

## CHECKLIST

### Developing a workplace discrimination, harassment, sexual harassment and bullying policy

#### What needs to be included in a policy?

- A strong opening statement on the employer's commitment to prohibiting all forms of unlawful discrimination, harassment, sexual harassment and bullying in the workplace
- An outline of the employer's objectives regarding discrimination, harassment, sexual harassment and bullying
- A clearly defined scope of who the policy applies to
- A clearly worded definition of discrimination, harassment, sexual harassment and bullying
- A statement that discrimination, harassment, sexual harassment and bullying is against the law (listing the relevant legislation and who is liable)
- Specific examples that may be particularly relevant to the screen industry working environment
- A statement of what is **not** discrimination, harassment, sexual harassment and bullying
- Examples of places and times where unlawful discrimination, harassment, sexual harassment and bullying may happen e.g. industry events, living away from home, travel, social media, Christmas and after parties, conferences, etc.
- Clearly defined acceptable and unacceptable standards of behaviour (this could be presented in an accompanying Code of Conduct)
- The consequences for employees if the policy is breached
- Responsibilities of employees, including leadership and management positions
- Information on where individuals can get help, advice or make a complaint
- Details of any training or other resources available to employees
- A brief summary of the options available for dealing with discrimination, harassment, sexual harassment and bullying

## CHECKLIST

### Developing a complaint handling and investigation procedure

#### What needs to be included in a complaint handling and investigation procedure?

##### Principle #1: Fair

- Do both the complainant and respondent have the opportunity to:
  - present their version of events?
  - provide supporting information?
  - respond to any potential negative decisions?
- Does the procedure state that the investigator will be impartial?

**Tip:** Identify an appropriate person within and external to your organisation who can investigate complaints

##### Principle #2: Confidential

- Does the procedure specify the need to maintain confidentiality?
- How will confidential information be treated?
- Where will confidential information about the complaint be kept?
- How will employees be protected from victimisation?
- How will employees be protected from vexatious and malicious complaints?

**Tip:** Only provide information to those who need to know so that they can properly action the complaint

##### Principle #3: Transparent

- Does the complaint process offer both informal and formal options?
- Is the complaint process clearly explained?
- Is the complainant advised that they can pursue the matter externally with the Fair Work Commission (bullying), Australian Human Rights Commission, a state or territory anti-discrimination body or, if it appears to be a criminal matter, the police?
- Are the possible outcomes of the complaint clearly explained?
- Does the process include keeping the complainant and respondent informed of the:
  - progress of the complaint?
  - reasons for any decisions?
- Is the procedure regularly reviewed?

##### Principle #4: Accessible

- Is the complaint process easy to access and understand?

**Tip:** Make sure the process doesn't discriminate against anyone from being able to raise a complaint

##### Principle #5: Efficient

- Is the complaint process conducted in a timely manner and without undue delay?

## TIPS

### Creating and maintaining a safe, respectful and inclusive workplace culture

#### Leadership

- Secure high-level support from owners and leadership positions for implementing a comprehensive strategy
- Ensure those in leadership positions lead by example and model best practice standards of behaviour

#### Accountability

- Include accountability mechanisms in position descriptions for relevant leadership positions, particularly positions responsible for enforcing standards of expected behaviour
- Ensure that selection criteria for relevant leadership positions include the requirement that managers have a demonstrated understanding of and ability to deal with discrimination, harassment, sexual harassment and bullying issues
- Check that those in leadership positions are fulfilling their responsibilities through performance appraisal schemes
- Periodically conduct workplace audits to monitor the incidence of discrimination, harassment, sexual harassment and bullying

#### Strategy

- Develop a policy prohibiting inappropriate use of computer technology, such as e-mail, screen savers and the Internet
- Set clear employer values that reflect commitment to the safety and wellbeing of all employees, and implement strategies to ensure the workplace culture reflects these values
- Set clear and specific standards of expected behaviour for all employees involved in creative work that may include provocative, sensitive or controversial themes or actions

#### Training

- Ensure employees are trained at regular intervals on sexual harassment, harassment and bullying. For example, through the Respectful Workplaces e-learning course.

#### Empower

- Encourage and empower employees to voice and raise any concerns or objections, particularly with regard to creative work that may include provocative, sensitive or controversial themes or actions

#### Displays and communications

- Remove offensive, explicit or pornographic calendars, literature, posters and other materials from the workplace
- Display anti-sexual harassment and bullying posters on notice boards in common work areas and distribute relevant brochures