



## 10. DISCRIMINATION AND HARASSMENT POLICY

<b>Last Review:</b> October 2020	<b>Constructed / Reviewed by:</b> Clayton Utz
<b>Next Review:</b> October 2021	<b>Approval Required:</b> Board Motion
<b>Policy Number:</b> 10	<b>Board Sign Off Date:</b> 18 August 2021

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### Statement of Context and Purpose

Mentone Grammar is committed to the prevention of harassment and discrimination in the workplace and to creating a work environment where all employees are treated with dignity, courtesy and respect. Harassment and discrimination will not be tolerated in the workplace or at work related functions, events or activities. Any acts of discrimination or harassment by employees in breach of this policy and procedure may result in disciplinary action, including termination of employment if appropriate.

Mentone Grammar supports a grievance procedure whereby grievances can be lodged and investigated in a proper and timely manner. This procedure comprises:

- where appropriate, raising specific concerns with the person involved in the first instance;
- if unsuccessful (or not appropriate), the employee should approach the designated Contact Officer and lodge a formal complaint; and

- *Racial Discrimination Act 1975 (Cth);*
- *Sex Discrimination Act 1984 (Cth);*
- *Disability Discrimination Act 1992 (Cth);*
- *Age Discrimination Act 2004 (Cth);*
- *Australian Human Rights Commission Act 1986 (Cth);*
- *Fair Work Act 2009 (Cth);*
- *Grievance Handling and Investigation Policy;*



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## Definitions

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## Discrimination explained

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Any employee, contractor or other authorised personnel who feels discriminated against or harassed should feel confident that complaints will be taken seriously and handled confidentially.

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## **Grievance Procedure**

Employees, contractors and other authorised personnel who are harassed or discriminated against should utilise this grievance procedure in order to attempt to resolve any complaint. Note also that the Employee Assistance Program is available if employees wish to confidentially discuss the matter at any stage either prior to or during the grievance procedure.

The steps in the grievance procedure to be followed by employees who feel that they have been harassed or discriminated against are as follows:

- Where it is appropriate to do so, employees, contractors and other authorised personnel are encouraged to raise the issues or behaviours with the other person concerned and resolve the issues directly. Employees, contractors and other authorised personnel should make it clear to the person that their behaviour is unwelcome and unwanted.
- In circumstances where:



- Ø relevant witnesses may be interviewed where necessary and any statements taken will be securely kept to ensure confidentiality;
- Ø both parties will be regularly updated throughout the investigation and advised of the outcome when it is reached.
  
- Following the investigation:
  - Ø if the allegations are substantiated, immediate steps will be taken to ensure that the behaviour is not repeated and appropriate disciplinary action is taken; or
  - Ø if the allegations are not substantiated, the Contact Officer is required to monitor workplace behaviour.
  
- If all efforts to resolve the matter internally have been unsuccessful, a grievance may be referred to an agreed external mediator if approved by the Contact Officer.

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## **Consequences of a Breach of this Policy**

Mentone Grammar emphasises the need to comply with the requirements of this policy. Any employee found to be in breach of the requirements of this policy may be subject to disciplinary action, up to and including termination of employment. Employees should refer to the Disciplinary and Performance Management Procedure for further information.

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## **Implications for practice**



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