



# Workplace Equity and Harassment Officers (WEHOs)

## Human Resources Policy

Effective Date: May 2010

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## 1 PURPOSE

To define the role of the workplace equity harassment officer (WEHO) and outline the principles for operation of the WEHO network including selection of individual WEHOs.

## 2 APPLICATION

This policy applies to all Queensland Health employees.

## 3 GUIDELINES

Guidelines may be developed to facilitate implementation of this policy. The guidelines must be consistent with this policy.

## 4 DELEGATION

The 'delegate' is as listed in the Queensland Health Human Resource Delegations Manual as amended from time to time.

## 5 REFERENCES

- *Public Sector Ethics Act 1994*
- *Anti-Discrimination Act 1991*
- *Workplace Health and Safety Act 1995*
- *Crime and Misconduct Act 2001*
- Queensland Health Code of Conduct
- Guide for the Resolution of Informal Complaints at Local Level
- Workplace Harassment HR Policy E13 (preserved)

## 6 SUPERSEDES

- IRM 3.1-6 Workplace Equity & Harassment Officers (WEHO)

## 7 POLICY

### 7.1 Queensland Health commitment to workplace free of harassment

Queensland Health is committed to creating and maintaining a work environment which values diversity and promotes employee health and well-being. Queensland Health aims to maintain an environment for patients, clients, visitors and employees safe and free of any form of harassment and other behaviours which can physically or psychologically harm, intimidate, degrade or humiliate a person.

### 7.2 Purpose of the workplace equity and harassment officers' (WEHO) network

The WEHO network assists Queensland Health in proactively addressing issues of inequity, harassment and discrimination in the workplace. The WEHO network provides all employees with access to trained WEHOs who:

- act as a confidential source of information in relation to the:
  - available options for resolving complaints of any form of harassment or discrimination

- rights and responsibilities of all affected parties
- provide an active support role to:
  - a complainant
  - an alleged offender
- provide general guidance and assistance to managers
- collect statistical information in relation to equal employment opportunity (EEO) related activities
- participate in the promotion of the WEHO network in the workplace.

### 7.3 Role of the WEHO

The role of the WEHO is to confidentially:

- provide assistance to an employee wishing to make a complaint in an information-giving and support (not advocacy) capacity
- provide an employee wishing to make a complaint with information on formal and informal resolution options
- provide information on resolution options and resources available for managers
- provide information to employees/persons accused of harassment regarding the processes involved during investigation
- provide non-identifying statistics to the officer responsible for collation of EEO related data by completing the WEHO report
- assist in conducting harassment and equity awareness training programs
- promote awareness of the WEHO network within the workplace.

The role of the WEHO does **not** include:

- making decisions for an employee/person wishing to make a complaint
- attempting to influence an employee/complainant into taking or not taking a particular course of action
- acting as an advocate on behalf of an employee/person who wishes to make or has made a complaint
- conducting an investigation into a complaint
- confronting the employee/person whose conduct has been reported
- monitoring the work environment for instances of behaviour that do not meet the prescribed standards
- counselling distressed or anxious staff.

### 7.4 Confidentiality

The issue of confidentiality does not apply when official misconduct or criminal activity is suspected or alleged to have occurred. In these situations, the WEHO is legally obliged to report the alleged incident to the district CEO, branch director, HR manager or the Ethical Standards Unit (ESU).

The WEHO is required to clearly outline this obligation at the first point of contact with an employee (refer attachment one).

A WEHO is instructed on how to recognise behaviours or actions that may constitute official misconduct or criminal activity (which may include theft, assault or fraud).

## 8 APPLYING THE POLICY

### 8.1 Recruitment for the role of WEHO

#### 8.1.1 Call for nominations

The health service district/Corporate Office is to call for nominations from persons interested in acting in the role of a WEHO.

Nominations are to be called at the discretion of the health service district/Corporate Office WEHO coordinator (or equivalent). The demand for WEHO services, turnover rates for WEHOs and any other relevant circumstances are to be considered.

#### 8.1.2 Nominee responses

Employees interested in becoming a WEHO are to discuss their interest with their manager.

Employees are required to submit a workplace equity and harassment nomination/renomination form which includes the requirement for manager/supervisor support of the nomination. The manager/supervisor is to review the selection criteria for a WEHO and indicate that the employee meets the selection criteria. It is essential that nominations have the support of managers/supervisors.

Completed nominations are to be lodged with the WEHO coordinator (or equivalent).

#### 8.1.3 Health service district/Corporate Office selection process

The WEHO coordinator (or equivalent) is to validate the information provided in the nomination through some formal process, e.g. interview, work sample, role play. This validation is to be conducted against the selection criteria for the role of WEHO.

Successful and unsuccessful nominees are to be advised of the results of the selection process. Successful nominees are to then complete a WEHO training program to be formally recognised to operate as a WEHO for a period of two years from the date on the Certificate of Completion. The determination of satisfactory completion is the responsibility of the WEHO coordinator in consultation with the nominated WEHO trainer (when appropriate).

#### 8.1.4 Renomination of existing WEHOs

All WEHOs are required to re-nominate for recognition as a member of the WEHO network every two years.

Existing WEHOs are required to:

- complete the nomination form, including evidence of continued support from the manager
- attend other WEHO network meetings.

Existing WEHOs are **not** to be required to:

- undertake further validation processes as outlined above, except in exceptional circumstances
- re-attend basic qualifying WEHO training – they are to participate in refresher courses when available.

## 8.2 Removing WEHOs from the register

WEHOs may be withdrawn from active participation in the WEHO network when:

- workplace behaviour of the WEHO is deemed to contravene the Code of Conduct
- an inappropriate breach of confidentiality by the WEHO is proven
- the WEHO has failed to comply with designated WEHO protocols, including reporting requirements
- when the WEHO fails to participate in WEHO activities without a valid reason requested by the WEHO
- requested by the WEHO's manager/supervisor, e.g. when a WEHO changes roles
- the WEHO resigns from Queensland Health.

When it is intended to remove a WEHO from the register, the district CEO (or delegate) is to notify the WEHO in writing of the proposal. The notification is to:

- include the reasons for the proposed removal from the register
- provide the WEHO with the opportunity to respond to those reasons
- invite the WEHO to submit any other information they may consider relevant.

A WEHO is entitled to lodge a grievance against any decision to remove them from the register, using approved grievance procedures. When the grievance remains unresolved, the WEHO may refer the matter to the Public Service Commissioner (PSC) for a Fair Treatment Appeal.

## 8.3 Recordkeeping

WEHOs are required to complete the WEHO report when they are contacted by a complainant or alleged respondent for advice.

The statistical and non-identifying data is to be forwarded to the WEHO coordinator for collation of the annual summary of WEHO reports. This is to assist the organisation in identifying and developing strategies for addressing discrimination issues from a health service district/Corporate Office or statewide perspective.

## 8.4 Role of the WEHO network coordinator or equivalent

The role of the WEHO network coordinator (or equivalent) in the health service district/Corporate Office is to:

- maintain a register of current WEHOs
- coordinate periodic nomination, renomination and nomination validation processes

- coordinate WEHO training including basic qualifying training and ongoing WEHO support activities
- take action to remove WEHOs from the register if required
- collect WEHO reports and collate annual summary of WEHO reports
- analyse the data collated from the WEHO reports and advise the health service district/Corporate Office on trends/issues of interest from the report and recommend remedial strategies if required
- submit the annual summary of WEHO reports by 30 May of each year to People and Culture Corporate outlining any identified trends/issues of statewide interest
- undertake local advertising of the WEHO network and available services throughout the health service district/Corporate Office.

### **8.5 Resources to be made available to the WEHO**

Whenever possible, the following resources are to be made available to the WEHO to support them in performing their role:

- Private meeting area, e.g. existing office or other space that protects the confidentiality of meetings between the WEHO and complainants/ respondents.
- Secure area for the storage of WEHO statistical reports.
- The ability to access computer and intranet facilities to facilitate the access to relevant Queensland Health sites and resources relating to the WEHO duties.
- Other information resources on matters relevant to the role of the WEHO to assist them in providing information.

These resources are not intended to be for the sole use of WEHOs and are ideally to be an existing resource somewhere close to the WEHO's workplace.

### **8.6 Feedback on WEHO services**

Employees (including managers) using the local WEHO network are to be invited to provide non-identifying feedback on the quality, relevance and the accessibility of the WEHO services and support provided. Districts may add further questions to this questionnaire to meet their specific requirements, ensuring confidentiality is maintained.

## **9 HISTORY**

<b>May 2010</b>	Biennial policy review and updated section 8.1.3.
<b>April 2008</b>	Developed as a result of the HR policy consolidation project.

## How a WEHO operates

When an employee (either a complainant or a respondent) approaches a WEHO, the WEHO is required to firstly advise the employee of the parameters of the WEHO role.

The WEHO is to inform the employee of their obligations with respect to misconduct. In these situations, the WEHO is legally obliged to report the alleged incident to the HR manager, manager or district CEO. An opening statement such as the following could be used:

*“As a WEHO, I will treat any information you provide me in strict confidence, however, I am legally required to report any incident where official misconduct or criminal activity is suspected or alleged to have occurred. With this in mind do you still wish to speak to me about this matter?”*

Should the employee subsequently choose not to disclose the details of their issue with the WEHO, the following options would still be available to the employee:

- pursue counselling support with Employee Assistance Service (EAS)
- contact the local HR manager for further advice
- lodge a grievance
- undertake mediation sponsored by the employing facility; and/or
- contact their relevant union representatives.

When the employee elects to continue dealing with the WEHO, the WEHO will:

- act as a source of information, detail the options for resolution available and provide support when requested (the complainant and the respondent **must** be advised by different WEHOs)
- clearly define the limitations of the WEHO role, as a support and source of information about options but not an advocate or counsellor
- actively listen to the employee and show empathy
- provide information and discuss the available informal and formal options
- when requested by the employee, the WEHO may provide follow up support after the initial contact.

### Informal options include:

- Dealing with the matter individually.
- Requesting informal action from a manager.
- Taking no action.

Refer to the Guide for the Resolution of Informal Complaints at Local Level.

### Formal options include:

- Lodging a grievance (refer to the Grievance Resolution HR Policy E12).
- Lodging a complaint with the Anti-Discrimination Commission Queensland (ADCQ).
- Reporting the allegation to Workplace Services, People and Culture Corporate. Workplace Services will undertake an assessment and referral of the allegation to the Crime and Misconduct Commission (CMC) in accordance with the legislative obligations of Queensland Health outlined in section 38 of the *Crime and Misconduct Act 2001*.
- Seeking union support.

The WEHO will recommend that the employee think about the options and their potential impacts when deciding on a course of action.

The WEHO is also responsible for capturing statistical information regarding access to their services (refer to HR forms on QHEPS). This information will be collated annually by the WEHO Coordinator or equivalent (refer to HR forms on QHEPS).

*Human Rights Act 2019 Applies*  
*Managing the risk of psychosocial hazards at work*  
*Code of Practice 2022*  
*applies 1 April 2023*



## **Key skill requirements**

The following skills, knowledge and personal attributes are to be demonstrated by any person seeking to become a WEHO.

### **Skills**

- Ability to use effective active and reflective listening skills.
- Sound communication skills both written and verbal.
- Ability to respond with empathy in sensitive and stressful situations.
- Ability to maintain confidentiality.

### **Knowledge**

- Ability to acquire knowledge of relevant legislation and Queensland Health Policy on matters of:
  - Equity, discrimination and harassment.
  - Resolution options available to staff and in particular Queensland Health processes.
- Awareness or ability to acquire awareness of cross cultural issues and sensitivities.

### **Personal attributes**

- Genuine interest in equity and diversity issues.
- Credibility with other members of the workplace/work unit.
- Demonstrated standards of workplace behaviour that reflects the standard of ethical behaviour as described in the Queensland Health Code of Conduct.