

# EEO, Discrimination, Harassment & Bullying Policy

## 1. Policy

Securecorp supports the concept of equal opportunity in employment and is committed to complying with both the letter and the spirit of the relevant legislation through non-discriminatory employment and management practices and policies.

To ensure that the Company is able to meet this commitment it requires all employees and contractors to treat each other with respect and courtesy in the workplace. Securecorp believes all employees should be treated with dignity, respect and fairness and will ensure natural justice for all employees of the Company.

Securecorp is committed to providing a safe and pleasant working environment which is free of harassment and bullying for all employees, contractors and associates and will encourage good working relationships between employees. We also endeavour to design safe systems of work and develop productive and respectful workplace relationships.

Securecorp values and respects the diversity of its workforce. Securecorp believes that diversity creates competitive advantage and maximises the talent, potential and contribution of all employees.

Securecorp will take all reasonable steps to prevent discrimination, harassment and bullying in our organisation and it will not be tolerated from any individual or group of employees. It is against the law to discriminate and we will take whatever steps are necessary to ensure that any such behaviour is investigated and eliminated from our workplaces.

## 2. Scope

This policy applies to all employees, contractors and representatives of the Company.

This document applies to Securecorp, Securecorp Cleaning, Secure Group Management and other related Securecorp entities (hereon referred to as "Securecorp").

## 3. Objectives

The objectives of this policy are to:

- provide a comprehensive procedure for dealing with complaints of harassment, bullying and / or discrimination if they occur;
- provide information to all employees, contractors and associates of the Company in relation to their rights and responsibilities concerning harassment, discrimination and bullying in the workplace; and
- ensure employees are treated fairly on the basis of merit and not on the basis of such irrelevant personal characteristics as their age, sex, race or disability.

## 4. Relevant Legislation

Securecorp and its employees (including casuals), representatives and contractors are subject to all relevant Federal and State legislation applying to harassment, discrimination and equal opportunity in the workplace.

## 5. What is Equal Employment Opportunity?

Equal employment opportunity refers to the absence of discrimination and harassment in the workplace. It is based on treating people on their merits.

The equal opportunity legislation not only covers the workplace but also covers discrimination and harassment in the provision of goods and services. As such, it is also unlawful for this Company to discriminate against customers or clients in the provision of the Company's services.

The legislation covers all aspects of the employment relationship from recruitment, through the period of a person's employment (eg in the access a person has to training, promotion etc) to termination. It also covers work-related functions such as Christmas or end of year functions.

## 6. Bullying

### 6.1 What is Bullying?

Workplace bullying is repeated, unreasonable behaviour directed toward a staff member, or group of staff members that creates a risk to health and safety. It is behaviour that offends, humiliates, intimidates or undermines a person. It is behaviour that is beyond normal disciplinary action or appropriate workplace interaction.

The Company will not tolerate any form of bullying. It is important to emphasise that behaviour will not be considered unlawful "bullying" unless it is repeated/persistent in nature.

Bullying has many characteristics in common with discrimination and harassment but the reasons for the bullying behaviour may be much broader than the grounds on which it is unlawful to discriminate against or harass someone.

Bullying can lead to serious breaches of occupational health and safety laws and can also be prosecuted under common law.

Examples of bullying behaviour include:

- isolating or excluding a person from a work team;
- psychological abuse which destroys self-esteem and confidence;
- unfair or excessive criticism;
- setting impossible deadlines;
- using aggressive language;
- Being sworn at;
- Being unreasonably supervised;
- Being denigrated or put down;
- Being excluded from workplace and related activities;

- Being subjected to actual or threatened violence;
- Being unreasonably threatened with termination; and
- Having personal effects damaged.

**Securecorp will not tolerate Bullying of any kind in the workplace.**

Any employee found to have bullied another employee or workplace participant will be the subject of disciplinary action which may result in termination of employment.

## 6.2 What is NOT bullying?

Reasonable actions performed in a reasonable way are not bullying; examples include:

- a) Setting performance goals, standards and deadlines
- b) Allocating work to an employee
- c) Rostering and allocating work hours
- d) Deciding not to select an employee for promotion
- e) Transferring an employee
- f) Informing an employee about unsatisfactory work performance
- g) Informing an employee about inappropriate behaviour
- h) Implementing organisational changes
- i) Performance management processes
- j) Constructive feedback
- k) Downsizing
- l) Requesting information from a worker regarding incidents, injury or return to work plans and programs

## 7. Discrimination

### 7.1 What is unlawful discrimination?

It is unlawful to directly or indirectly discriminate against a person with a protected attribute or characteristic. Protected attributes/characteristics under State and Federal legislation include the following:

- Age
- breastfeeding
- carer status
- disability/impairment
- marital status
- gender identity
- industrial activity
- lawful sexual activity
- employment activity (i.e. reasonable requests about employment entitlements such as what should I be paid under an award etc)
- personal association with someone who has, or is assumed to have, one of these personal characteristics.
- parental status
- physical features
- political belief or activity
- pregnancy
- race
- religious belief or activity
- sex
- sexual orientation
- expunged homosexual conviction

**Direct discrimination** means treating a person or group with a protected attribute or characteristic unfavourably because of that attribute. Direct discrimination can arise through refusal to hire, dismissal, providing unfavourable working conditions, or limited opportunities.

**Indirect Discrimination** means imposing an unreasonable requirement, condition or practice on a person with a protected attribute or characteristic which disadvantages that person. Indirect discrimination can be the result of the interaction of decisions, actions, regulations, policies, practices, social attitudes, and systems.

## 7.2 Examples of unlawful discrimination

- a) Refusing to employ a qualified person in their fifties because they are considered to be too old;
- b) Not giving a female a promotion because she might have children;
- c) Terminating someone's employment because they are homosexual;
- d) Excluding a staff member from a particular ethnic background from work social activities.

**Securecorp does not tolerate discrimination of any kind in the workplace.**

Any employee, who unlawfully discriminates against another person directly or indirectly, whether or not that person is a Securecorp employee, will be subject to disciplinary action, which may lead to termination of employment.

## 7.3 Harassment & Vilification

Harassment is a form of discrimination and described as any unwelcome behaviour or conduct which has no legitimate workplace function and which a reasonable person would expect to offend, humiliate or intimidate another person or persons.

Unlawful harassment on the basis of sex, race and disability is specifically outlawed but harassment on the basis of other grounds of discrimination such as age, marital status or a person's sexual orientation is likely to be discriminatory and will therefore be unlawful also.

Vilification involves using speech, images or writing in public to incite hatred towards, serious contempt for, or severe ridicule of a person's race, HIV/AIDS status, transgender status or sexuality. Vilification can constitute a crime and will not be tolerated.

Some behavioural examples of harassment include:

- Telling insulting jokes about particular racial groups
- Sending explicit or sexually suggestive emails
- Displaying offensive or pornographic posters or screen savers
- Making derogatory comments or taunts about someone's race or religion
- Asking intrusive questions about someone's personal life, including their sex life.
- Excluding individuals from work group activities and discussions
- Using social media sites to publish unwelcome material about people or events

**Note:** It is the perception of the person who feels they are being harassed or discriminated against which is most important – not what the person making the comments thinks or intended.

Harassment can be a single or repeated act of offensive behaviour. It is not an excuse to say “I was only joking”, because it is clearly not a joke if someone is offended.

**Securecorp will not tolerate harassment of any kind in the workplace.**

Any employee found to have harassed another employee or workplace participant will be the subject of disciplinary action which may result in termination of employment.

## 8. Sexual Harassment

### 8.1 What is Sexual Harassment

Sexual harassment is unwelcome conduct or behaviour of a sexual nature that makes a person feel offended, humiliated or intimidated. Sexual harassment and victimisation is unlawful under the Sex Discrimination Act 1984 (Cth) as well as anti-discrimination legislation operating in every State and Territory.

Unless the Company has taken all reasonable steps to prevent an employee from committing acts of sexual harassment or victimisation in connection with their employment, the Company will be vicariously liable for that conduct. We will not tolerate any form of sexual harassment in the workplace.

Unwelcome conduct means that the subject did not invite the conduct. It can be a single incident or repeated behaviour.

Sexual harassment can be physical, verbal or written. It can include words or statements, which are transmitted by post, phone, fax, text message, video, e-mail, computer servers, screensavers, or otherwise displayed in the workplace. The intention of the perpetrator, and the gender and/or sexual orientation of the perpetrator or victim are irrelevant.

Sexual harassment does not have to be directed at a particular individual to be unlawful. Behaviour which creates a hostile working environment for other workplace participants can also be unlawful.

Sexual harassment is an unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated and/or intimidated, where a reasonable person would anticipate that reaction in the circumstances.

### 8.2 Examples of Sexual Harassment

Sexual harassment in the workplace can take various forms and can involve, unwelcome conduct involving:

- Asking personal questions (e.g. Do you have a boyfriend/girlfriend?);
- Brushing up against somebody; kissing or touching them;
- Asking for sex;
- Indecent assault;
- Showing pornographic material, or sexually explicit pictures or posters, or leaving material where another person will see it;
- Talking about sex;
- Crude conversation and jokes;
- Sexual innuendo;
- Staring, leering or unwelcome touching

- Unwanted invitations to go out on dates
- Intrusive questions about a person's private life or body
- Unnecessary familiarity, such as deliberately brushing up against a person
- Insults or taunts based on sex
- Sexually explicit physical contact
- Sexually explicit emails or SMS text messages

Sexual harassment is prohibited in all work-related activity. For example, sexual harassment is prohibited at the workplace, during working hours and at work-related activities such as training courses, conferences, field trips, work functions and office Christmas parties.

A working environment or workplace culture that is sexually 'hostile' will also amount to unlawful sexual harassment. Some of the factors which may indicate a potentially hostile environment include the display of obscene or pornographic materials, general sexual banter, crude conversation or innuendo and offensive jokes.

Some types of sexual harassment may also be offences under criminal law. These include but are not limited to:

- Physical molestation or assault
- Indecent exposure
- Sexual assault
- Stalking
- Obscene communications (telephone calls, letters, etc.)

Following a preliminary internal investigation involving an allegation of sexual harassment or misconduct, if Securecorp suspects that a criminal incident has occurred then the complainant will be advised to report the matter to the police.

### **Securecorp does not tolerate any form of sexual harassment**

Any employee who sexually harasses another person will be subject to disciplinary action which may lead to termination of employment.

## **9. Victimisation**

Victimisation is the term used to describe any "pay-backs", retribution or intimidation associated with a discrimination or harassment complaint. Victimisation refers not only to intimidation of complainants or potential complainants, but also to the alleged harasser or discriminator, witnesses, supporters and those resolving or investigating any complaints.

It is against the law to victimise someone (by subjecting or threatening to subject them to detriment or injury) because they have:

- a) Made an allegation or complaint of bullying, unlawful discrimination or sexual harassment;
- b) Been otherwise involved in any way in an allegation or complaint of bullying, unlawful discrimination or sexual harassment; or
- c) Because the person believes that the other person has done or intends to do any of those things.

Victimisation will not be tolerated in any circumstances. Securecorp will take all necessary steps to ensure victimisation does not occur. Persons found to have victimised another employee or workplace participant will be subject to disciplinary processes. It is expected that all persons will raise issues in good faith.

## 10. Examples of Inappropriate Behaviour

The following behaviour is inappropriate and unacceptable at Securecorp. This list is not exhaustive.

- a) Derogatory comments about a person on the basis of their disability, race or any other ground of discrimination.
- b) Display of offensive materials, pictures or objects based on sex, disability or race including material on the internet
- c) Intimidation or verbal abuse aimed at a person with a disability or their carer, their aids or capabilities.
- d) Practical jokes based on a person's disability, race, sexual preference etc.
- e) Isolation, segregation or humiliation of a person with a disability or of a particular race.
- f) Racially oriented intimidation or verbal abuse.
- g) Less favourable treatment of employees on workers compensation.
- h) Unwelcome comments or questions about a person's sex life, appearance or dress.
- i) Unnecessary familiarity such as touching, fondling, patting or pinching.
- j) Sexual assault, rape, flashing or indecent exposure.
- k) Jokes, intrusive questioning, messages (email and other) or telephone calls of a sexual nature.
- l) Direct propositioning or subtle pressure for sexual favours.
- m) Leering.
- n) Sexually explicit conversation.
- o) Gender based insults or taunting.
- p) Offensive and suggestive body language.

This behaviour and behaviour like it is not only inappropriate in our workplace but may also constitute unlawful, harassment, discrimination or bullying. In addition, some of the examples may also constitute criminal offences.

If any employee or participant in our workplace is found to have harassed, discriminated against, bullied or behaved inappropriately in the workplace they will be subjected to appropriate disciplinary action, which may result in termination of employment.

## 11. Prevention

The Company aims to prevent bullying, unlawful discrimination, sexual harassment and victimisation in the workplace through promotion of this policy. The Company aims to achieve this by:

- a) Creating a working environment which is free from bullying, unlawful discrimination, sexual harassment and victimisation and where all staff members are treated with dignity, courtesy and respect;
- b) Implementing training and awareness raising programs to ensure that all staff members know their rights and responsibilities;
- c) Providing an effective procedure for complaints based on the principles of fairness;

- d) Treating all complaints in a sensitive, fair, timely and confidential manner, subject to the rights of others involved;
- e) Providing protection from any victimisation or reprisals;
- f) Encouraging the reporting of behaviour which breaches the discrimination and harassment policies; and
- g) Promoting appropriate standards of conduct at all times.

If any staff member engages in bullying, unlawful discrimination, sexual harassment or victimisation against a job applicant, client, supplier, employee or any other workplace participant, or other person with whom they come into contact through work, that employee will face disciplinary action, which may include dismissal. In the case of contractors, the contractor's engagement may be terminated with immediate effect.

## 12. Responding to Bullying, Discrimination, Sexual Harassment or Victimization

If you are bullied, unlawfully discriminated against, harassed or victimised at work, you should follow these steps:

- a) Let the perpetrator(s) know that their actions are inappropriate and you would like them to stop immediately. This should be done in an assertive and clear manner.
- b) If you are unable to tell the perpetrator(s) to stop, or they continue to behave in an inappropriate manner, you should report their behaviour immediately to your immediate manager.
- c) Alternatively, you can make a formal complaint in writing to your manager or senior manager, or alternatively it may be appropriate to report it to Human Resources.

Any report of bullying, unlawful discrimination, sexual harassment, or victimisation will be taken very seriously and dealt with promptly, confidentially (subject to the rights of others involved), and with due severity.

False or vexatious allegations of bullying, unlawful discrimination, sexual harassment, or victimisation will also not be tolerated and if found to have occurred, will result in disciplinary action against the person making the false or vexatious complaint, up to and including dismissal.

Complaints must not be ventilated via social media. Bypassing the internal Company complaint mechanisms and/or the external mechanisms outlined below can result in a denial of procedural fairness to the alleged perpetrator. This can have disciplinary consequences, as set out in the Company's Social Media Policy.

### 12.1 Procedure for Handling Harassment, Discrimination and Bullying Issues

The following procedure is designed to help you address any concerns you have about incidents of harassment, discrimination and bullying or other offensive workplace behaviour.

The handling of any such issues will be:

**Completely confidential.** Only the people directly involved in making or investigating a complaint will have access to information about the complaint. Other employees or managers may be involved (e.g. as witnesses) but only on a need to know basis.

**Impartial.** Both sides will have a chance to tell their side of the story. No assumptions will be made and no action will be taken until all relevant information has been collected and considered.

**Free of repercussions.** No action will be taken against anyone for making a complaint or helping someone make a complaint provided the complaint is made in good faith. Management will take all necessary steps to ensure that no victimisation occurs against anyone who makes or is involved in a complaint.

**Timely.** All complaints will be dealt with as quickly as possible, whilst recognising that that some matters will take longer than others.

**Note:** Securecorp reserves the right to act in the interests of the Company by taking action deemed appropriate in the circumstances.

## 12.2 Procedure

The following procedure, based on the principles of natural justice, is to be used to resolve a grievance.

**Important Note:** The Formal Complaint Procedure is recommended for a complaint involving an allegation of discrimination, harassment, serious assault, bullying or other serious misconduct.

### 12.2.1 Informal Procedure

Employees and representatives are encouraged to try to resolve workplace concerns informally unless they believe that serious misconduct, or a breach of company policy or the law has occurred.

Informal resolution of concerns at a local level can be the most effective way of dealing with many issues. While the approach outlined below is informal, concerns raised in this manner will be taken no less seriously and if not resolved, appropriate action will be taken.

#### **Step 1: If you can, try to resolve the matter directly with the person involved.**

If possible, talk to the person(s) about the substance of the problem. For example, where the matter relates to interpersonal issues, tell the person you find their behaviour unacceptable or offensive. Often, people don't mean to do things that hurt or offend others, and by talking to them it can give them a chance to stop or to change what they are doing.

#### **Step 2: Seek assistance**

If you feel that you cannot approach the person yourself, ask for help from your immediate supervisor/manager. If this isn't appropriate, or your immediate supervisor/manager is the subject of your concern, seek assistance from the next manager/supervisor in line.

#### **Step 3: Facilitating a mutual understanding**

If the workplace concern is not resolved at this stage, mediation may be an option in order to facilitate a mutual resolution. If mediation is unsuccessful, the person who raised the concern can request the use of formal procedures. Every effort should be made to resolve the workplace concern through the Informal Complaint Procedure as quickly as possible.

### 12.2.2 Formal Procedure

Important Note: The Formal Complaint Procedure can be initiated if the workplace concern could not be resolved using the informal procedure, or if the complaint involves an allegation of discrimination, harassment, serious assault, bullying or other serious misconduct.

The Formal Complaint Procedure consists of the following steps:

#### **Step 1: Lodgment of a formal complaint**

Complaints should be lodged with the employee's line manager in the first instance. Alternatively, depending on the nature of the complaint, it the issue may be referred to a senior manager or HR Manager.

A written complaint should contain as much information as possible, including the following:

- Full name of complainant;
- Name of worksite and/or department;
- Position;
- Description in detail of the nature of the complaint;
- The time and date when the basis for the complaint is alleged to have occurred;
- The names and positions of all persons alleged to be involved in the complaint and the names and contact details of any witnesses.
- Any other supporting material;

All formal complaints should be escalated to a senior manager (Business Manager or above), who in turn should notify the HR Manager.

If the concern relates to the employee's immediate supervisor, then the employee can notify the immediate supervisor or elect to go to a more senior manager. Where the concern relates to a named person or persons, for reasons of procedural fairness, it will be necessary to identify the person or persons by name.

#### **Step 2: Investigation**

- a) A detailed investigation of the alleged incident(s) will need to be carried out at this stage to assist in the resolution of the grievance. Witnesses may be called upon as part of the investigation. Any investigation will be kept confidential.
- b) All complaints will be taken seriously. In appropriate circumstances, and at Company discretion, complaints may be referred to external investigators, including our legal advisers, to advise on or investigate.
- c) All staff members are required to fully co-operate with the investigation. A failure or refusal to fully co-operate will constitute misconduct and may result in disciplinary action up to and including dismissal.
- d) The investigation and its outcome will, where possible, be kept confidential unless we determine otherwise. Staff members who participate in an investigation must maintain confidentiality even after the investigation is complete.

#### **Step 3:**

If at any stage during the grievance procedure the complainant is not satisfied with the Company's actions they can take their matter, if relevant, to external bodies as they see fit. This may include the relevant State equal opportunity tribunal if the complaint is made under State

legislation. If the complaint is made under the federal legislation then the appropriate tribunal is the Human Rights and Equal Opportunity Commission or the Fair Work Commission.

### 12.2.3 Resolution

Action taken to resolve a grievance is dependent on the circumstances of the complaint. A range of actions could be taken to resolve a complaint. These include:

- a) apology;
- b) undertaking that the behaviour will cease;
- c) formal counselling of the alleged harasser;
- d) disciplinary action, eg. transfer, formal warning, dismissal;
- e) awareness raising / training session;
- f) dismissing the complaint;
- g) notifying the police; or
- h) other actions as approved and determined necessary.

In the case of criminal offences, it is up to the complainant to notify the Police. It is encouraged to report the offence to the Police if appropriate. This does not negate the Company's responsibility to investigate the complaint.

If, after investigation, a complaint is found to be false or frivolous it will be appropriate to take disciplinary action against the person who made the complaint.

### 12.2.4 If complaint not substantiated

If, after thorough investigation, Securecorp is unable to substantiate a complaint, the following steps may be taken:

- a) the reasons for the decision will be explained to the parties involved.
- b) the complainant will be advised of their right to take the matter to external organisations or jurisdictions.
- c) any notes concerning the allegations will not be kept on either party's personnel file - a separate and totally confidential file of the incident will be kept.
- d) a watching brief will be maintained on the situation after the investigation.

If, after investigation, a complaint is found to be false or frivolous it will be appropriate to take disciplinary action against the person who made the complaint. This may include termination of employment.

## 13. Responsibilities

### 13.1 Securecorp's responsibilities are to:

- a) provide all workplace participants with a harassment and discrimination free work environment;
- b) provide a fair and effective procedure to investigate complaints of harassment, bullying and discrimination and provide trained Company representatives to support the complaint resolution process
- c) treat all workplace participants fairly;

- d) ensure the Company has a comprehensive and regularly reviewed discrimination, harassment and bullying policy in place that is well communicated to all employees, including managers, supervisors, casuals, contractors and representatives;
- e) provide all employees with harassment / discrimination training (including refresher training from time to time); and
- f) take suitable disciplinary action against any person found to have victimised, vilified, harassed, bullied or discriminated against by another employee.

### 13.2 Employees of Securecorp

All employees, contractors and representatives have a legal responsibility to care for their own health and safety and that of co-workers, and therefore must not engage in acts which constitute bullying or harassment behaviour.

In addition, employees, contractors, and representatives have the responsibility to:

- a) report any incidents of harassment, bullying or discrimination they may see happening around them to an appropriate manager or supervisor;
- b) ensure they do not victimise any person involved in a complaint of harassment or discrimination;
- c) ensure they do not vilify another person or group of people;
- d) ensure that if involved in complaints, confidentiality is maintained;
- e) treat all workplace participants fairly and with respect; and
- f) follow reasonable and lawful instructions given by their supervisor/manager

If bullying, unlawful discrimination, sexual harassment or victimisation goes unchallenged by staff members, not only does it provide the perpetrator with a camouflage within which to hide and thrive; it also denigrates our core values. Any staff member that is found encouraging, or camouflaging any form of bullying, unlawful discrimination, sexual harassment, or victimisation will be disciplined, counselled or dismissed.

### 13.3 Supervisors / Managers of Securecorp have the responsibility to:

- a) follow appropriate procedures for investigating complaints of harassment and discrimination if a complaint is made to them;
- b) ensure their staff are aware of this policy and Securecorp's expectations that they behave respectfully and tolerantly;
- c) model appropriate behaviour; and
- d) promote and develop a harassment and discrimination free work environment.

## 14. Consequences of Breaching Policy

Any employee found to have acted inappropriately or in a manner contrary to the Company's stated position in this policy, will be the subject of disciplinary action and if appropriate, termination of employment.

## 15. Responsibilities

Word	Definition
<b>All employees, contractors and representatives</b>	Try to resolve the matter directly with the other party involved
<b>Supervisor / Manager</b>	Try and assist the parties involved to resolve the grievance. Conduct preliminary investigations into the alleged incident to assist in the resolution of the grievance. If the grievance can't be resolved at a local level refer the matter to HR Manager for advice. Managers, with advice and support from HR, are to conduct complaint investigations.
<b>HR Manager</b>	Provide advice to Supervisors and Managers on the management of such complaints. If required conduct investigations into the alleged incident to assist in the resolution of the grievance. Brief relevant Manager and GM of findings and recommendations.
<b>General Manager</b>	To be advised of the outcome of investigation and briefed on recommendations arising from the investigation including termination of employment.
<b>Senior People and Culture Manager</b>	To be briefed if the matter is not resolved after an investigation has been conducted and / or if recommendations arising from the recommendations including termination of employment. Provide advice to the business on how to proceed.

Approved by Managing Director