

Workplace Behaviour Management Policy

For Australian Small & Medium Enterprises

Template Version 1.0 | June 2026

Important Notice

This template is provided as a general guide only and should be customised to suit your specific business needs. We recommend having this policy reviewed by a legal or HR professional before implementation. Employers must ensure compliance with the Fair Work Act 2009 and relevant workplace laws.

1. Policy Statement

[Company Name] is committed to providing a workplace where all employees can perform their duties in a positive, professional environment. This policy outlines our approach to managing workplace behaviour, ensuring fairness, and maintaining appropriate standards of conduct.

We believe in supporting employees to meet behavioural expectations through clear communication, training, and constructive feedback. When issues arise, we address them promptly, consistently, and in accordance with procedural fairness principles.

2. Purpose

The purpose of this policy is to:

- Establish clear expectations for workplace behaviour and conduct
- Provide a fair and consistent framework for addressing behavioural concerns
- Ensure compliance with the Fair Work Act 2009 and workplace relations legislation
- Support managers in addressing and resolving workplace behaviour issues
- Protect the rights of all employees through procedural fairness
- Promote a positive, respectful, and productive workplace culture

3. Scope

This policy applies to:

- All employees (full-time, part-time, and casual)
- Contractors and temporary workers
- All conduct during work hours, on work premises, or at work-related events
- Online conduct that affects the workplace or colleagues

4. Legal Framework

This policy operates within the following legislative framework:

- Fair Work Act 2009 (Cth) – unfair dismissal, general protections
- Work Health and Safety Act 2011 – employer duty of care
- Anti-discrimination legislation (federal and state)
- Relevant awards and enterprise agreements

Employers have an obligation to provide a safe workplace and to manage misconduct fairly. Employees have rights to procedural fairness and protection from unfair treatment.

5. Behavioural Expectations

All employees are expected to:

- Treat colleagues, customers, and stakeholders with respect and courtesy
- Perform duties to a competent standard with reasonable care
- Follow lawful and reasonable directions from management
- Comply with company policies, procedures, and safety requirements
- Maintain confidentiality and protect company information
- Act honestly and with integrity
- Report concerns about unsafe or unethical behaviour
- Support a positive and collaborative team environment

6. Types of Misconduct

6.1 Minor Misconduct

Minor misconduct involves behaviour that falls below expected standards but does not pose serious risks to safety, property, or reputation. Examples include:

- Occasional lateness or poor timekeeping
- Minor breaches of dress code or presentation standards
- Failure to follow administrative procedures
- Minor disrespectful behaviour or interpersonal conflicts
- Occasional unsatisfactory work performance

6.2 Serious Misconduct

Serious misconduct involves behaviour that is wilful, deliberate, and inconsistent with the employment relationship. Under the Fair Work Regulations 2009, serious misconduct includes:

- Theft, fraud, or assault
- Intoxication at work (alcohol or drugs)
- Refusing to carry out lawful and reasonable instructions

- Conduct causing serious and imminent risk to health and safety
- Conduct causing serious and imminent risk to the reputation or viability of the business
- Serious bullying, harassment, or discrimination
- Deliberate damage to company property
- Breach of confidentiality or serious policy violations

7. Principles of Fair Process

[Company Name] is committed to procedural fairness in all behaviour management processes. This means:

7.1 Right to Be Informed

- Employees will be notified of any allegations or concerns in writing
- Sufficient detail will be provided to enable a proper response
- Employees will be informed of the potential consequences

7.2 Right to Respond

- Employees will be given adequate time to prepare a response
- Employees may provide their version of events verbally or in writing
- Responses will be genuinely considered before decisions are made

7.3 Right to Support

- Employees may have a support person present at meetings
- The support person may take notes and provide emotional support
- The support person is not an advocate and does not speak on behalf of the employee

7.4 Impartial Decision-Making

- Decisions will be made by an appropriate person without bias
- Where possible, the decision-maker will not be the complainant
- Decisions will be based on evidence and reasonable conclusions

8. Informal Resolution

Where appropriate, minor issues should first be addressed informally through:

- A private conversation between the manager and employee
- Clear explanation of the concern and expected behaviour
- Opportunity for the employee to explain their perspective
- Agreement on steps to improve and timeframes for review
- Documented notes kept for reference

Informal resolution is appropriate when:

- The behaviour is minor and occurred for the first time

- The employee is likely to respond positively to feedback
- There are no safety risks or serious consequences

9. Formal Disciplinary Process

9.1 Investigation

When formal action may be required, an investigation will be conducted to:

- Gather relevant facts and evidence
- Interview witnesses where appropriate
- Document findings objectively
- Maintain confidentiality to the extent possible

9.2 Notification to Employee

The employee will receive written notification including:

- The specific allegations or concerns
- The potential consequences if allegations are substantiated
- Details of the meeting (date, time, location)
- The right to bring a support person
- Reasonable time to prepare a response (typically 24-48 hours minimum)

9.3 Meeting with Employee

During the disciplinary meeting:

- The allegations will be explained clearly
- The employee will be given opportunity to respond
- The manager will listen and ask clarifying questions
- Notes will be taken for the record
- The employee may ask questions

9.4 Decision and Outcome

After considering all information, the decision-maker will:

- Determine whether the allegations are substantiated
- Consider any mitigating circumstances
- Determine an appropriate outcome
- Communicate the outcome to the employee in writing

10. Disciplinary Outcomes

Depending on the nature and severity of the conduct, outcomes may include:

10.1 Counselling

- Documented conversation about expectations
- May include performance improvement plan
- Not formal disciplinary action

10.2 First Written Warning

- Formal notice that conduct is unsatisfactory
- Clear statement of required improvement
- Timeframe for review
- Consequences of continued issues

10.3 Final Written Warning

- Serious formal notice
- Clear statement that further misconduct may result in termination
- May follow a first warning or be issued for more serious matters

10.4 Termination of Employment

- May follow previous warnings for ongoing issues
- May be immediate for serious misconduct
- Will comply with notice requirements (unless summary dismissal is warranted)

10.5 Other Outcomes

- Demotion or transfer to another role
- Loss of specific privileges
- Required training or counselling
- Suspension (with or without pay, depending on circumstances)

11. Stand-Down and Suspension

11.1 Stand-Down (with pay)

An employee may be stood down with pay during an investigation when:

- The allegations are serious
- The employee's presence may compromise the investigation
- There are safety concerns
- Stand-down is not a finding of guilt

11.2 Suspension Without Pay

Suspension without pay is only appropriate in limited circumstances and requires:

- Express provision in the employment contract or enterprise agreement, OR
- Mutual agreement with the employee

- Legal advice is recommended before suspending without pay

12. Appeals and Review

Employees may request a review of disciplinary decisions by:

- Submitting a written request to HR within 5 business days
- Stating the grounds for the appeal
- Providing any additional information not previously considered

Appeals will be considered by a senior manager not involved in the original decision. The appeal outcome will be communicated in writing.

13. Record Keeping

All disciplinary matters will be documented, including:

- Written notification to the employee
- Meeting notes and employee responses
- Investigation findings
- Outcome letters
- Any supporting evidence

Records will be stored securely in the employee's personnel file and retained in accordance with legal requirements.

14. Support Services

The following support is available to employees:

- Employee Assistance Program (EAP): [Insert details]
- HR department for policy guidance
- Union or employee representative (if applicable)
- Fair Work Ombudsman: 13 13 94 | www.fairwork.gov.au

15. Responsibilities

15.1 Managers

- Address behaviour issues promptly and consistently
- Follow this policy and procedural fairness principles
- Maintain confidentiality
- Seek HR support when needed
- Document all discussions and decisions

15.2 Employees

- Meet behavioural and performance expectations

- Participate constructively in any behaviour management process
- Raise concerns through appropriate channels

15.3 HR Department

- Provide guidance and support to managers
- Ensure consistency in application of this policy
- Maintain records securely
- Review policy regularly

16. Policy Review

This policy will be reviewed annually or when there are:

- Changes to relevant legislation
- Significant workplace incidents
- Feedback suggesting improvements
- Changes to organisational structure or practices

Employee Acknowledgement

I acknowledge that I have read and understood [Company Name]'s Workplace Behaviour Management Policy. I agree to comply with the requirements of this policy and understand that failure to do so may result in disciplinary action, up to and including termination of employment.

Employee Name: _____

Signature: _____

Date: _____

Witnessed by (Manager): _____

Signature: _____

Date: _____