

Anti-Discrimination and Harassment Policy

1. Introduction

Stockland will not tolerate discrimination and aims to provide a working environment which allows all employees to feel safe, comfortable and respected whilst being free from discrimination, harassment and bullying.

To deliver on this, Stockland requires all employees to refrain from engaging in bullying, discriminatory, harassing or victimising conduct towards any colleagues, customers, suppliers, contractors or other individuals while at work, in the course of performing their duties or at work related functions including social events.

All Stockland employees have a responsibility to treat all (including other employees, customers and suppliers) with respect and avoid making judgements and decisions based on prejudice or assumption. This policy defines Stockland's position on some of the key issues which must be addressed as part of the creation of a truly diverse organisation.

2. Legislation

Harassment, discrimination, bullying, victimisation and vilification are unlawful, and Stockland may, where appropriate, refer any unlawful behaviour to any law enforcement agency, the work health and safety regulator or other relevant external body.

3. Discrimination

In Australia, it is unlawful to discriminate against a person on the basis of a particular Protected Personal Characteristic (PPC). Stockland aims to make sure that no employee, job applicant, customer or supplier is discriminated against because of any irrelevant factor. These factors include, but are not limited to:

- Age
- Disability
- Gender, Gender Identity, Gender Expression
- Race, Nationality or Ethnic Origin
- Disability
- Family or Carer's Responsibilities
- Pregnancy, Potential Pregnancy or Breastfeeding
- Parental, Marital or Relationship Status
- Medical or Irrelevant Criminal Record
- Political Beliefs
- Religious Beliefs
- Industrial Activity or Union Membership
- Sexual orientation or Intersex Status
- Social Origin
- Physical Appearance

It may also be unlawful to discriminate against someone based on their association with someone with any of the above factors.

Discrimination can take two forms:

- 3.1.** Direct Discrimination, which occurs when a person is treated less favourably because of an irrelevant factor; and
- 3.2.** Indirect Discrimination, which occurs when an unjustifiable requirement or condition is imposed which has a disproportionate impact on people of a particular group or persuasion.

For example, discriminatory behaviour may include:

- Offensive “jokes” or comments about another person’s racial or ethnic background, age, sexual orientation, gender identity, gender expression, disability or other PPC
- Display of pictures, posters, computer images (e.g. in electronic mail message or posts on social networking sites which colleagues have access to) which are offensive or derogatory

Discrimination does not include:

Special measures applied to position eligibility criteria that aim to foster greater equality by supporting groups of people who face, or have faced, entrenched discrimination so they can have similar access to opportunities as others in the workplace.

4. Harassment

Harassment is a form of discrimination and may be unlawful if it is based on particularly PPC. Harassment can take many forms, it may be physical, verbal or non-verbal nature which is unwelcome or offensive and may intimidate or humiliate the recipient. It can occur in a one-off event, or across a series of interactions. What is important is the way the person on the receiving end feels, not the intention or motive of the perpetrator. Workplace harassment can occur in a broad range of places and times, including in the office, at work-related social functions and on social media. Harassment will not be tolerated by Stockland in any circumstances.

Examples of the types of behaviour which are likely to be considered harassment include:

- Derogatory or unwelcome comments regarding someone’s race, sexual orientation, appearance or gender identity etc.
- Unwanted physical contact, including patting, touching, hugging or brushing up against someone’s body
- Pressure for social activity outside work where it has been made clear that this is not welcome
- Jokes or innuendos relating to a person’s gender identity, sexual orientation, intersex status, race, disability etc.
- Shouting or public humiliation
- Offensive or obscene pictures, calendars, screen savers etc.

- Exclusion or social isolation
- Distribution or viewing of offensive material via email or the Internet
- Suggestions that sexual favours may further someone's career (or hinder it)
- Obscene telephone calls, texts or emails or through comments on or via social media
- Referring to a person using gender pronouns that they do not identify with or unwelcomed assumptions or commentary

Harassment does not include:

- Consenting relationships between people who are mutually attracted to each other
- Justifiable management decisions about employment related issues such as reasonable allocation of work or implementation of organisational change
- Standard performance management where feedback is appropriate, reasonable and focussed on the work or behavioural improvement required

Physical assault (including sexual assault) is not an example of harassment, it is a criminal offence which, if it occurs, will be placed in the hands of the police.

5. Victimisation & Vilification

Victimisation occurs when someone who has reported an act of discrimination, harassment or provided information in an investigation is subsequently treated less favourably.

Vilification is behaviour that may encourage others to hate, have contempt for or severely ridicule a person or group of people because of their race, gender identity, sexual orientation etc.

Stockland will not tolerate any form of victimisation or vilification and will do everything reasonably possible to prevent it from occurring, such as maintaining the confidentiality of complainants wherever possible and taking appropriate action with those who victimise or vilify others.

6. Bullying

Stockland will not tolerate bullying by or towards anyone at the workplace and is committed to preventing workplace bullying.

Bullying is repeated and unreasonable behaviour towards a person or group by another or others in the workplace, which creates a risk to health and safety. It includes behaviour that intimidates, offends, degrades, threatens or humiliates another person.

Examples of behaviour, intentional or unintentional, that may be considered to be 'bullying' include:

- Abusive or insulting language or comments
 - The use of offensive language
 - Excluding, marginalising or isolating employees from normal work activities
 - Persistent teasing, joking or holding a person up to ridicule
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- Spreading misinformation or malicious rumours
- Repeatedly speaking to a fellow employee in a manner which is sarcastic or designed to humiliate
- Sending offensive or humiliating emails, texts or comments via social media
- Assigning meaningless tasks unrelated to an employee's role or unreasonably below an employee's skill level
- Unjustified criticism or complaints
- Deliberately changing working hours to inconvenience particular employees
- Deliberately withholding information that is vital for their effective work performance
- Sabotaging another employee's work
- Not supporting or recognising the gender identity an individual has asked to be recognised as having

Reasonable management action carried out in a fair way is not bullying. Other examples of behaviour that does not constitute bullying includes:

- Setting reasonable performance goals, standards and deadlines
- Rostering and allocating working hours where the requirements are reasonable
- Transferring a worker for operational reasons
- Informing a worker about unsatisfactory work performance or inappropriate behaviour in an objective confidential way
- Implementing organisational changes or restructuring
- Lawful termination of employment

Single incidents of such behaviour where a risk to health and safety are present will not be tolerated. Some types of bullying will also amount to unlawful discrimination and/or harassment.

7. Bystanders

Stockland encourages bystanders to support Stockland employees who may have been subjected to unacceptable behaviour. A 'bystander' is a person who has witnessed or subsequently learned about potentially unacceptable behaviour at Stockland.

Bystanders are a vital part of Stockland's strategy to prevent unacceptable behaviour. This is because sometimes people affected by this behaviour may not know the behaviour is unacceptable or may feel uncomfortable about coming forward or speaking up. This can particularly be the case where:

- The person is new to the organisation
- The conduct engaged in is by someone who is a superior to the person
- The person feels vulnerable in their role, for example, because of their age or gender, gender identification, sexual orientation or other PPC.

Some of the ways Stockland encourages bystanders to provide support to Stockland employees who may have been subjected to unacceptable behaviour, include:

- 'Calling out' unacceptable behaviour when it is seen in the workplace
- Spotting offending behaviour and asking the victim if they are okay
- Supporting the person by providing them with information about this Anti-Discrimination and Harassment Policy and avenues for raising their concerns
- Reporting the conduct in line with Stockland policies and procedures.

Bystanders are protected by the victimisation provisions of this Anti-Discrimination and Harassment Policy.

8. Raising Concerns

Stockland strongly encourages those who feel they're being bullied, discriminated against, harassed, victimised or made to feel uncomfortable at work by an employee, supervisor, manager, customer, resident or supplier, to speak up.

There are several ways of addressing a grievance.

Speak to the person causing the concern

If you feel comfortable doing so, you should firstly speak to the person concerned, letting them know that their behaviour is unacceptable to you and that you want it to stop. This can sometimes be the easiest way to resolve the issue. The person may have been unaware of the effect of their behaviour or decision on you. Raising and discussing it with them directly, provides the person with a chance to redress the situation.

To assist you in having or structuring these conversations, you may seek advice from

1. Stockland's Employee Assistance Program [Benestar](#)
2. Your manager who may provide coaching, support further action, or an objective view on circumstances; or
3. Any resources available on having difficult conversation / resolving conflict on the Stockland LeaderZone.

If you don't feel that it is appropriate to approach the person(s) directly (e.g. you are uncomfortable doing so), or you are not able to resolve the issue directly, you should consider the steps below:

Speak to your manager

If you do not feel it's appropriate to speak to the person(s) directly, or you have been unable to resolve your grievance by speaking with them directly, you can speak to your manager. Your manager can then outline your options.

Your manager may approach the person(s) identified and talk to them informally about your grievance following their discussion with you. If you are not comfortable with discussing your grievance with your manager, you can approach your one up manager

If you think someone else at work is being bullied, discriminated against, harassed, victimised or made to feel uncomfortable by someone else at work, you should also speak to your manager or People and Culture Business Partner. Managers and supervisors are also expected to be proactive in dealing with and/or reporting issues they observe within their teams

People Services or People & Culture Business Partner

If you are unable to resolve the concern by speaking to the person directly or your manager(s) as outlined above, you can contact the People Services team or your People & Culture Business Partner. You may also look to use the [Grievance Procedure](#).

All reported incidents will be taken seriously and, if necessary, investigated promptly and impartially. Wherever possible, confidentiality will be maintained.

If members of the LGBTQ+ community would like to discuss their grievance with someone specifically trained in LGBTQ+ inclusion, or an Ally who has a good understanding of LGBTQ+ sensitivities and potential areas of concern, they may also reach out to [People Services](#) who will put them in touch with an appropriate contact in People and Culture.

Whistleblower Policy

If an Employee is not comfortable with reporting through Line Management or People and Culture Manager, they are encouraged to report the incident in accordance with the Whistleblowing Policy: See the [Whistleblower Policy](#) for further details.

9. Training

All permanent Stockland employees and fixed-term employees on contracts of 6 months or more complete on-line workplace bullying training as part of their induction process and then every 18 months after that. This training includes how to recognise, prevent, respond to and report workplace bullying. New employees are also informed of the process and support available to them with regards to reporting inappropriate behaviour as part of orientation and/or by acknowledging they have received and have read this policy as part of their new starter paperwork. Individuals and/or teams may be required to undertake more targeted training where warranted.

10. Breach

Any bullying, harassment, discrimination, victimisation or vilification is serious. Any employee found to have breached this policy in any way will be subject to appropriate disciplinary action which may include counselling, demotion, transfer or termination of employment, and may also be required to apologise and/or undertake additional training.

11. Policy Compliance

- 11.1.** Employees who breach this policy may face disciplinary action up to and including dismissal.
- 11.2.** You must adhere to Stockland's Escalation Policy in reporting any breach of this policy that you are involved in or become aware of and do so in a timely manner.

12. Review

This Policy is reviewed and updated:

- When applicable and appropriate, including when there are changes in business practice, legislation and compliance obligations; and
- At least every 2 years.

13. Related Policies

[Escalation Policy](#)

[Whistleblower Policy](#)

[Code of Conduct](#)

[Anti-Sexual Harassment Policy](#)

[Stockland Reconciliation Action Plan](#)

[Stockland First Nations Engagement Framework](#)

14. Contact for Questions

For further details on any aspect of this policy, please contact the People Services on (02) 9035 2020, option 2 or email peopleservices@stockland.com.au.

15. External bodies for complaints or information

Australian Human Rights Commission	1300 656 419
Fair Work Commission	1300 799 675
Anti-Discrimination Board of NSW	02 9268 5544
SafeWork NSW	13 10 50
Victorian Equal Opportunity & Human Rights Commission	1300 891 848
WorkSafe Victoria	03 9641 1555/1800 136 089

Anti-Discrimination Commission Queensland	1300 130 670
WorkSafe Queensland	1300 362 128
Equal Opportunity Commission of Western Australia	08 9216 3900
WorkSafe Western Australia	1300 307 877

16. Document Control

Revision	Date	Owner	Description of changes
1.0	24 January 2006	General Manager, Human Resources	Original document
1.1	10 February 2014	General Manager, Human Resources	Updated document
1.2	22 January 2016	General Manager, Human Resources	Minor formatting changes Minor update to definition of harassment Minor update to definition of victimisation & vilification
1.3	3 May 2018	General Manager, Human Resources	Updated formatting
1.4	13 June 2019	General Manager, Human Resources	Minor update to factors
1.5	8 June 2021	General Manager, Organisation Development and Corporate, People and Culture	Minor updates and Board Approved External Policy
1.6	19 August 2021	General Manager, Organisation Development and Corporate, People and Culture	Full review and update of policy
1.7	30 March 2023	General Manager, Organisation Development and Corporate, People and Culture	Updated acronym to LGBTQ+