



12 September 2022

Dear [REDACTED]

Thank you for your request made under the Official Information Act 1982 (OIA), received on 26 August 2022.

You requested:

Please share your Harassment, Discrimination & Bullying Policy.

Inland Revenue's *Kaupapa Whakatīwheta, Whakaweti me te Whakatoihara | Harassment, Discrimination & Bullying Policy* is released to you in full. The policy is attached to this response.

The *Harassment, Discrimination & Bullying Policy* explains Inland Revenue's commitment and approach to preventing and managing unacceptable workplace behaviour.

Inland Revenue also has a *Tikanga Whanonga | Code of Conduct*, which sets out the behaviours expected of all staff. The *Code of Conduct* makes it clear that "discrimination, bullying, harassment and violence of any kind are unacceptable".

Publishing OIA response

Please note that Inland Revenue regularly publishes responses to requests that may be of interest to the wider public on its website. We consider that this response is of public interest so will publish this response in due course. Your personal details or any information that would identify you will be removed prior to it being published.

Thank you for your request.

Yours sincerely



Erina Clayton
Enterprise Leader, People & Workplace Services



Topic 4 – Healthy, Safe & Equitable Workplace

Kaupapa Whakatiwheta, Whakaweti me te Whakatoihara

Harassment, Discrimination & Bullying Policy

This policy explains Inland Revenue’s commitment and approach to preventing and managing unacceptable workplace behaviour.

We are committed to maintaining a positive working environment and culture, where diversity is appreciated, and all people are respected and valued.

Inland Revenue regards discrimination, bullying or harassment of any kind as unacceptable.

This applies whether this behaviour comes from, or is directed at, an employee, contractor, consultant, customer or a visitor to Inland Revenue.

We put prevention at the centre of our approach and expect all our people to model appropriate standards of conduct and report any breaches. If possible, behaviour can be adjusted and the working relationship can be repaired. This policy is underpinned by robust processes and procedures to ensure our people are supported.

Why we have this policy

We want a safe work environment, free from harassment, bullying and discrimination and want all our people to feel safe and supported to raise any issues and speak up.

It makes good sense for Inland Revenue to address undesirable behaviours, as they can be detrimental to both the health of the affected employee/s and business productivity. In addition, undesirable behaviours in the workplace can constitute a work-related hazard, which Inland Revenue has a legislative duty to manage.

Our Code of Conduct makes clear that ‘we must all contribute to an inclusive, respectful, safe and healthy workplace’ and that ‘discrimination, bullying, harassment and violence of any kind are unacceptable’.

Who this policy applies to

This policy and the guidelines which support its application apply to all Inland Revenue employees and contracted individuals (referred to as “all staff” or “a staff member”).

The policy covers behaviours that may occur in the workplace, between work associates, during work events (such as a conference or training) and outside the workplace if it is in the context of the employment relationship or affects the workplace.

Specific practice - harassment, bullying and discrimination

Note: In this policy, discrimination and harassment have the definitions as set out in the Human Rights Act 1993 and the Employment Relations Act 2000. These are summarised at a high level below.

The bullying definition is from [WorkSafe NZ's](#) good practice guidelines (2017).

For more detailed descriptions and information see the full legislation or [Employment NZ's material on Bullying, Harassment and Discrimination](#).

<p>Discrimination</p>	<p>Where a person is disadvantaged on the grounds of sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status, sexual orientation, gender identity, gender expression, union membership (as defined under the Employment Relations Act 2000), or by being affected by domestic violence (as defined under the Domestic Violence - Victims' Protection Act 2018).</p>
<p>Harassment</p>	<p>Where a person is subjected to repeated inappropriate behaviour or behaviour of such a significant nature that it has a detrimental effect on the person's employment, job performance or job satisfaction.</p> <p>The behaviour is unwelcome or offensive to the employee and may include behaviour that ridicules or expresses hostility or contempt.</p> <p>The harassment may be direct or indirect, verbal, physical or otherwise.</p> <p>Harassment is most commonly sexual or racial (both specifically defined in detail in the ERA and in Employment NZ material) but can include other forms.</p> <p>Sexual harassment can be summarised as:</p> <p>Unwelcome or offensive sexual behaviour that is repeated or is significant enough to have a harmful effect on an individual's employment, job performance or job satisfaction.</p> <p>Unwelcome means behaviours that are not solicited or invited and are regarded by a person as undesirable or offensive at the time.</p>
<p>Workplace bullying</p>	<p>Unreasonable and repeated behaviour directed towards a worker or a group of workers that can lead to physical or psychological harm.</p> <ul style="list-style-type: none"> • Repeated behaviour is persistent (occurs more than once) and can involve a range of actions over time • Unreasonable behaviour means actions that a reasonable person in the same circumstances would see as unreasonable. It includes victimising, humiliating, intimidating or threatening a person • Bullying may also include harassment, discrimination or violence. <p>Bullying includes cyberbullying – where technology (internet, mobile phone, digital camera etc.) is used as a means to bully. The Harmful Digital Communications Act</p>

	(2015) sets out serious consequences if electronic communications are used with the intent to cause harm, and includes 10 communication principles, many of which relate specifically to harassing, discriminatory or bullying behaviour.
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PREVENTION AND MANAGEMENT

This policy, and the guidelines which support its application, look to ensure all staff:

- Understand our commitment to a positive workplace and that unacceptable behaviour will not be tolerated under any circumstances; *and*
- Have access to the information and resources they need to better understand harassment, bullying and discrimination; *and*
- Know how to raise a concern or complaint, and the options available to them

MANAGING COMPLAINTS

Inland Revenue has procedures in place for making and managing complaints to ensure any genuine complaint or query is treated confidentially, taken seriously and acted on promptly.

There is a preference for appropriately tailored solutions. For example, exploring low-key solutions before formal actions are taken if this is appropriate, or proceeding straight to a formal investigation if necessary.

Inland Revenue will ensure the principles of natural justice are applied and both parties are treated fairly, and respected and supported through the process.

Regardless of whether the complaint is recent or historical, the complainant will be supported to decide what to do next and kept informed of the progress of any formal investigation. The options, reporting and process steps are detailed in the 'Making a complaint' guidelines in our [People Policies and Guidelines](#) (see Topic 4 – 'Healthy, Safe & Equitable Workplace').

DISCIPLINARY ACTION

If an allegation of harassment, bullying or discrimination is proven through a formal employment investigation process, the behaviour may amount to misconduct or serious misconduct, and could result in disciplinary action up to and including summary dismissal. Our disciplinary investigation guidelines provide details about this process and the potential outcomes (see Topic 3 – 'Conduct & Behaviour' in our [People Policies and Guidelines](#)).

Inland Revenue would not expect any negative consequence for a staff member making a complaint and will take all reasonable steps to protect them from any form of victimisation or retaliation occurring). However, if a staff member raises a complaint that is found to be fictitious or vexatious, Inland Revenue may take disciplinary action against them.

Document control	v2 June 2018 (definition update April 2019; reformat Sept 2019) (v1 – 2 March 2016)
Review dates	Date reviewed: April 2019 Next review: June 2020
Policy owner	Employment Relations, Policy & Remuneration Manager, People & Culture
Policy contact	Email the ERP&R team