

## Improvement Notice for the Department of Customer Service

The PSA has been made aware of a SafeWork NSW Improvement Notice being issued to the Department of Customer Service (DCS) regarding inadequate systems it has in place to investigate bullying.

The notice states that DCS's intranet does not clearly identify how issues of bullying should be reported in the workplace, a lack of documented evidence as to how matters are investigated, the non-use of stated assessment tools to assess a bullying complaint, and that bullying investigations do not adequately consider guidance outlined in the *SafeWork Australia Guide – Preventing and responding to bullying in the workplace*.

The notice gave directions as to the measures DCS must take to remedy or prevent the contravention of the *Work, Health and Safety Act*. These directions include reviewing a safe system of work that provides and maintains a work environment without risk to psychological health and safety for workers in the Department of Customer Service including, but not limited to:

- The identification, management and monitoring of workplace bullying in consultation with workers
- Reviewing the system in place for reporting bullying to clearly identify how it is to be reported and the process for responding to reports of workplace bullying including relevant steps, timeframes, and guidelines;
- Implement any identified improvements in consultation and provide evidence that this has occurred.

While this notice was first issued in November of 2020, the Department failed to adequately display the notice in a prominent place in the workplace, only displaying it on a noticeboard at the McKell building, and only displaying it on its intranet in January 2021.

The *Work, Health and Safety Act 2011* is clear; "The person whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice."

As the contravention of the *WHS Act* that led to the notice being issued impacts all workers in DCS, it is reasonable to expect the Department should have displayed the notice in a more transparent, timely and prominent manner.

Additionally, in responses to questions put to the DCS Secretary at a recent Town Hall, the Department has labelled the notice an "administrative Improvement Notice". The PSA wishes to clarify there is no such thing as an administrative Improvement Notice, and does not consider the systems in place to investigate bullying to be an administrative issue. The 2020 People Matters Survey found that only 58



## Improvement Notice for the Department of Customer Service

per cent of respondents had confidence in the ways DCS resolves grievances, and that 12 per cent of respondents had witnessed bullying in the workplace. With 8832 respondents in the survey, this means that more than 1000 DCS staff are witnessing bullying behaviour in DCS. The systems and actions taken by the Department to investigate and respond to bullying complaints are certainly more than administrative issues.

While the notice required DCS to respond by 26 February, the Department has since gained an extension of time to comply with the notice. The PSA will keep members up to date with the Departments response to this matter. Any member who has concerns over the Department's response to bullying allegations that they have raised can contact the PSA for advice and assistance.

