

DISCRIMINATION, BULLYING & HARASSMENT POLICY

PURPOSE

Nuffield Australia is committed to providing a safe, flexible, and respectful environment for employees and scholars from all forms of discrimination, bullying and harassment. The purpose of this policy is to outline these commitments and our legal obligations.

This policy outlines:

- rights and responsibilities of employees, students, candidates, contractors, Volunteers and apprentices;
- the types of unlawful conduct covered by this policy;
- where to go for assistance or how to make a complaint; and
- how issues are handled.

DEFINITIONS

Volunteers: Includes Scholars, hosts and alumni

Workplace: Includes Nuffield associated settings.

SCOPE

This policy applies to all employees of Nuffield Australia , all current scholar recipients, job candidates, student placements, apprentices, contractors, sub-contractors, and Volunteers. This policy applies to these individuals in their dealings with each other, and at any time while representing Nuffield Australia.

This policy applies to behaviours that occur:

- in connection with work, even if it occurs outside normal working hours;
- during work activities, for example when dealing with investors and scholars;
- at work-related events, for example at conferences and work-related social functions;
- While on work-related trips, placements and conferences;
- on social media where workers interact with colleagues, investors or scholars

and their actions may affect them either directly or indirectly.

This policy covers discrimination, harassment, bullying, harassment, sexual harassment and related sex-based conduct, as well as victimisation. This behaviour is unlawful under certain State and Federal legislation and will not be tolerated by Nuffield.

OUR COMMITMENT

All employees have the right to work in an environment free of discrimination, bullying and harassment. Nuffield Australia will not tolerate any form of discrimination, bullying or harassment in the Workplace. Any employee who breaches this policy can be subject to disciplinary action, up to and including termination of employment and in some cases may be held personally responsible for their conduct in actions by third parties.

Nuffield Australia will treat reports of workplace discrimination, bullying and harassment seriously. We will respond promptly, impartially, and confidentially. Disciplinary action will be taken against anyone who breaches this policy.

Nuffield Australia is an Equal Opportunity Employer. We will continue to manage the business with a positive awareness of our commitments under the Fair Work Act 2009 and all applicable Equal Opportunity, and Anti-Discrimination and Work, Health, and Safety legislation.

Nuffield Australia may, at its discretion, unilaterally introduce, vary, or replace this policy at any time from time to time to meet these obligations.

OUR AIM

Nuffield Australia aims to:

- create a work environment that is free from discrimination, bullying and harassment;
- treat all complaints seriously;
- investigate complaints thoroughly and confidentially;
- uphold its expected standards of behaviour by taking appropriate action where necessary;
- implement training and promote awareness of the consequences of discriminatory behaviour, bullying and harassment in the workplace;

- guarantee protection from victimisation and reprisals for making complaints;
- always promote appropriate standards of conduct.

EXPECTED WORKPLACE BEHAVIOURS

Under work health and safety laws, employees and other people at our workplace must take reasonable care that they do not adversely affect the health and safety of others.

Nuffield Australia expects its employees, scholars, Volunteers and other representatives to:

- Always behave responsibly and professionally;
- treat others in the workplace with courtesy and respect;
- listen and respond appropriately to the views and concerns of others;
- be fair and honest in their dealings with others.

WHAT IS DISCRIMINATION?

Unlawful discrimination may occur when a decision in employment or treatment in the Workplace, including without limitation, recruitment, promotion, training or employment conditions, is not based on merit or a person's competence or experience, but rather is based on an irrelevant consideration prohibited by legislation. Unlawful discrimination can take two forms:

- Direct Discrimination, which occurs when a person treats or proposes to treat another person less favourably, compared to others in similar circumstances, because they have one of the attributes listed below.
- Indirect Discrimination, which occurs where an unreasonable condition, requirement or practice is imposed or proposed, that has or is likely to have the effect of disadvantaging people with a particular attribute.

Discrimination laws prohibit discrimination on the basis of any of the following attributes:

- Age;
- Physical or mental disability or impairment;
- Race, including colour, national or ethnic origin or immigrant status;
- Sex, sex characteristics;
- Pregnancy and breastfeeding;
- Marital or relationship status;



- Parental status and family or carer responsibilities;
- Sexual orientation, sexuality, gender identity or intersex status;
- Religion, religious belief or activity;
- Political opinion or belief or activity;
- Natural extraction;
- Nationality;
- Social origin;
- Irrelevant health or medical record;
- Trade union activity or inactivity;
- Irrelevant criminal record;
- Experiencing family and domestic violence;
- Lawful sexual activity or sex work activity;
- Association with, or relation to, a person identified on the basis of any of the above attributes; or
- Imputation of one of the above attributes.

Broadly speaking, the protection covers the following activities/areas:

- recruitment;
- when offering terms of employment or varying terms;
- when offering opportunities and making decisions regarding promotions, transfers, training;
- dismissal; and
- other unfavourable treatment in employment.

WHAT IS HARASSMENT?

Harassment is any form of behaviour that is unwelcome and unsolicited, and likely to offend, humiliate or intimidate another person because they have one of the attributes set out above.

Harassment is not acceptable and is unlawful under certain legislation, including Federal discrimination legislation. Examples include:

- racially offensive jokes or gestures;
- displaying offensive material;
- verbal abuse.

Harassment can be verbal, non-verbal, or physical. It will not be tolerated under any circumstances.

WHAT IS BULLYING?

Workplace bullying is defined as repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety.

Repeated behaviour refers to the persistent nature of the behaviour and can refer to a range of behaviours over time.

Unreasonable behaviour means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating, or threatening.

Single incidents of unreasonable behaviour can also present a risk to health and safety and will not be tolerated.

Some examples of bullying may include:

- Aggressive or intimidating conduct.
- Belittling or humiliating comments.
- Teasing, practical jokes, or use of sarcasm.
- Pressuring someone to behave inappropriately.
- Excluding someone from work-related events.
- Unreasonable work demands.
- Isolation from other workers.

WHAT IS NOT WORKPLACE BULLYING OR HARASSMENT?

Reasonable management actions and business processes are not bullying or harassment, provided they are conducted in a reasonable and lawful way.

The following are some examples of reasonable management action:

- Realistic and achievable performance goals, standards, and deadlines;
- Fair and appropriate rostering and allocation of working hours;
- Transferring a worker to another area or role for operational reasons;
- Deciding not to select a worker for a promotion where a fair and transparent

process is followed;

- Informing a worker about unsatisfactory work performance in an honest, fair, and constructive way;
- Informing a worker about unreasonable behaviour in an objective and confidential way;
- Implementing organisational changes or restructuring; and
- Taking disciplinary action, including suspension, or terminating employment where appropriate or justified in the circumstances.

WHAT IS SEXUAL HARASSMENT?

Sexual harassment in employment is unlawful under the *Sex Discrimination Act 1984* (Cth) (*Sex Discrimination Act*). This Act defines sexual harassment as:

- an unwelcome sexual advance, or
- an unwelcome request for sexual favours; or
- other unwelcome conduct of a sexual nature,

in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

Sexual harassment can be physical, verbal or written. A person's intention is not relevant and it does not need to be repeated. Examples of sexual harassment include:

- uninvited touching;
- repeated invitations to go out after prior refusal;
- displays of sexually graphic material including posters, pin ups or on computer screensavers; and
- emailing sexually suggestive or explicit jokes or comments.

Sexual harassment is not sexual attraction or friendship which is invited, mutual, consensual and reciprocated.

Sexual harassment in employment is also unlawful under State-based Anti-Discrimination legislation.

WHAT IS SEX-BASED HARASSMENT?

Unwelcome conduct of a demeaning nature based on the sex of the person or characteristics of (or imputed to) their sex, in circumstances where a reasonable

person would have anticipated the possibility that the person would be offended, humiliated or intimidated. This conduct is also unlawful under the Sex Discrimination Act.

Examples include:

- displaying or circulating sexist material, or putting it in someone's workspace or on their computer or belongings;
- commenting about or verbally abusing a person or group because of their gender;
- ignoring, isolating or segregating a person or group because of their gender; and
- referring to a transgender person by their previous name or gender.

WHAT IS A HOSTILE WORKING ENVIRONMENT?

Under the legislation, it is unlawful for a worker to subject another worker to a hostile working environment on the ground of sex. This happens when:

- a person engages in conduct at the workplace;
- another person is present when this occurs (the second person); and
- a reasonable person, having regard to all the circumstances, would have anticipated the possibility of the conduct resulting in the workplace environment being offensive, intimidating or humiliating to the second person by reason of the second person's sex and/or a characteristic of their sex.

The conduct doesn't have to be directed at anyone.

Examples including displaying obscene or pornographic materials, general sexual banter, innuendo or offensive jokes.

WHAT IS VICTIMISATION?

Victimisation is subjecting or threatening to subject someone, to a detriment, because they have or are believed to have:

- Raised concerns or made a complaint;
- Asserted their rights under legislation;
- Helped someone else raise concerns or make a complaint;
- Been involved in a complaint process (eg as a witness); and/or
- Refused to do something because it would be inappropriate workplace behaviour.

Examples include terminating someone's employment or moving them to another location because they have made a complaint.

Victimisation will not be tolerated and is not lawful.

WHAT CAN YOU DO?

If you are subject to or witness someone else being discriminated against, bullied, or harassed or witness someone displaying these behaviours:

- Act immediately and decisively. Notify one of the nominated Contact Officers (see details attached at the back of this document).
- Don't delay telling the offender of your objection to their behaviour and that you don't want it repeated. If your actions are not successful or you feel uncomfortable confronting the alleged harasser, follow the complaints procedure attached.
- Record what took place, who was involved, where the incident(s) occurred, witnesses and other observations.
- Look after your mental health. Talk to someone, ask for help.

HOW WILL NUFFIELD AUSTRALIA RESPOND

All reports or observations of discrimination, bullying or harassment will be treated seriously and investigated promptly, confidentially, and impartially. This will follow the steps outlined in the attached complaints procedure.

In no way will an individual be disadvantaged because of lodging a complaint. There will be no victimisation of the person making the report or helping to resolve it. Anyone who harasses or victimises a person who makes a complaint under this policy will face disciplinary action.

Complaints made maliciously or in bad faith may result in disciplinary action.

Any person that passes on confidential information regarding an investigation under this policy, without the consent of the people involved, will face disciplinary action.

EMPLOYEE RIGHTS AND RESPONSIBILITIES

All employees are entitled to:

- Recruitment and selection decisions are based on merit and not affected by irrelevant personal characteristics;
- Work in an environment that is free from all forms of discrimination, bullying, sexual harassment and harassment;
- The right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised;
- Reasonable flexibility in working arrangements, particularly to accommodate provisions outlined in the National Employment Standards (NES).

All employees must:

- Follow the standards of behaviour outlined in this policy;
- Offer support to people by directing them to the most appropriate channel for help;
- Avoid gossip and respect the confidentiality of complaint resolution procedures;
- Treat everyone with dignity, courtesy, and respect.

Additional Responsibilities of Managers and Supervisors:

- Take steps to educate and make employees aware of their policy and legal obligations;
- Intervene quickly and appropriately when they become aware of inappropriate behaviour;
- Act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard;
- Help employees resolve complaints informally;
- Refer formal complaints about breaches of this policy to the appropriate Contact Officer;
- Ensure employees who raise an issue or make a complaint are not victimised;
- Ensure that recruitment decisions are based on merit and that no discriminatory requests for information are made;
- Seriously consider requests for flexible work arrangements.

DISCIPLINARY ACTION

Appropriate disciplinary action will be taken against a person who is found to have breached this policy. These measures will depend on the nature and circumstance of

each breach and will be in accordance with the Discipline Policy. This could include:

- a verbal or written apology;
- one or more parties agreeing to participate in counselling or training;
- a verbal or written warning;
- counselling, demotion or termination of employment, or dismissal of the person engaging in the behaviour.

The severity of the behaviour will determine which option the employer chooses to invoke.

Serious breaches of this policy that are considered to be 'serious misconduct', may result in your employment being terminated. This means that you may not be given any warnings or a chance to correct your behaviour.

OTHER POLICIES

Employees are encouraged to read this policy in conjunction with other relevant Nuffield Australia policies including:

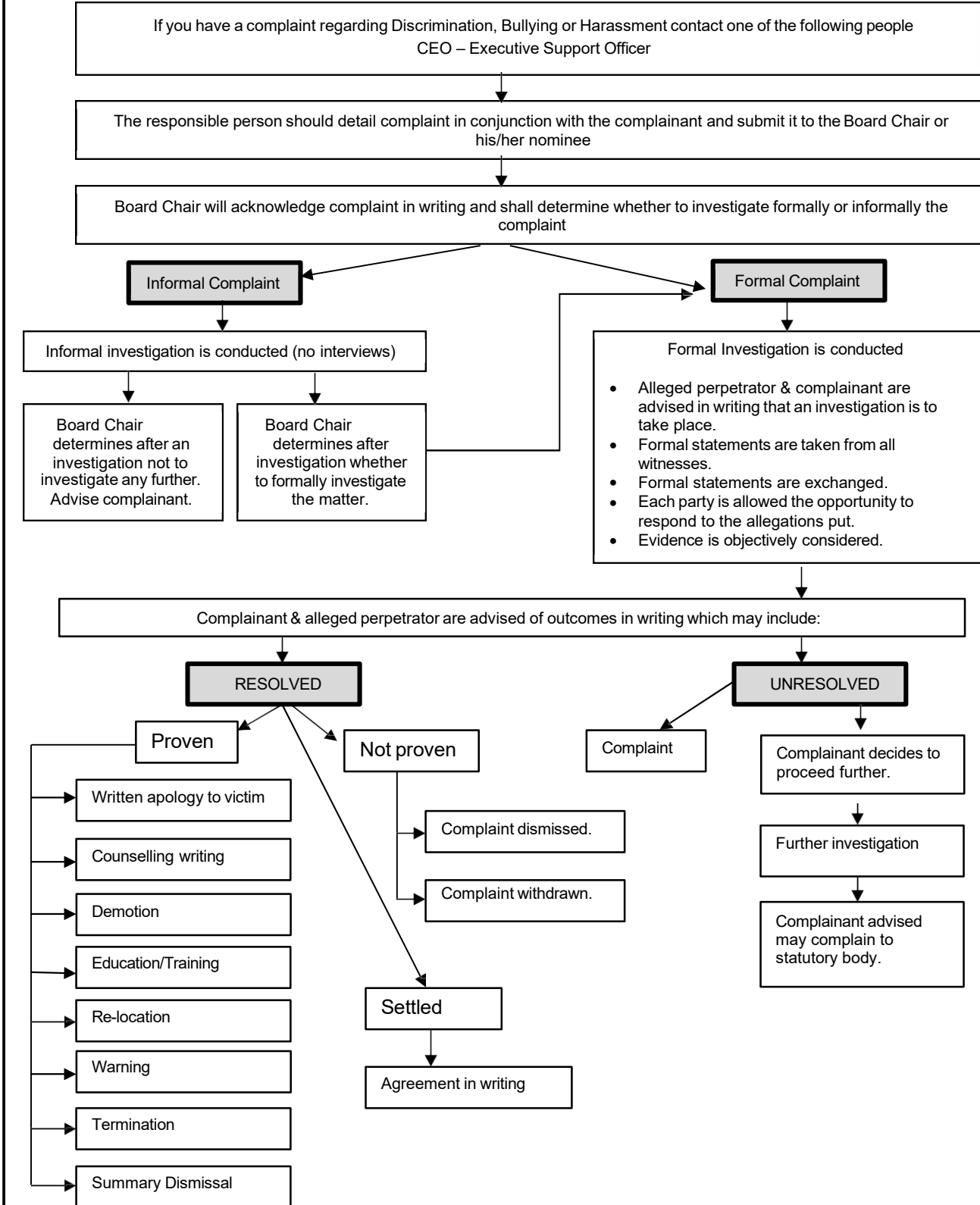
- Code of Conduct Policy
- Flexible Working Policy
- Speak Up (Whistleblower) Policy
- Discipline Policy

WHERE CAN I GET HELP?

The following people are Contact Officers, please do not hesitate to call, write or approach:

Carol Miller
Executive Support Officer
4 Bilby Lane Highton Vic
Mob: 0430211216
carol.millar@nuffield.com.au

NUFFIELD AUSTRALIA DISCRIMINATION, BULLYING & HARASSMENT COMPLAINTS PROCEDURE



This policy was approved by the Board on:

Version	Reason	Date
1.0	Policy created and adopted	November 2023
2.0	Revised Policy adopted after PCCC & Board review	18 August 2025