

Bullying, Harassment, Discrimination and Victimisation Policy

Document Control

Policy owner: CEO

Responsible Committee: People and Culture Committee

Approved by: Board

Effective from: XX May 2026

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Applies to: Directors, employees, contractors, consultants, volunteers, temporary staff and other workers performing work for or on behalf of ASA, and members participating in ASA activities

Related documents: Code of Conduct; Work Health and Safety Policy; Psychosocial Hazards Policy; Sexual Harassment, Sex Discrimination and Sex-Based Harassment Policy; Whistleblower Policy; Grievance and Complaint Procedure

Version: 1.0

1. Introduction

1.1 Australian Shareholders Association (ASA) is committed to providing a safe, respectful and inclusive environment that is free from bullying, harassment, discrimination and victimisation.

1.2 ASA recognises that bullying, harassment, discrimination and victimisation can cause psychological and physical harm, undermine workplace and volunteer relationships, and create legal and work health and safety risks.

1.3 This Policy forms part of ASA's broader work health and safety and people management framework and should be read together with ASA's Code of Conduct, Work Health and Safety Policy, Psychosocial Hazards Policy, Workplace Sexual Harassment, Sex Discrimination and Sex-Based Harassment Policy, and any related grievance procedures.

2. Purpose

2.1 The purpose of this Policy is to:

- (a) explain the standards of behaviour expected at ASA
- (b) explain what may constitute bullying, harassment, discrimination and victimisation

- (c) set out how concerns may be raised and how ASA may respond
- (d) make clear that conduct prohibited by this Policy may result in disciplinary or other appropriate action.

3. Definitions

3.1 For the purposes of this Policy:

ASA activity means any meeting, conference, training session, volunteer activity, work-related travel, social function, online forum, communication platform or other activity connected with ASA.

conduct includes any form of behaviour or communication, whether verbal, non-verbal, written or electronic.

member means a member of ASA.

protected attribute means a characteristic protected under applicable anti-discrimination or workplace laws. Protected attributes may include sex, age, race, colour, national or ethnic origin, disability, religion, pregnancy, breastfeeding, sexual orientation, gender identity, intersex status, marital status, family or carer's responsibilities, political opinion, industrial activity and other protected characteristics recognised by law.

worker means any person engaged by ASA or performing work for or on behalf of ASA, including an employee, director, office holder, contractor, subcontractor, labour hire worker, apprentice, trainee, work experience student or volunteer.

workplace includes any place where work is carried out for ASA or where a person is present for a purpose connected with ASA work or an ASA activity, including ASA premises, home offices, member meetings, educational events, conferences, site visits, work-related travel and online environments.

4. Scope

4.1 This Policy applies to workers whenever they are performing work for ASA, including on ASA premises, when working from home, while travelling for work, at conferences, meetings and work-related social functions, and in other circumstances where there is a sufficient connection with work.

4.2 This Policy also applies to members when participating in ASA activities or interacting with workers, volunteers, directors, other members, speakers, guests or third parties in connection with ASA.

4.3 This Policy applies to conduct in online spaces, including email, messaging applications, text messages, social media and other digital platforms, where the conduct is connected with ASA work or an ASA activity, or where the relevant contact or relationship arose through ASA work or an ASA activity and the conduct has a sufficient connection to ASA.

4.4 This Policy is a policy and guidance document. It does not form part of any contract of employment, engagement, volunteer arrangement or membership terms and does not otherwise create contractual obligations.

5. Policy standards

5.1 Expected behaviour

5.1.1 All workers and members are expected to:

- (a) comply with this Policy and the Code of Conduct
- (b) treat others with dignity, courtesy, professionalism and respect
- (c) contribute to a safe and inclusive environment
- (d) avoid gossip and maintain confidentiality as far as reasonably practicable in relation to complaints and concerns
- (e) raise concerns, or seek guidance, where conduct may breach this Policy
- (f) cooperate in good faith with any assessment, inquiry or investigation undertaken by ASA.

5.2 Prohibited conduct

5.2.1 ASA does not tolerate:

- (a) workplace bullying
- (b) unlawful discrimination
- (c) harassment related to a protected attribute
- (d) victimisation related to a concern, complaint or disclosure
- (e) any related inappropriate conduct that undermines a safe and respectful environment.

5.2.2 A person's intention is not determinative.

Conduct may breach this Policy even if it was not intended to offend, humiliate, intimidate or disadvantage another person.

5.2.3 If ASA determines that a person has breached this Policy, ASA may take action appropriate to the circumstances, including:

- (a) education, counselling or a direction to stop the conduct
- (b) changes to duties, reporting lines, rostering or participation arrangements
- (c) warnings or other disciplinary action
- (d) termination of employment, engagement or volunteer duties
- (e) removal from an event, meeting, online forum or ASA activity
- (f) suspension or termination of membership, subject to the ASA Constitution, membership terms and any applicable process
- (g) referral to a regulator or the police where appropriate.

6. Discrimination

6.1 Discrimination may occur where a person is treated less favourably because of a protected attribute, or because of a characteristic associated with a protected attribute.

6.2 Discrimination may also occur where an unreasonable requirement, condition or practice disadvantages people with a protected attribute and is not reasonable in the circumstances.

6.3 Examples may include:

- (a) refusing opportunities because of age, disability, race, sex, pregnancy or another protected attribute
- (b) making decisions about work, volunteering or participation based on stereotypes or assumptions
- (c) imposing conditions that unfairly disadvantage a person or group with a protected attribute.

7. Workplace bullying

7.1 Workplace bullying is repeated and unreasonable behaviour directed towards a worker, or a group of workers, that creates a risk to health and safety.

7.2 Repeated behaviour refers to the persistent nature of the behaviour and may involve a range of behaviours over time.

7.3 Unreasonable behaviour means behaviour that a reasonable person, having regard to the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

7.4 Examples of workplace bullying may include:

- (a) aggressive or intimidating conduct
- (b) abusive, insulting or offensive language
- (c) belittling or humiliating comments
- (d) spreading malicious rumours or misinformation
- (e) unjustified criticism or complaints
- (f) deliberately excluding a person from work-related activities
- (g) setting unreasonable deadlines or constantly changing deadlines without justification
- (h) setting tasks unreasonably below or beyond a person's skill level
- (i) denying reasonable access to information, support, supervision or resources
- (j) changing work arrangements to deliberately inconvenience a person.

7.5 Workplace bullying may occur face to face, in writing, by telephone, by email, on messaging platforms or through social media.

7.6 What is not workplace bullying

7.6.1 A single incident of unreasonable behaviour is not workplace bullying, although it may still breach this Policy, the Code of Conduct or another ASA policy.

7.6.2 Low-level workplace conflict or disagreement is generally not workplace bullying, although if not managed appropriately it may escalate.

7.6.3 Reasonable management action carried out in a reasonable manner is not workplace bullying. This may include:

- (a) allocating work and setting realistic performance goals
- (b) giving fair and constructive feedback
- (c) addressing misconduct or poor performance appropriately

- (d) implementing organisational changes or restructures
- (e) taking disciplinary action where justified.

8. Harassment

8.1 Harassment for the purposes of this Policy means unwelcome conduct related to a protected attribute that a reasonable person would anticipate could offend, humiliate or intimidate another person.

8.2 Examples of harassment may include:

- (a) telling insulting or offensive jokes about a racial, ethnic or religious group
- (b) making derogatory comments or taunts about a person's disability, age or other protected attribute
- (c) displaying or circulating offensive or derogatory material related to a protected attribute
- (d) asking intrusive or inappropriate questions about a person's personal life, religion, family responsibilities or other protected attribute.

8.3 Conduct of a sexual nature is addressed under ASA's Workplace Sexual Harassment, Sex Discrimination and Sex-Based Harassment Policy, although this Policy may also apply where relevant.

9. Victimisation

9.1 Victimisation means subjecting, or threatening to subject, a person to a detriment because they have made, propose to make, or are believed to have made a complaint, disclosure or allegation under discrimination law or this Policy, helped someone else to do so, or otherwise asserted their rights.

9.2 Examples of victimisation may include:

- (a) ostracising a person because they made or supported a complaint
- (b) changing a person's duties or responsibilities unfairly because they raised a concern
- (c) denying opportunities because a person participated in a complaint process.

10. Raising a concern

10.1 Any worker or member who experiences, witnesses or becomes aware of conduct that may breach this Policy is encouraged to raise the concern or seek guidance as soon as reasonably practicable.

10.2 A concern may be raised verbally or in writing, including in person, by telephone, by video meeting or by email.

10.3 Concerns may be raised with any of the following, as appropriate:

- (a) the person's manager, supervisor or volunteer leader
- (b) the CEO.

10.4 If the concern involves the CEO, it should ordinarily be raised with the Chair of the Board.

10.5 If the concern involves the Chair of the Board, it should ordinarily be raised with the Deputy Chair or another independent director nominated by the Board.

10.6 A person is not required to confront the person whose conduct is of concern before making a report. If a person chooses to tell the other person to stop, that should only occur where it is safe and appropriate to do so.

10.7 Managers, supervisors and volunteer leaders must escalate concerns raised with them, or observed by them, through the appropriate reporting pathway.

11. Complaint management and resolution

11.1 ASA will take reports under this Policy seriously and respond in a way that is proportionate to the issues raised.

11.2 ASA will, so far as reasonably practicable:

- (a) assess any immediate safety, wellbeing and work health and safety issues
- (b) consider whether interim measures are required
- (c) handle the matter as confidentially as reasonably practicable
- (d) determine whether the matter is best addressed by support, informal resolution, a formal investigation, a work health and safety response, or a combination of these
- (e) ensure procedural fairness
- (f) keep appropriate records
- (g) take any action ASA considers appropriate in the circumstances.

11.3 Informal resolution may be considered where appropriate, but only where the circumstances make it suitable.

11.4 A formal investigation may be conducted by an internal or external investigator, depending on the circumstances.

11.5 ASA will endeavour to ensure that investigations are conducted in a confidential, impartial, timely and fair manner.

11.6 Even where an investigation does not substantiate a breach of this Policy, ASA may still take steps it considers necessary to manage health and safety, working relationships or psychosocial risks.

11.7 Deliberately false, malicious or vexatious reports may themselves amount to a breach of this Policy or other ASA policies. A report will not be treated that way merely because it is not substantiated.

12. Further options and support

12.1 Depending on the circumstances, a person may also consider:

- (a) applying to the Fair Work Commission for an order to stop bullying, where the statutory requirements are met
- (b) making a complaint to the Australian Human Rights Commission or another relevant anti-discrimination body
- (c) making a report to the relevant work health and safety regulator, including SafeWork NSW where applicable
- (d) seeking legal advice
- (e) making a report to the police, where appropriate.

12.2 Support options may include:

- Lifeline – 13 11 14
- Beyond Blue – 1300 22 4636
- 1800RESPECT – 1800 737 732
- ASA's Employee Assistance Program for staff, which may be accessed through the CEO or Chair, People and Culture Committee

13. More information

13.1 If you have a query about this Policy or need more information about its operation, contact the CEO.

13.2 If the query involves the CEO, contact the Board Chair or the Chair of the People and Culture Committee.