

Equal Opportunity, Harassment & Bullying Policy

OUR COMMITMENT

Safespear is committed to the prevention of any form of discrimination in the workplace and to providing a safe and healthy workplace free from harassment and bullying. We consider bullying and harassment in any form as unacceptable behaviour and have zero tolerance of such behaviour under any circumstances.

Staff are protected by this policy whether they feel discriminated against, harassed or bullied by a supervisor, another staff member, client, contractor, fellow or member of the public.

Safespear will treat reports of workplace discrimination, harassment and bullying seriously. We will respond promptly, impartially and confidentially.

This policy applies to all employees in their relationships with each other, applicants for employment with Safespear and persons who have dealings with Safespear. All employees have a right to be treated equitably and without discrimination occurring in the workplace. All employees have the responsibility to respect the rights of fellow employees, by not taking part in any action that may constitute harassment and by supporting and promoting the achievement of equal opportunity.

EXPECTED WORKPLACE BEHAVIOURS

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

Safespear expects people to:

- behave in a responsible and professional manner;
- 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 clients
- At work-related events, for example at conferences and work-related social functions
- On social media where workers interact with colleagues or clients and their actions may affect them either directly or indirectly

Equal employment opportunity and discrimination

This policy reflects the spirit and intent of federal and State affirmative action and anti-discrimination legislation in Australia, including:

- *Equal Opportunity Act 2010 (Vic)*
- *Sex Discrimination Act 1984 (Cth)*
- *Disability Discrimination Act 1992 (Cth)*
- *Age Discrimination Act 2004 (Cth)*
- *Racial Discrimination Act 1975 (Cth)*
- *Fair Work Act 2009 (Cth)*

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Safespear is an equal opportunity employer and believes that people perform more productively in an environment that is free from discrimination. We are committed to ensuring that factors relating to a person's ability to perform their responsibilities, and to develop in their employment, are paramount to Safespear's decisions about an employee's work.

Equal opportunity means ensuring that employment policies and practices are based on, and operate according to, the principle of merit. Safespear is therefore committed to ensuring that its employment practices are free from any unlawful discrimination based on:

- race or ethnicity
- gender
- national origin
- marital status
- sexual preference or lawful sexual activity
- age
- disability or impairment, including infectious disease
- industrial activity
- physical features
- pregnancy
- family responsibilities
- religious beliefs
- political conviction
- breastfeeding
- gender identity

Safespear is also committed to ensuring that its employment practices are free from any unlawful discrimination based on a person's association (including as a relative) with someone who has one of the characteristics listed above.

Discrimination can take many forms, some of which are direct or open. Others may be indirect or hidden:

Direct discrimination occurs when a person is treated less favourably than another, simply because of a personal characteristic or status unrelated to job performance, such as gender, race, sexuality, marital status (as listed above).

Indirect discrimination occurs when a policy or requirement which at first glance seems fair, in fact operates to the detriment of a particular group of people because of a characteristic of that group, such as age, race, family circumstances or gender (as listed above).

What is workplace 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.

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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.

What is not workplace bullying?

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.

What is workplace harassment?

Workplace harassment behaviours may be either verbal or non-verbal. The following are examples of types of behaviour that banned in the Academy's workplace.

Verbal: Unwanted sexual propositions; sexual or suggestive remarks; including spreading of sexual rumours about someone. Teasing or mocking a person or group because of their race, disability, age, sex, sexuality or other projected attributes as well as repeated unwelcome invitations to go out with someone.

Non-verbal: Sexually suggestive or offensive material on walls such as pin-ups, computer screen savers, emails and other work areas. Suggestive looks, leers or lewd comments about a person's appearance. Displaying or circulating racist, sexist and other stereotyped cartoons or literature; ignoring someone, not sharing information with someone, or being particularly cold or distant with them; offensive hand or body gestures, wolf whistles.

Disciplinary measures and possible dismissal may follow the reporting of such behaviour if complaints are found to be true.

What is not workplace harassment?

Reasonable and fair provision of work performance feedback.

What can you do?

If you feel you are being harassed or bullied and are not comfortable dealing with the problem yourself, or your attempts to do so have not been successful, you should raise the issue either with your supervisor, health and safety representative or other manager within the organisation.

If you witness unreasonable behaviour you should bring the matter to the attention of your manager as a matter of urgency.

How we will respond

If workplace discrimination, harassment, bullying or unreasonable behaviour is reported or observed we will take the following steps:

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1. The responsible supervisor or manager will speak to the parties involved as soon as possible, gather information and seek a resolution to satisfactorily address the issue for all parties.
2. If issues cannot be resolved or the unreasonable behaviour is considered to be of a serious nature, an impartial person will be appointed to investigate. Both sides will be able to state their case and relevant information will be collected and considered before a decision is made.
3. All complaints and reports will be treated in the strictest of confidence. Only those people directly involved in the complaint or in resolving it will have access to the information.
4. There will be no victimisation of the person making the report or helping to resolve it.

Complaints found to be made maliciously or in bad faith will result in disciplinary action.

Consequences of breaching this policy

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 could include:

- a verbal or written apology
- one or more parties agreeing to participate in counselling or training
- a verbal or written reprimand
- transfer, demotion or dismissal of the person engaging in the bullying behaviour

If discrimination, harassment or bullying has not been substantiated

If the investigation finds discrimination, harassment or bullying has not occurred or cannot be substantiated, Safespear may still take appropriate action to address any workplace issues leading to the report.



Barry McGuire
Chairman