

## Workplace Bullying and Harassment Policy

### 1. Purpose

The purpose of this policy is to foster a safe, inclusive and respectful work environment for all employees and workers associated with Nagambie Resources Limited (**Nagambie**).

This policy:

- defines bullying, discrimination and victimisation;
- identifies that these are unacceptable workplace behaviours at Nagambie; and
- aims to:
  - prevent bullying, discrimination, and victimisation from occurring, wherever possible;
  - encourage Nagambie's personnel to speak up if they are concerned that they are observing or experiencing bullying, discrimination, or victimisation;
  - provide guidance on how Nagambie's personnel can speak up if they're concerned about these behaviours; and
  - explain how concerns about bullying, discrimination, and victimisation will be responded to and addressed by Nagambie.

### 2. Scope

This policy applies to all directors, executives, employees, contractors, consultants (**Workers**) of Nagambie. It applies to all work-related activities and interactions, including those that occur on Nagambie's premises, off-site and during business-related events or activities.

### 3. Definitions

#### 3.1. Workplace Bullying

Workplace bullying is repeated, unreasonable behaviour directed at an individual or a group that creates a risk to health, safety and well-being.

Workplace bullying includes actions that victimise, humiliate, intimidate or threaten others, for example:

- verbal abuse, insults, or offensive language;
- exclusion or isolation from work-related activities;
- psychological harassment, like spreading rumours or gossip;
- intimidation or threats;
- assigning meaningless tasks or impossible deadlines;
- deliberate withholding of information or resources necessary for work;
- sabotaging or undermining another person's work; or
- ridiculing or belittling opinions or ideas.

Workplace bullying does **not** include reasonable management action, delivered in a reasonable way, for example:

- reasonable, fair, performance management or feedback;
- Setting performance goals, standards, and deadlines;
- organisational changes or restructuring with proper consultation;
- disciplinary actions following due process; or
- genuine grievances and complaints handled appropriately.

### **3.2. Discrimination**

Discrimination means treating someone unfavourably based on protected characteristics such as race, colour, religion, gender, sexual orientation, disability or other legally protected attributes.

Discrimination can be direct and indirect. Neither is acceptable and neither will be tolerated at Nagambie.

Examples of direct discrimination include:

- refusing to hire someone based on their religious beliefs;
- requiring employees to conform to specific gender stereotypes;
- denying a well-qualified employee a promotion because of their disability or age;
- paying employees of different genders differently for performing the same job or providing lesser benefits to certain racial or ethnic groups; or
- engaging in offensive behaviour or creating a hostile work environment based on someone's sexual orientation or race.

Examples of indirect discrimination include:

- establishing job requirements or qualifications that disproportionately disadvantage a particular gender or racial group, even if unintentional;
- implementing policies or practices that, while seemingly neutral, have a disproportionately negative impact on certain protected groups;
- requiring fluency in a language that is not necessary for job performance and disproportionately affects individuals of a particular national origin; or
- imposing dress codes that are more burdensome for individuals of certain religious or cultural backgrounds.

Discrimination can manifest in many ways and Nagambie is committed to preventing discrimination wherever possible, and to addressing discrimination where it arises, to ensure that all Nagambie's Workers are treated fairly and with respect.

### **3.3. Victimisation**

Victimisation means subjecting someone to adverse treatment or detrimental action because they have made a complaint, raised a concern, participated in an investigation or supported others in addressing workplace bullying or harassment.

## **4. Nagambie's approach to bullying, discrimination, and victimisation**

Nagambie is committed to providing a work environment that is free from unacceptable workplace behaviours like bullying, discrimination and victimisation. All Nagambie's Workers are expected to treat each other with respect, dignity and professionalism, and to be a part of fostering a culture of inclusion and collaboration.

## **5. Expectations**

Nagambie expects that Workers will:

- not engage in workplace bullying, discrimination or victimisation;
- promptly report incidents and raise concerns, in as much detail and with as much accuracy as possible if they have or may have observed or experienced workplace bullying, discrimination or victimisation;
- cooperate with investigations and resolution processes, providing accurate and truthful information;
- support colleagues who have raised concerns or complaints;
- maintain the confidentiality of any process involved in the management of complaints or concerns of inappropriate workplace behaviours, including bullying, discrimination and victimisation;
- contribute to maintaining a safe and respectful work environment; and
- not make vexatious or malicious complaints and disciplinary consequences may follow if this is found to have occurred, noting that where a concern or complaint is found not to be substantiated, this does not equate to it being found to be vexatious or malicious.

## **6. How to raise concerns or complaints about bullying, discrimination or victimisation?**

Speaking up takes courage and integrity and Nagambie will treat your concerns sensitively, assess and investigate them, and take further action where it's appropriate for Nagambie to do so.

### **6.1. Step 1 - Should I raise my concerns?**

Err on the side of speaking up.

You don't need to be directly affected by an issue to raise it: when concerns are raised, you help Nagambie identify and address issues that it might not otherwise know about and improve how Nagambie operates.

Ask yourself the following questions to help you decide whether you need to go to step 2:

- Could this directly or indirectly endanger someone or cause them mental or physical harm?  
Yes - go to step 2
- Does it fit with Nagambie's values? Code of Conduct? Policies? Procedures?  
No - go to step 2
- Is it legal?  
No/ I don't think so - go to step 2
- If a story about it appeared in the media, would I feel comfortable that I'd stayed quiet?  
No - go to step 2
- Would I tell my partner, parent, child, or friend that this is OK?  
No - go to step 2
- Is my gut feel that this is bad or wrong?  
Yes - go to step 2

## **6.2. Step 2 - What is the issue? What information do you have?**

It can be hard to define what the issue is that you're concerned about, but it's essential. It's also essential to provide as much information as you can about the issue. Don't worry if you don't have all the answers or "proof" - just be open, honest, clear and as objective as possible about your concerns.

Workers should document:

- What happened?
- When?
- Who was involved?
- What was their involvement?
- What are your concerns?
- Were there other witnesses?
- Is there any other evidence of what occurred (eg emails, CCTV, account details)?
- Who is implicated?
- Do you have safety concerns?
  - For yourself?
  - Anyone else?
  - What are they?

## **6.3. Step 3 - How should I raise my concerns/ complaint?**

*Option 1: Raise your concern/ complaint with your manager or the human resources team.*

You may take this option if:

- you plan to take Option 2 and want to check that your approach is appropriate;
- you took Option 2 and it didn't go well; or
- you don't feel safe or comfortable taking Option 2 and want your manager or the human resources team, or any other member of the Board or management to help you, either by addressing the issue on your behalf or helping you to address it directly.

*Option 2: Raise your concern discreetly, directly, and as promptly as possible with the person whose behaviour you found inappropriate.*

You may take this option if you think that in being clear about the issue with the person whose behaviour was problematic, the issue may or will be resolved.

If you're taking this approach, plan to:

- have the conversation in a discrete, private location;
- be clear and direct about the issue;
- explain why it was a problem;
- explain why it shouldn't happen again;
- explain what you hope will happen next; and
- make sure your own behaviour is appropriate.

*Option 3: Make a formal complaint*

You may take this option if you don't believe that Options 1 or 2 are appropriate / safe / will resolve the issue.

*Option 4: Follow the process for making a disclosure under the Whistleblower Policy*

You may take this option if you don't believe that the issue will be resolved via Options 1-3, you want to remain anonymous, and/or you are concerned about the seriousness of what you're raising and who is implicated by it.

*Option 5: Contact an external agency for assistance or to make a complaint*

You may decide to contact FairWork or WorkSafe, for example, at any time. This option is likely to be relevant if you don't believe that any internal process will yield an appropriate outcome or that Options 1-4 are inappropriate / unsafe / won't resolve the issue.

***Remember: the WorkSafe Victoria is contactable 24 hours a day, 7 days a week, is completely confidential and is available if you need support, guidance or counselling.***

## **7. Expectations: Nagambie Leaders and Managers**

Nagambie's leaders and managers are expected to:

- model appropriate workplace behaviours and not engage in workplace bullying, discrimination or victimisation;

- promote a positive work culture where diversity, inclusion, and respect are valued and lived and where their bullying, discrimination and victimisation are prevented wherever possible and appropriately addressed where they arise;
- promptly, impartially, and fairly, in accordance with Nagambie's procedures, address concerns, complaints, allegations, or reports of workplace bullying, discrimination, or harassment;
- provide support to those who raise concerns or complaints and ensure they are not subjected to victimisation or retaliation;
- take appropriate action to prevent and address inappropriate workplace behaviours including bullying, discrimination and victimisation, including via training, investigating, responding, intervening and imposing disciplinary measures or corrective action where appropriate and necessary;
- promptly raise concerns and report incidents of conduct which they have observed or experienced which is inappropriate, including workplace bullying, discrimination and victimisation in one of the following discrete, confidential, and impartial ways set out above;
- support Workers who adopt make a complaint or raise a concern via the process above; and
- fairly and discretely manage complaints or concerns raised with a manager or leader by a Worker in accordance with this policy.

## **8. Management of complaints and concerns**

Nagambie will:

- promptly respond to advise that a complaint or concern has been received;
- assess the nature and seriousness of the complaint or concern;
- discretely, efficiently and fairly investigate the complaint or concern in a timely, objective and confidential manner, following fair and unbiased procedures which may involve internal and external investigation but which must not involve investigation by any party implicated by or with a conflict of interest in the investigation of the complaint or concern;
- where incidents of workplace bullying, discrimination and victimisation are confirmed to have occurred, Nagambie will take appropriate action to address those incidents which may include:
  - disciplinary action up to and including termination of employment;
  - counselling;
  - training;
  - mediation;
  - facilitated discussion;
  - other appropriate corrective action; and
  - provide support to affected individuals throughout the reporting, investigation, and resolution process; and
- ensure the privacy and confidentiality of all parties involved, respecting their rights and well-being.

## **9. Prevention, training and awareness**

Nagambie will:

- conduct regular training sessions and awareness programs to educate Workers about their rights and responsibilities, prevention strategies and the impact of workplace bullying and discrimination; and
- promote a culture of awareness, openness and support by providing resources, information and guidance on identifying and addressing workplace bullying, discrimination and harassment.

## **10. Compliance and Consequences**

Nagambie will ensure compliance with all applicable laws, regulations and standards related to workplace bullying, discrimination and harassment.

Any Nagambie Worker found to have engaged in workplace bullying, discrimination or victimisation may be subject to disciplinary action, up to and including termination of employment, in accordance with Nagambie's policies and procedures.

## **11. Continuous Improvement**

Nagambie will:

- regularly review and update this policy to align with evolving best practices, legal requirements and organisational needs;
- encourage feedback from Workers and stakeholders to improve the effectiveness of the policy and related processes; and
- demonstrate Nagambie's commitment to maintaining a safe, respectful and inclusive work environment, uphold Nagambie's values and contribute to the well-being of Nagambie's Workers and the success of its business.

Approved by the Board of Directors:

Nagambie Resources Limited  
2 May 2024

Review Date: 2 May 2024