person intended to harass or sexually harass another person. It does not need to be repeated or continuous; one-off incidents are capable of constituting harassment.

It is important to note that what is acceptable to one person may not be acceptable to others. The test is if it made the person feel offended, humiliated or intimidated and a reasonable person would be offended, humiliated or intimidated then it constitutes harassment.

## **Sexually harassing behaviours**

The following are some examples of workplace sexual harassment behaviours. These examples are not exhaustive and there are many other types of behaviour that may also be considered workplace sexual harassment.

### *Verbal/written*

Verbal/written examples include:

- inappropriate sexual comments about clothing, personal behaviour or a person's body
- telling sexual or sex based inappropriate jokes
- sending unwanted suggestive messages, texts or emails or inappropriate advances on social networking sites
- inquiring about someone's sexual activity, history or sexual orientation
- spreading sexual rumours
- requests for sex or repeated unwanted requests to go on dates when the person has refused similar invitations before.

### *Physical*

Physical examples include:

- unnecessary familiarity such as deliberately brushing up against someone
- blocking a person's physical movement
- inappropriate and unwanted touching including kissing, hugging, patting, stroking or rubbing.

### *Non-verbal*

Non-verbal examples include:

- offensive gestures or facial expressions of a sexual nature
- whistling or staring in a sexually offensive or suggestive manner
- looking a person's body up and down
- following a person
- making inappropriate sexual gestures.

### *Visual*

Visual examples include:

- posters, drawings, pictures, screen savers or emails that are sexual in nature
- sharing sexually inappropriate images or videos such as pornography with colleagues
- displaying inappropriate sexual images or posters in the workplace.

## 11. PREDATORY BEHAVIOUR

Predatory behaviour occurs when an act of sexual harassment is committed in certain circumstances, including:

- taking advantage of a vulnerable victim where the behaviour has either been planned or opportunistic and preying on that vulnerability
- where the perpetrator has behaved in such a manner so as to seek their own sexual gratification
- multiple instances of sexual harassment either to an individual or to separate colleagues
- consistently seeking to pursue a relationship with colleagues.

These examples are not exhaustive. Generally those who behave in this manner seek to exploit the vulnerability of people either through circumstance, position or power. Predatory behaviour can occur regardless of gender, position or rank held within SAPOL.

## 12. WORKPLACE RELATIONSHIPS

Employees are entitled to form consenting relationships in the workplace. These rights are protected by anti-discrimination laws including the *Equal Opportunity Act 1984* and the *Sex Discrimination Act 1984* (Cth). However, the same laws and principles also protect people from unwanted sexual advances.

The *Equal Opportunity Act 1984* and the *Work Health and Safety Act 2012* provide the obligation to employers and employees to create a safe working environment. A supervisor or manager may have no authority or even requirement to manage or intervene in an appropriate personal relationship, but they may need to manage the professional relationship, particularly where one party has line control over the other, and there is a risk to health and safety.

Employees are not discouraged from forming personal relationships with other employees provided those relationships do not interfere with the work performance of either individual, or with the effective functioning of the workplace. Employees engaging in personal relationships require awareness of their professional responsibilities and must be responsible for ensuring that the relationship does not cause favoritism, bias, a breach of ethics or a conflict of interest. Where any employee has concerns about such relationships, they should contact the D&I Branch for advice.

### **Appropriate workplace relationships**

When determining whether or not a workplace relationship is appropriate the following factors could be considered:

- the relationship is consensual
- the relationship is respectful and professional
- there is no fear, force, fraud or workplace benefit driving the relationship
- the relationship has no influence on workplace decisions or activities
- appropriate boundaries are set and willingly observed

- one party *preferably* does not have line control over the other or where one party is external to SAPOL and they have met as a result of police duties, ensure that there is no conflict of interest—for example the member is not the human source, investigator or performing any other role associated with the relevant matter.

### **Inappropriate workplace relationships**

While appropriate workplace relationships are common, there are those that are inappropriate and can originate from a misuse of power or authority or create a potential or perceived conflict of interest. These types of relationships can potentially harm individuals, workplaces and the organisation.

Factors which could signify that a relationship is inappropriate could include:

- a power imbalance or position of authority is used to initiate, control or maintain the personal relationship
- lines of reporting are being abused or compromised
- fear, force, fraud or workplace benefit is driving the relationship or diminishing capacity to freely consent
- instructor/student relationships during training including recruit training, driver training and detective training courses
- the relationship is being used to gain or provide some workplace advantage
- the relationship involves exploitation of vulnerable persons in the community.

## **13. VICTIMISATION**

Victimisation occurs where a person is subjected to a detriment in retaliation for some action they have taken, or intend to take, or have helped someone else take, in relation to a complaint of harassment, discrimination, bullying, vilification or victimisation. This includes people who have agreed to be witnesses in relation to a person's complaint.

Examples of what might constitute victimisation include but are not limited to:

- an employee being moved to a less responsible position while their complaint of sexual harassment is being considered
- an employee being ostracised by other employees because they have or intend on making a complaint of sexual harassment
- an employee being denied a development opportunity because they have lodged a complaint.

## **14. CONFLICT OF INTEREST**

Conflict of interest occurs when an employee's interests are or may reasonably be seen to be in opposition to or have potential to compromise their position, duties or responsibilities. Any conflict of interest must be managed at the earliest opportunity and all employees must disclose a conflict of interest or possible conflict of interest immediately. All employees must carefully consider their obligations to remain impartial and confidential when approached in regard to unreasonable or unlawful workplace behaviour.



## Personal or familial relationships in the workplace

It is recognised that personal and/or familial relationships are common in the workplace; however, employees should be aware of the potential for real or perceived conflicts of interest arising from these relationships.

Employees must self-manage perceived or real conflicts of interest in managing their personal relationships. This allows for autonomy, promotes confidence in staff, and respects the individual's overall right to privacy.

It is preferable that direct line relationships should be avoided where possible; however, it is recognised that this will occur in a variety of situations, particularly in rural or remote workplaces. To encourage transparency and facilitate the ability to self-manage in such situations, employees should consult with their direct manager to consider performance management aspects of the professional relationship.

In this context, employees should be encouraged to discuss and disclose any issues around managing these relationships. Should such consultation occur, the emphasis on employee self-management, professionalism and integrity is maintained without being overly intrusive.

While the intention is to allow for employee autonomy, it should be recognised that not all employees involved in a relationship will demonstrate the ability to be able to self-manage. There may be occasions where the supervisor or manager, where aware, will have to take action in order to ensure such relationships do not adversely affect service delivery or welfare.

When a manager or supervisor is unsure in this context whether a situation is a potential conflict of interest they must seek advice from the D&I Branch. For further information refer to General Order, **Conflict of interest**.

## 15. NOTIFICATIONS

Diversity and inclusion notifications are managed according to the following principles:

- to safeguard employee's emotional and psychological well-being
- to provide support first and foremost to all employees that communicate with the D&I Branch
- to ensure that we do no further harm in all our interactions with employees
- to be transparent and accountable in all interactions
- to ensure confidentiality at all times
- to hold employees accountable for their actions but support them to affect change where they are willing and open to learn
- to ensure a culturally sensitive, inclusive approach is taken towards all employees and cases.

### Making a notification (PD351)

When an employee/supervisor/manager experiences inappropriate workplace behaviour, or they witness or become aware of inappropriate workplace behaviour, they can either:

- contact the D&I Branch by phone, email or attend in person—contact details are available through the [D&I Branch intranet site](#)

- Lodge a **PD351** by email, despatch or in person to the D&I Branch.

An anonymous notification may be made verbally or by submitting an anonymous **PD351** to the D&I Branch.

### External options

An employee has the right to lodge a notification with external agencies. SAPOL provides processes and support to employees seeking to address unreasonable or unlawful behaviour in the workplace. Employees are encouraged to attempt to address workplace behaviour issues locally or by using SAPOL's internal processes in the first instance. The final decision rests with the individual and that decision should be made having regard to the prevailing circumstances.

External options include:

- **SafeWork SA**

Email [help@safework.sa.gov.au](mailto:help@safework.sa.gov.au)  
Safe Work Australia available through the Internet at  
[www.safeworkaustralia.gov.au](http://www.safeworkaustralia.gov.au)

- **South Australian Equal Opportunity Commission**

Email [eoc@agd.sa.gov.au](mailto:eoc@agd.sa.gov.au)  
South Australian Equal Opportunity Commission available through the Internet at  
[www.eoc.sa.gov.au](http://www.eoc.sa.gov.au)

- **Australian Human Rights Commission**

Complaints Info line 1300 656 419  
Australian Human Rights Commission available through the Internet at  
[www.humanrights.gov.au](http://www.humanrights.gov.au)

### Workplace intervention (PD351 and PD352)

Managers and supervisors becoming aware of unreasonable behaviour in the workplace are encouraged to take action to manage the situation and prevent further similar behaviour that has the potential to create a risk to health and safety. It is acknowledged that some circumstances require immediate action; however, where possible, managers and supervisors are to contact the D&I Branch to discuss the identified behaviour and proposed response. A collaborative response may identify broader issues and will better assist in identifying an appropriate resolution option.

This category of notification is used to record less serious matters that are dealt with immediately by local managers. Workplace intervention is promoted as an effective tool for managers and supervisors to address issues quickly and in a non-punitive manner.

In such cases, a **PD351** and **PD352** both clearly marked with 'Workplace Intervention' must be completed and forwarded to the D&I Branch. The D&I Branch will assess the report to determine whether any further response or action is necessary.

Should any party involved in a workplace intervention conducted by a supervisor or manager disagree with the process, they may submit a request (in writing) for a review by the Manager, D&I Branch.

## Assessment

The D&I Branch will determine an appropriate response for all **PD351** notifications received and may consult with the Officer in Charge, IIS and Officer in Charge, HR Operations and Partnering Branch (HROP) when making any assessment.

All **PD351** notifications by the D&I Branch will be assessed in accordance with the following principles:

- **No further harm**—the potential of further or ongoing harm will be assessed immediately.
- **Span of harm**—consideration will be given to the span of harm resulting from the notified behaviour. The number and location of those affected and the wider effect on the health and safety of the workplace. In particular, the span of the influence of the respondent is relevant.
- **Potential harm**—potential harm to an employee or workplace will be considered.
- **Detail**—consideration will be given to the detail provided in the notification. Limited detail will impact the potential course of action.
- **Intelligence**—data from SAPOL systems, including IAPro will be explored to identify patterns regarding aggrieved persons, respondents and workplaces. Holdings from within other SAPOL areas such as HROP may need to be explored.
- **Witnesses**—consideration will be given to identified witnesses and bystanders.
- Any other considerations that the D&I Branch considers relevant.
- Consideration will be given to the desires of the notifier.

Outcomes of assessments include alternative dispute resolution, further inquiry and investigation, as follows.

### *Alternative dispute resolution (ADR)*

A notification may be assessed as appropriate for a non-punitive approach and the application of alternative dispute resolution processes. The aim is to provide safety in the workplace and to encourage professional and respectful behaviour, restore workplace relationships, promote self-reflection and correct inappropriate behaviour quickly. Alternative dispute resolution methods such as mediation, conciliation and negotiation may be applied.

Unless there is evidence to suggest that early intervention resolution is inappropriate, it will be the preferred manner of dealing with low level inappropriate workplace behaviour.

This may involve speaking with relevant parties, versions captured and unreasonable behaviour to cease. It is common for standards and expectations to be discussed. The aim of early intervention is on support, engagement, cooperation and reconciliation between the parties involved. The principles of natural justice will apply and the respondent will be provided the opportunity to respond to the general nature of the complaint.

### Outcomes of alternative dispute resolutions

Through early intervention and the application of ADR processes, there are a variety of potential outcomes including:

- an appreciation of other participant's perspectives
- gaining a commitment that the behaviour will not be repeated
- gaining a commitment to standards and expectations
- an apology
- counselling support
- education or training.

Successful outcomes depend on participants' actively engaging in the process with a commitment towards resolution.

Local managers will be informed of any ongoing outcomes to be managed as a result of an ADR.

### *Further inquiry*

A notification to the D&I Branch may be assessed as requiring further inquiry, which will be undertaken by the D&I Branch.

This may include more detailed conversation with the notifier, potential witnesses or local managers.

A further assessment will then be made regarding the notification.

### *Investigation*

A notification which involves an allegation of unreasonable or unlawful workplace behaviour may be assessed as requiring an investigation.

Where the Manager, D&I Branch considers that a matter may require investigation and/or a punitive outcome, the matter will be referred to the Officer in Charge, IIS for a determination. The Officer in Charge, IIS may determine that any subsequent investigation will be the responsibility of the Investigation Unit, D&I Branch.

At any time during an investigation, when the available information indicates the allocated investigation/resolution level is inappropriate the matter may be reassessed and escalated to a **PD185** conduct investigation, or resolved with a lower level intervention. The Manager, D&I Branch may refer any matter to the Officer in Charge, IIS for a determination. Escalating the matter through IIS provides for formal investigational authorities that are not available through the diversity and inclusion notification process.

### Assessment of notifications made to the Internal Investigation Section

A **PD185** received at the IIS in relation to workplace bullying, harassment, victimisation, discrimination and predatory conduct will be assessed and determined according to the requirements of the *Police Complaints and Discipline Act 2016*. Those matters may be allocated to the D&I Branch for investigation under IIS oversight. Refer to General Order, **Complaints and disciplinary framework** for further information.

**Timeframes**

Aggrieved employees will be contacted by an employee of the D&I Branch as soon as practicable on receipt of a **PD351**, usually within 24 hours (business days). Parties involved in early intervention processes will be notified of the expected timeframes by a member of the D&I Branch and will be kept informed and supported throughout the process.

Timeframes for the investigation of matters assessed by the Officer in Charge, IIS and referred to the Investigation Unit will be set by the Officer in Charge, IIS.

**Conflicting versions**

In some matters the versions provided by the parties will be conflicting and limited information may be available.

In these matters, the parties will be advised of the required expectations and standards of workplace behaviour. The requirement to interact in a professional manner and to treat all staff with respect and dignity will be reinforced.

Managers will be required to closely monitor the behaviour of the parties and take appropriate action to manage any departure from expected standards.

**Public Sector Act 2009 employees**

Where one or more of the parties to the grievance is a *Public Sector Act 2009* employee the policies and procedures contained in this General Order shall be adhered to. Serious matters will be referred to the Officer in Charge, Ethical and Professional Standards Branch for determination and regard given to the *Public Sector Act 2009* and the procedures contained therein.

**16. WORKPLACE VALUES AND BEHAVIOUR FRAMEWORK**

The [Workplace values and behaviour framework](#) provides a practical guide on acceptable workplace behaviour and link SAPOL's values with the [Diversity and inclusion strategy](#).

**17. REFERENCES**

*Age Discrimination Act 2004* (Cth)

*Australian Human Rights Commission Act 1986* (Cth)

[Australian Human Rights Commission](#)

*Carers Recognition Act 2005*

[Code of Ethics for the South Australian Public Sector](#)

*Disability Discrimination Act 1992* (Cth)

[Diversity and Inclusion Branch confidentiality](#) policy

[Diversity and inclusion strategy](#)

*Equal Opportunity Act 1984*

General Order, **Conflict of interest**

General Order, **Complaints and disciplinary framework**

General Order, **Disability**

General Order, **iEngage performance and management**

*Police Act 1998*

Police Regulations 2014

*Public Sector Act 2009*

*Racial Discrimination Act 1975 (Cth)*

[Respectful workplace behaviours guidelines](#)

[Safe Work Australia](#)

*Sex Discrimination Act 1984 (Cth)*

[SAPOL Our Strategy 2030: Safer Communities](#)

[South Australia Police Code of Conduct](#)

[South Australia Police Corporate Business Plan 2020-2023](#)

[South Australia Police Leadership Charter](#)

[South Australian Equal Opportunity Commission](#)

*Work Health and Safety Act 2012*

[Workplace values and behaviour framework](#)

## 18. FURTHER ENQUIRIES

Manager, Diversity and Inclusion Branch, telephone 820 74033

## 19. DOCUMENT HISTORY SINCE 13/04/2016

Gazette reference (SAPG)	Date	Action (amendment/deletion/new/review/temporary variation)
72/16	13/04/16	Review 2016—four General Orders: 8420, <b>Human resource management, Grievance management, Equity and diversity in the workplace, Equity contact officers and gay and lesbian liaison officers</b> and General Order, <b>Discrimination</b> have been combined into the one General Order 8420, <b>Human resource management, Equity and diversity</b> .
162/18	18/07/18	Review 2018—including renaming the General Order from 8420, <b>Human resource management, Equity and diversity</b> to 8420, <b>Human resource management, Diversity and inclusion</b> .
39/19	13/02/19	Amendment—Equity contact officer role replaced with Diversity and Inclusion reps.
143/19	17/07/19	Amendment—new subheading <b>5. RESPECTFUL BEHAVIOUR, Bystander responsibilities</b> .
219/23	15/11/23	Review 2023—at <b>2. DEFINITIONS Conflict coaching</b> updated, and <b>Communication coaching</b> added. At <b>4. ROLES AND RESPONSIBILITIES, Employees Work Health and Safety Act 2012</b> requirements added.

**APPROVED BY COMMISSIONER/DEPUTY**

.....  
*Print Full Name*

.....  
*ID Number*

.....  
*Signature*

30/10/2023  
*Date*

**Documentation certification and verification**

General Order draft—prepared by: Juliette Jones, Head of Diversity and Inclusion Branch

General Order—verified by: Kim-Sherie Summers, Executive Director, People, Culture and Wellbeing Service