



Unacceptable Behaviour Scenarios

The purpose of these scenarios is to educate Defence personnel and provide an overview of the complaint process including the management and reporting requirements of a complaint. Note: The steps detailed in each of these scenarios may not be relevant for the management and investigation of every unacceptable behaviour complaint.

The scenarios below are not based on real scenarios. The 'Outcome' developed in each of the scenarios are outcomes that 'may be suitable'. The outcome of any complaint is dependent on the circumstance of that situation.

Applying trauma-informed Practices

Commanders, managers and supervisors should assess each complaint using a trauma-informed, person-centric approach. The trauma-informed principles used in Defence are:

Safety	Ensure physical and emotional safety
Trust	Respect confidentiality and privacy, build trust in the system and in the chain of command and line management
Choice	Maximise choice by providing all possible options available
Collaboration	Seek the input of the traumatised person on the next steps
Empowerment	Give authority to the traumatised person to genuinely guide their own path and make their own decisions

For further information on how to apply trauma-informed principles, see the Trauma-Informed Principles factsheet.

Unacceptable Behaviour Complaint Guides

Guidance documents have been developed to support personnel in understanding the process and procedures for reporting of and responding to complaints related to unacceptable behaviour. These resources are intended to be used alongside the Complaints and Alternative Resolutions Manual (CARM) to ensure a consistent and informed approach to complaint handling.

- Making an Unacceptable Behaviour Complaint – A Guide for Complainants
- Responding to an Unacceptable Behaviour Complaint – A Guide for Respondents
- Responding to an Unacceptable Behaviour Complaint – A Guide for Commanders, Managers and Supervisors



Additional Sentinel Reporting Requirements

Unacceptable behaviours such as bullying and harassment are identified as a WHS psychosocial hazard.

Psychosocial incidents, hazards or issues that are of a bullying or harassment nature should be entered into Sentinel. All WHS incidents reported in Sentinel have been configured to protect the involved parties.

A worker can report an allegation of bullying/harassment in Sentinel as a WHS incident before it has been investigated. Should the incident be found not to be reportable in Sentinel, the Workplace Supervisor can reject or cancel the incident report.

If the incident for bullying/harassment has not already been entered in Sentinel, and is currently under investigation in accordance with Group or Service policy, and it is determined there is a reportable injury or illness, the incident then needs to be entered into Sentinel.

Entering an unacceptable behaviour incident into Sentinel does not remove the command/line management requirement to record unacceptable behaviour incidents in the Defence ERP Case Management Solution (DECMS). The DECMS incident number and sentinel record should be cross referenced in both systems.

Further information should be obtained from your Group or Service WHS Manager.

Harassment Complaint

Situation:

CPL John and CPL Alex are peers. CPL John has concerns that CPL Alex's behaviour towards him is of a harassing nature. CPL John's concerns are that CPL Alex makes constant remarks regarding CPL John's weight, calling him "chubby chops", "the egg on legs" or "butter ball" and telling him he is too soft and too heavy. He does this in front of others, which makes CPL John feel uncomfortable.

Action to address the behaviour:

CPL John decided to speak with CPL Alex about these comments. He expressed to CPL Alex how these comments made him uncomfortable and asked CPL Alex to stop. CPL Alex advised CPL John he was only joking when he made these comments and he acknowledged how CPL John was feeling and advised he would stop.

Further harassment:

The comments did stop for a time. Whilst conducting a group PT session in preparation for a forthcoming physical fitness test, CPL Alex made the comment "These tests are easy; the standards are set at the lowest level so just about anyone can pass". CPL John was struggling to keep up with the group during the PT session. CPL Alex yells out in front of the group, 'come on chubs, you're holding everyone up'.

CPL John is extremely upset and embarrassed by CPL Alex's comment. He is not sure what to do about it. He does not want to approach CPL Alex again. CPL John speaks with a Workplace Behaviour Advisor (WBA) to seek assistance with what options he has available to him.

Complaint made:

CPL John made a written unacceptable behaviour complaint to his supervisor advising he felt CPL Alex was harassing him by teasing him and making insulting comments, advising that it is particularly upsetting when it is done in front of others. In his complaint, CPL John provides a timeline of events and the steps he has already taken to try and resolve his concerns. CPL John advises that he wants the behaviour to stop and that he would like an apology from CPL Alex.

Supervisor action:

- Acknowledge the complaint either verbally or via email.
- Assess any immediate risk/threat. Check on the welfare of CPL John, and offer support services.
- Using a trauma-informed approach, advised the next step in the process which is to inform the commander/manager who will manage the complaint.

Action by the Commander/Manager:

- Consider whether there might be a conflict of interest or bias (actual, potential or perceived) which may affect fair consideration of the complaint. Complete an AF220 – Conflict of Interest Declaration Form.
- Within 24 hours of commencement of work/duty, act on the complaint and record incident in DECMS.
- Check on the complainant's welfare and inform them of the available support services.

- Inform the respondent of the complaint, check on their welfare and inform them of the support services available to them.
- Check on the welfare of any witnesses and offer support services.
- Conduct an initial assessment of the complaint and determine the best course of action.
 - Speak with the complainant.
 - Speak with the respondent.
 - Speak with witnesses.
- Using a trauma-informed approach, advised the next step in the complaint process. If necessary, manage expectations regarding what outcome may be possible/achievable.
- Take notes of conversations held with any parties involved, record that the conversations were held within DECMS and save the notes in the Objective file.
- Is there sufficient information to determine an outcome?
 - If more information is needed to determine an outcome, instigate a fact-find.
- Determine if this is unacceptable behaviour and whether it is minor or significant.
- Ensure CPL John and CPL Alex are kept informed of the progress of the complaint.
- Maintained and applied procedural fairness during the management of the complaint.

Outcome and finalisation:

The commander/manager:

- Did not need to instigate a fact-find, as CPL Alex admitted he had made these comments.
- Determined the complaint was substantiated.
- Determined this was a minor incident of unacceptable behaviour.
- Verbally advised each party and followed up in writing separately to both CPL John and CPL Alex advising:
 - The outcome of the complaint;
 - The actions being taken; and
 - The reasoning for the decisions that were made.
- Advised both parties of their review rights should they not be satisfied with the outcome.
- Closes the incident in DECMS.
- Ensure all records relating to the management of the complaint are saved in approved Defence systems such as Objective.

The commander *could* consider the following actions in this scenario (this is not an exhaustive list):

As this was a minor incident of unacceptable behaviour, they could:

- Counsel CPL Alex on the correct behaviour expected as a member of the ADF;
- Direct CPL Alex to re-do the Mandatory Workplace Behaviour training;
- Suggest to and encourage CPL Alex to apologise to CPL John; and/or
- Instigate a form of Alternative Dispute Resolution to assist with repairing their relationship.