

## HPPG003 ANTI-DISCRIMINATION & SEXUAL HARASSMENT POLICY

<b>Date of Approval</b>	Jan 2020
<b>Original Version</b>	1.0
<b>Last Date of Review</b>	Sep 2023
<b>Version No.</b>	2.0
<b>References:</b>	The legislative base for this policy is as follows: National Vocational Education and Training Regulator Act 2011 (Cth) The ESOS Act 2000 Education Services for Overseas Students (ESOS) Regulations 2001 The National Code 2018: Standard 5 Younger overseas students/Clause 5.2.2

### 1. Purpose and Legislative Background

It is the policy of HILTON ACADEMY to ensure that the Anti-Discrimination Acts of the State Government and Discrimination Acts of the Federal Government are adhered to. These Acts include, but are not limited to:

- the Federal Government Racial Discrimination,
- Human Rights and Equal Employment Opportunity (EEO)
- and Sex Discrimination Acts.
- Also included is the Queensland Government Anti- Discrimination Act, which deals with all the foregoing Federal Acts.

HILTON ACADEMY is an equal opportunity employer. All appointments are made on their merits, without regard to race, age, sex, marital status or any other factor not applicable to the position. Employees are valued according to how well they perform their duties, their ability and enthusiasm to maintain organisational standards or service.

The organisation does not tolerate any form of discrimination or vilification. All persons on site (including visitors) have the right to an environment free of discrimination, vilification and harassment.

### 2. Responsibility

The Training Manager is responsible for implementing this policy.

All staff holds the responsibility for Privacy of data collected by HILTON ACADEMY.

The CEO is responsible for overall management of this policy.

### 3. Definition

#### 3.1 Sexual Harassment

The policy of HILTON ACADEMY is that harassment, be of any form, is an unacceptable behaviour, which will not be tolerated under any circumstances. We believe that all people on site (including visitors) have the right to an environment free of intimidation and harassment.

Sexual harassment may cause the loss of trained and talented employees and damage staff morale and productivity. Sexual harassment can occur among peers or co-workers, and in subordinate-supervisor, supervisor-subordinate or staff-student, student-staff, student-student situations.

The most common form of harassment is sexual harassment. Examples of sexual harassment include, but are not limited to:

- a) Unwanted touching
- b) Sexual innuendo propositions
- c) Nude pin-ups and posters
- d) Obscene telephone calls
- e) Wolf whistles

### 3.2 Verbal Harassment

Examples of verbal harassment include, but are not limited to:

- a) Sexual comments, advances or propositions
- b) Lewd jokes or innuendos
- c) Racist comments or jokes
- d) Spreading rumours
- e) Comments or jokes about a person's disability, pregnancy, sexuality, age or religion
- f) Repeated questions about one's personal life
- g) Belittling someone's work or contribution in a meeting
- h) Threats, insults or abuse
- i) Offensive obscene language

### 3.3 Non-Verbal Harassment

Examples of non-verbal harassment include, but are not limited to:

- a) Leering (e.g. staring at a woman's breasts)
- b) Putting offensive material on notice boards, computer screen savers and emails
- c) Wolf whistling
- d) Nude or pornographic posters
- e) Displaying sexist or racist cartoons or literature
- f) Demoting, failing to promote, or transferring someone because they refuse requests for sexual favours
- g) Following someone home from work
- h) Standing very close to someone or unnecessarily leaning over them
- i) Mimicking someone with a disability
- j) Practical jokes that are unwelcome
- k) Ignoring someone, or being cold and distant to them
- l) Crude hand or body gestures

### 3.4 Physical Harassment

Examples of physical harassment include, but are not limited to:

- a) Unwelcome physical contact such as kissing, hugging, pinching, patting, touching, or brushing up against a person
- b) Indecent or sexual assault or attempted assault
- c) Hitting, pushing, shoving, spitting, or throwing objects at a person
- d) Unfastening a person's attire

### 3.5 Discrimination

Discrimination occurs when a person is treated less favourably than others due to the person's circumstances, characteristics or beliefs.

#### a) Direct Discrimination

Direct discrimination takes place when a person, organisation or group of persons is treated less fairly than others on the basis of stereotyped beliefs or views.

#### b) Indirect Discrimination

Indirect discrimination includes rules, practices or policies which appear to be non-discriminatory and equally applicable, but operate in such a way that certain groups of people are excluded without just cause.

### 3.6 Vilification

Vilification on the basis of race or religion is simply a public act of hatred – and it’s against the law.

It can include things such as graffiti in churches or other public places, speeches, abuse, remarks in the media or on internet sites, gestures, posters or stickers. For these sorts of things to be considered vilification, they need to be public and to incite people to hate others because of their race or religion.

## 4. Requirements / Process

All HILTON ACADEMY employees must ensure that all people on site (including visitors) are treated equitably and are not subject to vilification or harassment. They must also ensure that people who make complaints, or act as witnesses, are not victimised in any way.

### What to do if you are discriminated against or harassed?

You have the right to feel safe and to have full opportunity to achieve your potential in your study. Don’t let harassment interfere with your life. If you are being harassed, seek help immediately.

There are several options. Choose the course of action you feel most comfortable with. Do not ignore discrimination or sexual harassment, thinking it will go away – often discrimination just gets worse, and silence may give the impression that discrimination or sexual harassment is acceptable.

You may:

- Tell the person they are making you uncomfortable and ask them to stop.
- Make a complaint to one of the staff from HILTON ACADEMY Or
- Make a complaint under Anti-Discrimination Legislation to Victorian Equal Opportunity and Human Rights Commission <https://www.humanrights.gov.au/complaints/make-complaint>

If you have any questions about this or need help to complete this form, please contact our National Information Service on 1300 656 419 or 02 9284 9600

## 5. Policy Control

Version	Date	Changes / Updates	Approved
1.0	Jan 2020	Original Version	CEO
2.0	Sep 2023	<ul style="list-style-type: none"> <li>- Added Policy Title ‘HPPG003 ANTI-DISCRIMINATION &amp; SEXUAL HARASSMENT POLICY’</li> <li>- Changed Policy Code from HPPG13 to HPPG003 for consistency</li> <li>- Updated Policy Reference: The National Code 2018: Standard 5 Younger overseas students/Clause 5.2.2</li> <li>- 2. Responsibility/ The Training Manager ‘are’ changed to ‘is’ / CEO changed to The CEO</li> <li>- 3. ‘Policy’ changed to 3. Definition</li> <li>- Added the title 4. Requirement / Process</li> <li>- Added Clause 5 Policy Control</li> <li>- Templated the footer</li> </ul>	CEO