

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Additional Estimates 2011-2012**

Agency - Safe Work Australia

DEEWR Question No: EW1122_12

Question

SWA – Use of state codes

Senator THISTLETHWAITE: The examples that are cited in the draft code, I think you said earlier, are derived from some of the state codes that were in existence. Is it the case that some of those examples may be in those codes because they are outlines of circumstances that have occurred in particular cases in various jurisdictions? Mr Hoy: I think we would need to check the jurisdictions.

Answer

Safe Work Australia has provided the following response:

Safe Work Australia released a draft model Code of *Practice on Preventing and Responding to Workplace Bullying* for public comment on 26 September 2011.

It was largely based on an existing guide on preventing and responding to bullying at work developed by WorkSafe Victoria in conjunction with NSW and published in 2009. This guide includes a number of examples or case studies that were originally adopted into the draft model Code of Practice but were slightly amended during the development stage in response to stakeholder feedback.

WorkSafe Victoria has advised that the use of indicative case studies were considered a potentially useful tool to provide people at work with a sense of what sort of behaviours constitute workplace bullying. They were never based strictly on actual cases and were not intended to be anything other than a *rough guide* for people to use in what is a difficult area when it comes to determining the motivation of people's behaviours at work.

Safe Work Australia is currently reviewing and revising the draft Code of Practice on bullying to take into account the public comment.