



Respect Equity Diversity

General

learner workbook

Building a positive workplace culture



Queries

Please direct questions or suggestions about the learning materials to info@petersenink.com.au

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Introduction

Welcome

The Respect, Equity and Diversity (RED) Framework is part of the ACT Government's commitment to creating a positive workplace culture. It is closely linked to the ACT Public Service Values, Signature Behaviours and Code of Conduct, and to the ACT Public Service Performance Framework. Every person who works for the ACT Public Service should know their rights and responsibilities under the RED Framework and how to exercise those rights and responsibilities.

While the focus of the RED Framework is on creating a positive workplace, no workplace is perfect. For this reason, the Framework also describes what you should do if you experience or witness bad behaviour at work. The RED Framework is not a set of rules, but is a practical set of resources to help you navigate difficult issues at work.

While this course will explain the RED Framework to you, it is not a replacement for speaking to your manager, human resource section or your RED contact officer. There are also excellent additional resources about the RED Framework available on the [ACTPS employment portal](#).¹

During this course, some group discussions will be about sensitive issues, and other learners might disclose personal information. Please respect their privacy about these matters. If you discuss a real workplace issue, please be careful not to mention the names of any individuals.

Learning objectives

By the end of this course you should be able to:

- understand your rights and obligations under the RED Framework
- contribute to a positive workplace culture
- know how to respond to bad behaviour at work.

¹ <https://www.cmtedd.act.gov.au/employment-framework/workplace-behaviours/the-respect,-equity-and-diversity-red-framework>

Module 1: Positive workplaces

Respect for ourselves guides our morals, respect for others guides our manners.

Laurence Sterne

Why the RED Framework is important

No-one goes to work hoping to encounter bad behaviour. We hope to work in a positive culture and we expect our colleagues to behave appropriately. But we are all different, and our views of what a positive workplace culture looks like also vary. The RED Framework helps us to reconcile these different views.

The benefits of a positive workplace culture are obvious. Positive workplaces:

- promote collaboration
- inspire creativity
- improve productivity
- help people cope with change
- motivate employees.

This course is a significant investment of your time. The investment is worthwhile for these reasons:

- Bad behaviour costs money. The Productivity Commission estimates the cost of bad behaviour in Australian workplaces is between 6 billion and 36 billion dollars each year.
- The training works. Most people who have used frameworks like the RED Framework report they would use it again if they needed to².
- The training is a meaningful commitment to doing the right thing. Most people want to do the right thing at work, and the RED Framework helps you to do so.

You probably already know a little bit about the RED Framework. You may have seen brochures and posters around your work area, and some of you may have attended other RED training courses. But have you ever paused to think about what respect, equity and diversity really mean?

² See for example, submissions to the House of Representatives Standing Committee on Education and Employment report, *Workplace Bullying, We just want it to stop*, October 2012.

Positive workplaces

The main purpose of the RED Framework is to create a positive workplace culture. This is important, but it also means different things to different people.

Activity 1: Positive workplace culture

What do you think defines a positive workplace culture?

A large, empty rectangular box with a thin black border, intended for a user to write their response to the question above. The box is currently blank.

Activity 2: A shared understanding of respect, equity and diversity

A lot of the friction in workplaces is caused by different expectations about behaviour. Your view about respect, equity and diversity might be quite different from a colleague's view. The RED Framework contains detailed descriptions of respect, equity and diversity, but it is important that we have a shared understanding of these concepts.

What do you think each of these words means?

Respect

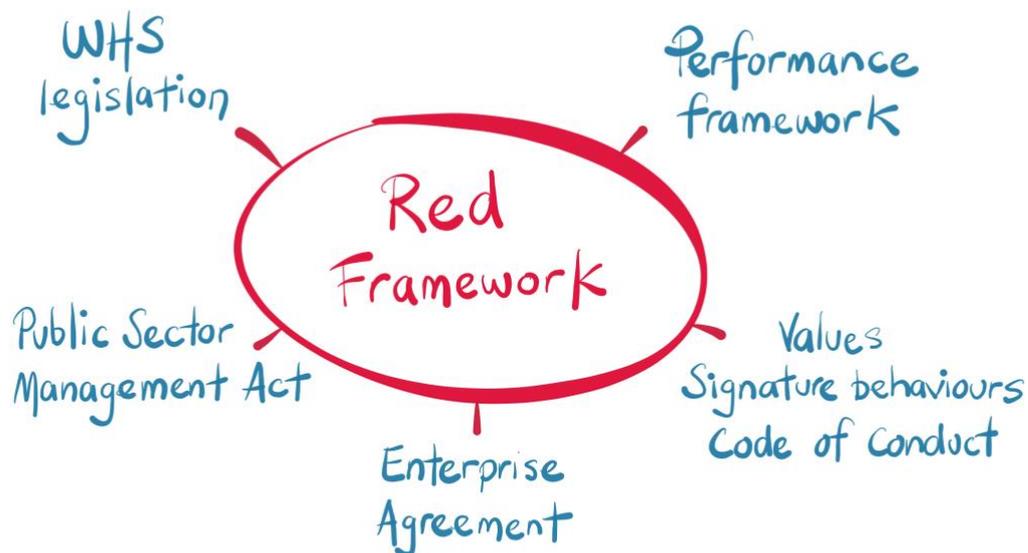
Equity

Diversity

Module 2: Rights and responsibilities

The RED Framework is closely linked to other frameworks in the ACT Public Service. In particular, it is linked to:

- work health and safety requirements
- the *Public Sector Management Act 1994*
- your enterprise agreement
- the ACT Public Service Performance Framework
- the ACT Public Service Values, Signature Behaviours and Code of Conduct.



Work health and safety responsibilities

You wouldn't ignore a physical safety hazard at work. Everyone knows that protecting the health and safety of each other at work isn't just a moral obligation, it is a legal duty.

The purpose of the *Work Health and Safety Act 2011* is to ensure the health and safety of everyone at work. It requires you to take reasonable care for your own health and safety, and of others in the workplace. You also have a duty to cooperate with your managers to help them meet their obligations under work health and safety laws.

The penalties if you breach the *Work Health and Safety Act 2011* are significant:

- The penalty for reckless conduct that exposes someone to a risk of death or serious injury or illness is \$300,000 and/or five years in prison.
- The penalty for failure to comply with a health and safety duty that exposes someone to a risk of death or serious injury or illness is \$150,000.
- The penalty for failure to comply with a health and safety duty is \$50,000.

You have the same duty of care under work health and safety law on matters relating to workplace behaviour. This is because repeated bad behaviour can create a risk to health and safety.

The bottom line is that bad behaviour at work is a potential health and safety issue. Don't ignore it and don't be a bystander.

Notes

The *Public Sector Management Act 1994*

Section 9 of the *Public Sector Management Act 1994* comprises 10 articles which are the 'unbreakable rules' of service in the ACT Public Service.

The legislation states that you must:

- take all reasonable steps to avoid a conflict of interest
- declare or manage a conflict of interest that cannot reasonably be avoided
- when acting in connection with your job:
 - comply with laws applying in the Territory
 - comply with any reasonable direction given by a person with the authority to do so
 - if dealing with a member of the public, make all reasonable efforts to help them understand their entitlements and legal obligations
 - treat all people with courtesy and sensitivity to their rights and aspirations
- do your job with reasonable care and diligence, impartiality and honesty.

The legislation also states that you must not:

- behave in a way that:
 - is inconsistent with the public sector values
 - undermines the integrity and reputation of the service
- take improper advantage of your job or information gained through your job
- improperly use a Territory resource, including information accessed through your job
- without lawful authority:
 - disclose confidential information gained through your job
 - make a comment that reasonably appears to be an official comment
- when acting in connection with your job, bully, harass or intimidate anyone
- when doing your job, apply improper influence, favouritism or patronage.

While many of these articles relate to fraud and use of public resources, several are relevant to the RED Framework. Alleged breaches of Section 9 of the Act will normally be dealt with under the misconduct provisions of Section H of your enterprise agreement.

ACT Public Service Performance Framework

Performance management is not just about ‘what’ people do, it is also about ‘how’ they do it. The ACT Public Service Performance Framework describes how to align an employee’s duties with strategic objectives, to ensure their effectiveness and to ensure accountability for their work. The tools to do this include:

- goal setting
- learning and development
- coaching and mentoring
- recognition and feedback.

The distinction between performance and behaviour is not always clear. Under-performance is failure to perform work duties to the required standard. This could include non-compliance with policies or rules, or poor interaction with colleagues. If the under-performance is deliberate, or if it continues despite directions from management, it might constitute misconduct.

While serious RED issues may be dealt with as a health and safety or misconduct issue, less serious RED issues are likely to be dealt with by managers having a structured conversation with their people. In these cases, the tools, guides and templates in the ACT Public Service Performance Framework should be used. These resources are available on the [ACTPS Employment Portal](#).³

Notes

³ <https://www.cmtedd.act.gov.au/employment-framework/actps-employees>

Values, Signature Behaviours and Code of Conduct

The ACT Public Service Values, Signature Behaviours and Code of Conduct provide guidance on the sorts of behaviours expected of all employees. They are not prescriptive or compliance focussed, and they are not meant to be used as a checklist. Nonetheless, the *Public Sector Management Act 1994* requires you to behave in a way that is consistent with these values.

There are four ACT Public Service values and ten signature behaviours.

In demonstrating respect...
1. We take pride in our work.
2. We value and acknowledge the contribution of others.
3. We relate to colleagues and clients in a fair, decent, caring and professional manner.
In demonstrating integrity...
4. We do what we say we'll do and respond appropriately, especially when the unexpected occurs.
5. We take responsibility and are accountable for our decisions and actions.
6. We engage genuinely with the community, and manage the resources entrusted to us honestly and responsibly.
In demonstrating collaboration...
7. We work openly and share appropriate information to reach shared goals.
8. We actively seek out other views when solving problems and value and act on feedback on how we can do things better.
In demonstrating innovation...
9. We look for ways to continuously improve our services and skills.
10. We are open to change and new ideas from all sources.

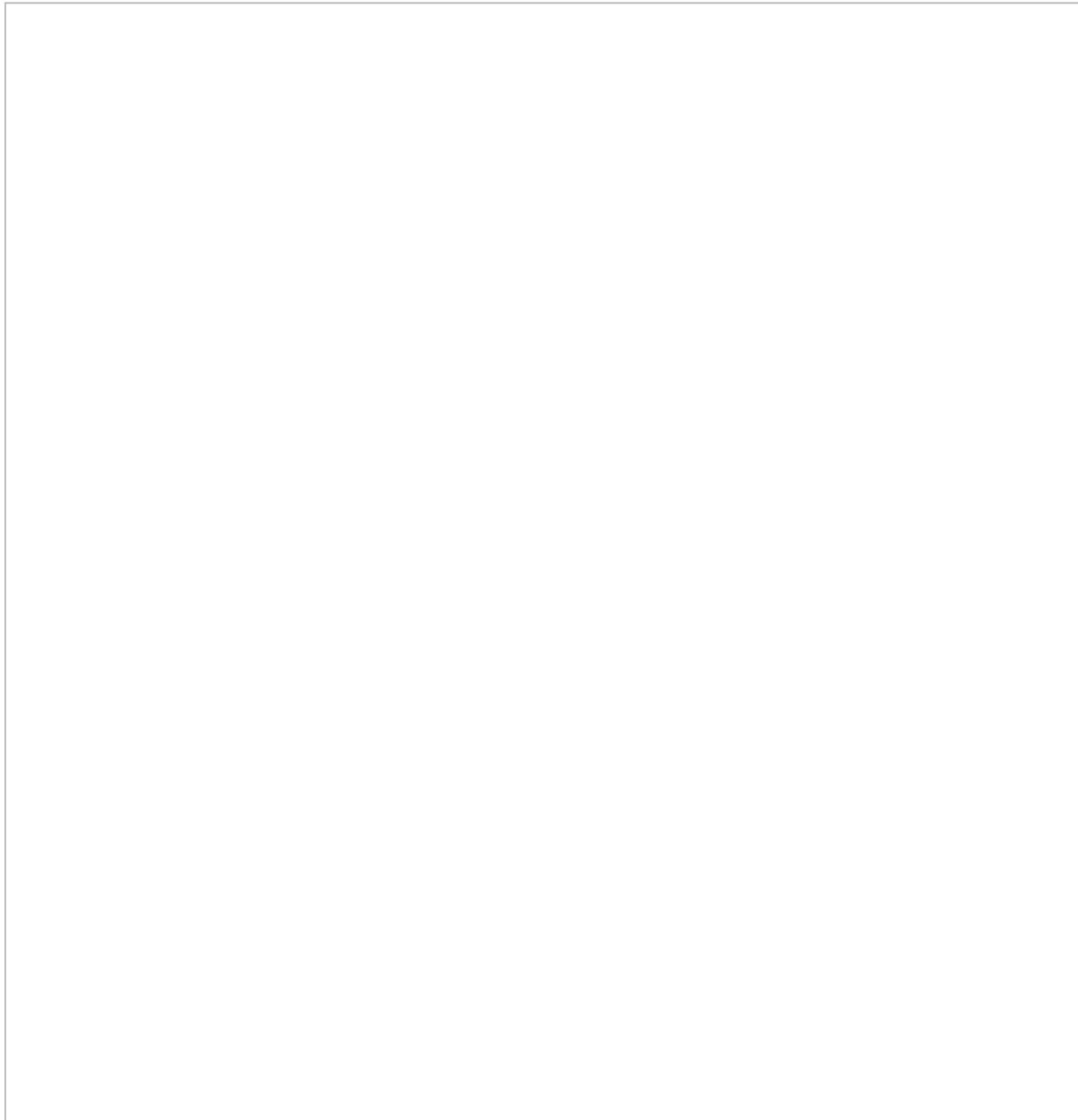
The Code of Conduct comprises nine additional areas that give examples of these values and signature behaviours.

Responsibilities under the RED Framework

In addition to your obligations under legislation, you also have some general responsibilities under the RED Framework itself. These responsibilities are grouped into three main levels:

- all employees
- managers and supervisors
- RED contact officers

Activity 3: Roles and responsibilities of all employees



Activity 4: Roles and responsibilities of managers and supervisors

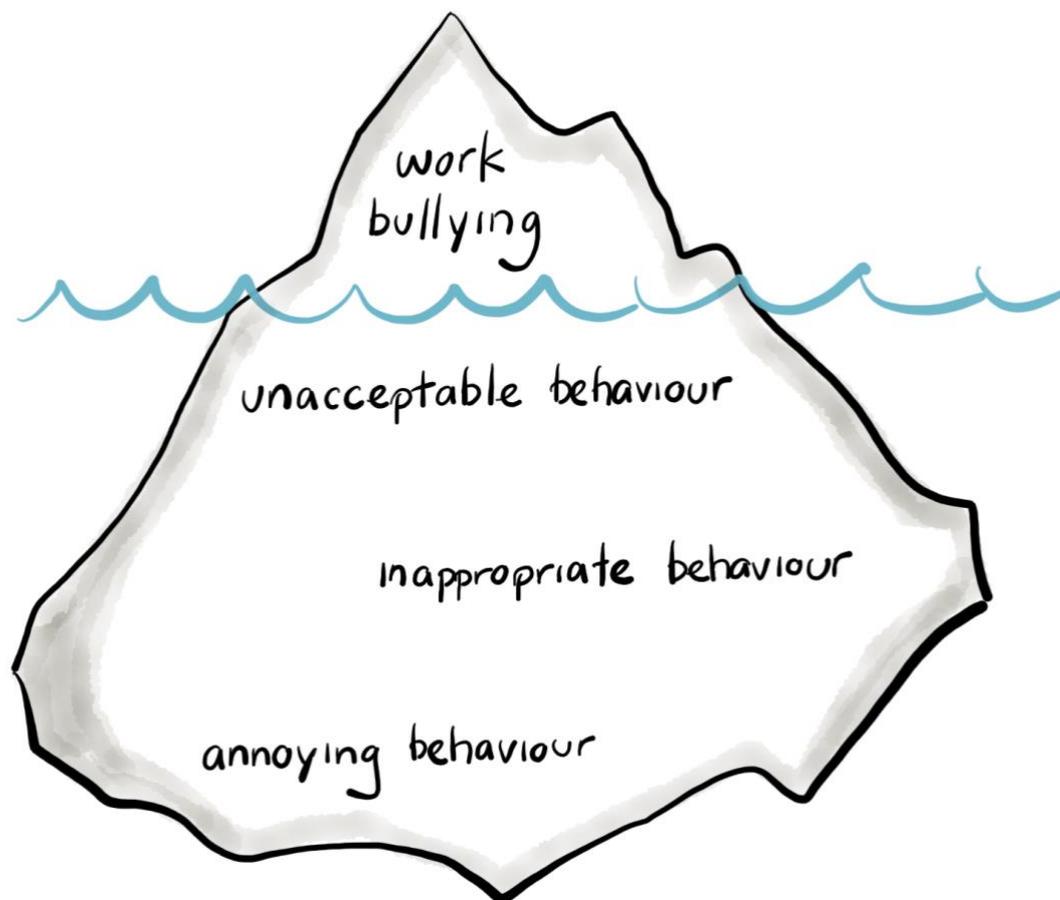
Activity 5: Roles and responsibilities of RED contact officers

RED contact officers: what they do

RED contact officers: what they don't do

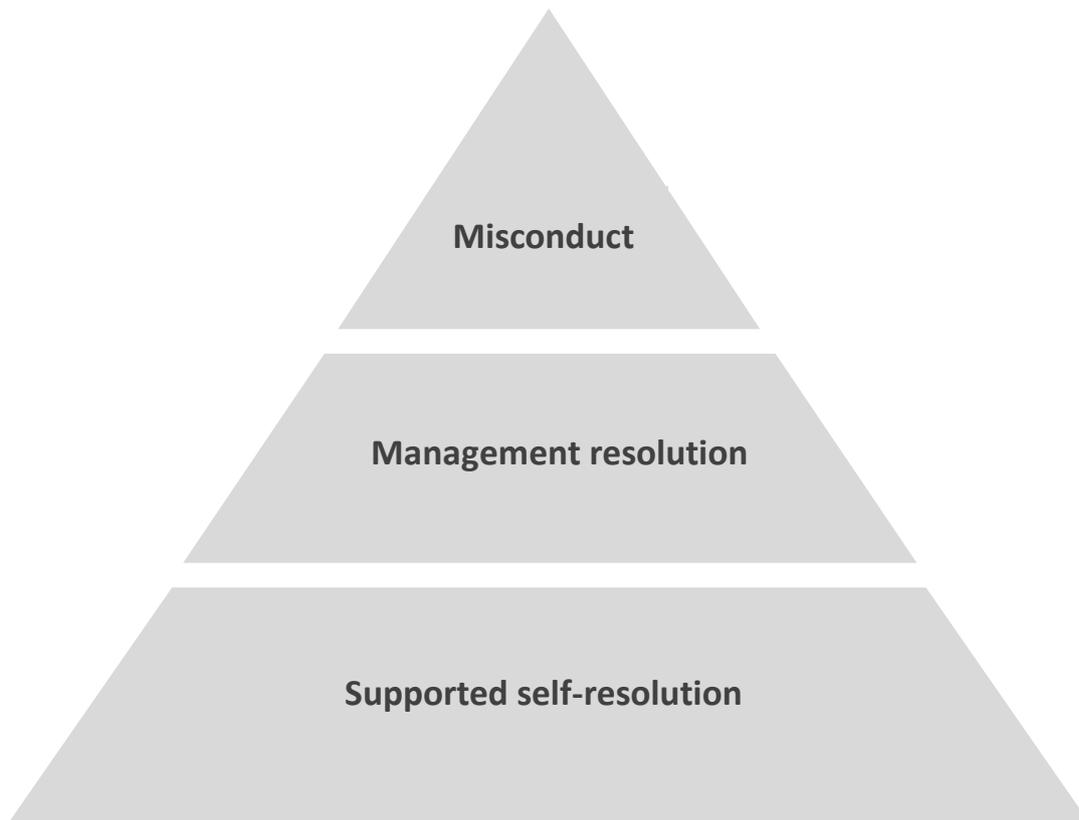
Other forms of unacceptable behaviour

Workplace bullying is a serious issue, and if proved, would almost certainly be dealt with using Section 9 of the *Public Sector Management Act 1994* and the misconduct provisions of your enterprise agreement. It is, however, only the tip of the iceberg in the RED Framework. Less serious issues that don't meet the definition of workplace bullying are also covered under the Framework. They don't have strict definitions, but are often described as unacceptable or inappropriate behaviour. The RED Framework provides guidance on and options for responding to all these types of problem behaviour.



Options for action

The RED Framework encourages you to take action **before** something escalates to workplace bullying. The options for action are organised into three levels based on how serious or complex the issue is.



Self-resolution

Supported self-resolution is for low impact issues where you are confident you can resolve the RED issue yourself. You might discuss the issue with your manager, but you are the person who takes action.

Activity 7: Self-resolution

What are some of the things you could do to resolve a RED issue yourself?

Self-resolution is normally the quickest and most effective way for you to deal with a RED issue. But it can be daunting to talk to someone who has upset you, especially if you don't have a good relationship with them. Be ready for this self-doubt, and don't underestimate how hard this will be. A little preparation for the conversation will make a big difference.

Management resolution

Level two is where the supervisor or manager works with you to resolve the RED issue. This level of action is for issues where you do not feel confident resolving the issue yourself. Options for action at this level are called restorative practices. They include:

- constructive conversations with affected parties
- directed solutions
- coaching and mentoring
- adjustments to duties, shifts or work locations.

A longer list of options for action at level two is contained in the ACT Public Service guide [Resolving workplace issues – Resources for managers and supervisors](#).⁴

While level two action is likely to require some difficult conversations, it does not involve investigations, disciplinary action or misconduct processes. These processes are managed at a higher level and are only applied to the most serious matters.

Notes

⁴ <https://www.cmtedd.act.gov.au/employment-framework/workplace-behaviours/resolving-workplace-issues>

Misconduct

Level three options for action in the RED Framework are for serious or complex issues. These will normally require investigation, and if they involve misconduct, they will be managed under Section H of your enterprise agreement.

At this level of action, human resources staff and the Public Sector Standards Commissioner will manage the issue. This includes conducting investigations, making decisions and resolving the issue.

Notes

Conversations about difficult issues

While the RED Framework lists many options for action, the most common option is to talk to the person who has behaved badly. This is also the easiest and often most effective option for action.

The conversation can be started by anyone with an interest in the issue:

- the person affected by the bad behaviour
- someone who observed the bad behaviour
- a supportive colleague
- a manager or supervisor.

Notes

No matter who starts the process, the principles of a productive conversation are the same.

Take time before talking.

When someone behaves badly towards us, it might be tempting to respond or retaliate straight away. This is sometimes appropriate, but most people need time to settle their emotions and think about what happened.

Prepare for the conversation.

These conversations are important and must be well prepared. Think about your key points, and write them down. Get a second opinion from your manager or a trusted colleague if you are not sure if your points are reasonable.

Be assertive.

Assertive communication is polite and honest. Say what you mean, but do it respectfully. **Never** shout or use offensive language in these conversations.

Stick to the plan.

You have thought about what to say, so don't stray off script. If you are worried about this, use some notes to keep you anchored. If the other person says something you weren't expecting, tell them you would like to re-convene after you have had time to process what they said.

Don't record the conversation.

It is illegal to record a conversation without the other person's permission. Recording also escalates the issue and increases the risk people will stop listening during the conversation.

Give the other person time to think.

The other person might not have been expecting this conversation. This means you are prepared, but they aren't. Give them time to process what you say and don't expect them to respond properly straight away. Don't be afraid of a bit of silence, even if it seems awkward.

Don't expect an apology.

The other person might see your point of view and acknowledge it or apologise straight away. But they might not. Be ready for them to stand their ground and not agree with you. Don't worry if you don't reach agreement, it is more important that you say what you intend.

Don't drag the conversation out.

The conversation is finished once you have said what you planned to say, and given the other person a chance to respond. Don't drag it out waiting for a Hollywood resolution. Just thank the other person for listening and go back to work.

Deciding levels of action

Decisions about the most appropriate level of action are based on the complexity and seriousness of the issue. You can ask for an issue to be dealt with at level three, but it may be better resolved at level two or even level one.

If you take a RED issue to your manager, they will do a preliminary assessment of the matter. This assessment is not an investigation; it is a quick fact-finding activity to help your manager decide at which level the issue will be best resolved.

With some RED Issues, the process of deciding the level of action can move up and/or down. For example, your manager might refer an issue to human resources for level three action, but they might recommend it is better dealt with at level one or two.

Open door protocol

The RED Framework is only as good as the people who apply it. Sometimes a manager might be unwilling or unable to deal with a problem you have taken to them. They might be complicit in the problem, or they might be the cause of the problem. More likely, they are busy or lack the confidence to deal with the issue. Regardless of the reason, this lack of action may leave you feeling isolated and frustrated.

If you are not happy with the action or resolution taken by your manager, you can approach any other supervisor, manager or executive with your issue. This is called the open door protocol. It is designed for situations where your own manager is an obstacle instead of a pathway to resolution. Under the open door protocol you can take your issue to your supervisor's manager, to your human resources section or to any other manager you feel comfortable approaching.

When you take your issue to another manager they are obliged to respond. But be ready to explain why you have approached them, and don't assume you will automatically get the outcome you originally wanted. You are, however, entitled to a fair hearing and decision.

Notes

Conclusion

The ACT Government wants to create and sustain a positive workplace environment, and the RED Framework is an important part of that commitment. Everyone who works in the ACT Public Service—regardless of role or level—is responsible for giving the Framework substance. Respect, equity and diversity are essential to a positive workplace, but they do not happen by accident. You have the right to a workplace free from bad behaviour, but you also have a responsibility to behave appropriately yourself. Managing these boundaries is not easy, and some friction is inevitable. The test for a positive workplace is not the absence of friction, but how it is managed.

Additional resources

If you need **information** about the RED Framework, you should speak to your RED contact officer. If you need **advice** about dealing with a problem, or if your concern is serious or complex, you should speak to your manager or human resources section.

The ACT Public Service [employment portal](#)⁵ contains resources about the RED Framework and related topics. These resources include a set of guides for resolving workplace issues.

⁵ <https://www.cmtedd.act.gov.au/employment-framework/workplace-behaviours/the-respect,-equity-and-diversity-red-framework>

Other courses

Petersen Ink is a Canberra-based business specialising in workplace communication. In addition to our courses on respect, equity and diversity, we write and edit for government, and we train others how to do the same.

Many of our courses are offered on the ACTPS training calendar, but we can also deliver our courses direct to your organisation. Please contact us at info@petersenink.com.au for a quote or for more information.

Our courses

Essential writing skills: Government emails and letters. This is our basic writing course, designed for people who write correspondence. It is also delivered on the Australian Public Service Commission's training calendar as Essential writing skills for APS levels 1–4.

Essential writing skills: Briefs and reports. This is our most popular course and is designed for people who write documents that support action and decision-making, such as briefs. It is also delivered on the Australian Public Service Commission's training calendar as Essential writing skills for APS levels 5–6.

Essential writing skills: Managers and executives. This is our top-level writing course and it is suitable for managers who are either writing themselves or managing writing projects. It is particularly suitable for executive levels 1–2 and senior officer grades, or for people preparing for those levels. The course is also delivered on the Australian Public Service Commission's training calendar as Essential writing skills for executive levels.



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