



Appendix a: DISCRIMINATION, BULLYING & HARASSMENT POLICY

1. 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 lawful obligations.

This policy is in place to protect employees and scholars should they feel discriminated against, bullied, or harassed by another employee, supervisor, client, contractor, scholar or a visiting member of the public.

2. SCOPE

This policy applies to all employees of Nuffield Australia and all current scholar recipients. It includes job candidates, student placements, apprentices, contractors, sub-contractors, and volunteers. It also applies in how Nuffield Australia provides services to scholars and how it interacts with other members of the public.

3. OUR COMMITMENT

Nuffield Australia does not tolerate any form of discrimination, bullying and harassment and will take reasonable action to prevent it from occurring in the workplace.'

All employees have the right to work in an environment free of discrimination, bullying and harassment.

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.

This policy will be made available to all employees including contractors. Managers and supervisors will remind employees of the policy from time to time.

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 unilaterally introduce, vary, or replace this policy at any time from time to time to meet these obligations.

4. OUR AIM

Nuffield Australia aims to:

- create a work environment that is free from discrimination, bullying and harassment;
- treat any complaint sympathetically;
- investigate complaints thoroughly and confidentially;



- 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.

5. 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 people 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.

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.
- on social media where workers interact with colleagues, investors or scholars and their actions may affect them either directly or indirectly.

6. WHAT IS DISCRIMINATION?

Direct discrimination happens when a person, or group of people, is treated less favourably than another person or group of people because of their background or certain personal characteristics.

It is also discrimination when an unreasonable rule or policy applies to everyone but has the effect of disadvantaging some people because of personal characteristics they share. This is known as indirect discrimination.

Protected personal characteristics for employees under Federal discrimination laws include:

- Age
- Physical or mental disability
- Race, including colour, national or ethnic origin or immigrant status.
- Sex, pregnancy, marital or relationship status, family or carer responsibilities or breastfeeding.
- Sexual orientation, gender identity or intersex status.
- Religion
- Political opinion
- Natural extraction
- Nationality



- Social origin
- Irrelevant health or medical record
- Trade union activity or inactivity
- Irrelevant criminal record

7. WHAT IS BULLYING AND HARASSMENT?

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.

Harassment, including Sexual Harassment, is any unwanted, unwelcome, or uninvited behaviour which makes a person feel humiliated, intimidated, or offended.

Nuffield Australia considers harassment, of any kind, including sexual harassment as unacceptable behaviour. Harassment can be verbal, non-verbal, or physical. It will not be tolerated under any circumstances.

Some examples of bullying and harassment behaviours 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.

Examples of sexual harassment may include:

- Physical contact such as kissing, patting, pinching, touching, hugging, grabbing, and embracing.
- Suggestive or offensive comments about a person and their appearance.
- Offensive hand or body gestures.
- Offensive, humiliating, or intimidating displays of sexually graphic material including posters, pictures, screensavers, graffiti, or messages left on boards, desks, lockers, or any work area.



- Repeated unwanted requests to go out or for sex, including taunts of a sexual nature, intrusive questions, or statements about a person's private life, sending sexually explicit emails or text messages, and inappropriate advances on social networking sites;

Behaviour that constitutes sexual harassment during any work-related function will not be tolerated and will be subject to disciplinary action.

Behaviour that may also be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications will not be tolerated and will be subject to disciplinary action.

Just because someone does not object to inappropriate behaviour in the workplace at the time, it does not mean that they are consenting to the behaviour.

8. WHAT IS NOT WORKPLACE BULLYING AND HARASSMENT?

Reasonable management action taken by managers or supervisors to direct and control the way work is carried out is not considered to be workplace bullying if the action is taken 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.

9. 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 company officers. The nominated company Contact Officers is 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.



- A worker, who reasonably believes they have been bullied at work may make an application to the Fair Work Commission in order to stop the bullying. An application can be made using the form available at www.fwc.gov.au
- Look after your mental health. Talk to someone, ask for help.

10. 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 employee 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.

11. 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.

12. 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 reprimand.
- 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.

13. 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
- Whistleblower (Speak Up) Policy
- Discipline Policy

14. WHERE CAN I GET HELP?

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

Jodie Redcliffe
CEO
272 Gorge Creek Rd
Grevillia NSW 2474
Mob: 0490 437 900
jodie.redcliffe@nuffield.com.au

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

BOARD APPROVAL

This Policy was approved by the NUFFIELD AUSTRALIA Board

Date:



NUFFIELD AUSTRALIA DISCRIMINATION, BULLYING & HARASSMENT COMPLAINTS PROCEDURE

