Employee Complaints Policy

1 Purpose

To ensure:

- the University has a robust framework for managing and resolving Complaints made against Employees; and
- the complaint management framework encourages resolution of Complaints at the most appropriate level and at the earliest opportunity, in order to foster a safe, respectful, and inclusive working and learning environment where individuals are free from all forms of Discrimination, Bullying, and Harassment (including Sexual Harassment, Sexual Assault and Sex Discrimination).

2 Scope

This Policy applies to Complaints made by University Members and Students against Employees in relation to:

- workplace Bullying and/or unlawful Discrimination or Harassment, including Sexual Harassment, Sexual Assault, and Sex Discrimination (Sexual Misconduct); and
- the conduct of Employees generally (including Inappropriate Conduct and Inter-personal Conflicts).

This Policy does not apply to:

- Complaints made against Students, Contractors, Volunteers, Honorary Appointments, Adjunct, members of Council or external members of University committees;
- decisions of University Council;
- matters which fall within the scope of the Enterprise Agreement, including:
    - the management of unsatisfactory performance;
    - the investigation of allegations of Misconduct or Serious Misconduct; or

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

- disputes arising from the interpretation, application, or implementation of the Enterprise Agreement or the National Employment Standards.

The University has the right to determine which Policy Instrument or process most appropriately applies to the management of Complaints against Employees.

3 Policy Statement

The University has zero tolerance for Discrimination, Bullying, and Harassment (including Sexual Misconduct) and has a duty of care to ensure all members of the University Community do not experience Discrimination, Bullying, or Harassment (including Sexual Misconduct) in the workplace.

The University is committed to managing and resolving Complaints in an unbiased and fair manner, and in a way that ensures the health and safety of all parties involved, as far as reasonably practicable (Complaints Management Process).

The Complaints Management Process is underpinned by the principles of natural justice and procedural fairness and supports continuous improvement by identifying any systemic issues arising from Complaints.

4 Principles

4.1 Definitions

4.1.1 Bullying

Bullying is defined by the *Fair Work Act 2009* (Cth) as repeated unreasonable behaviour directed towards a person or group of people, either in person or online, that creates a risk to health and safety.

Examples of bullying include, but are not limited to:

- abusive, insulting, or offensive language or comments;
- intimidation;
- unjustified criticism or Complaints;
- deliberately excluding an individual from work- or study-related activities;
- deliberately withholding information that is vital for effective work or study performance;
- setting unreasonable or constantly changing deadlines;

- setting tasks that are unreasonably below or beyond a person's skill level;
- denying access to information, supervision, consultation or resources to the detriment of an Employee or Student;
- spreading misinformation or malicious rumours about an individual; and
- changing work arrangements to deliberately inconvenience a particular Employee.

Reasonable management action, carried out in a reasonable manner, does not constitute Bullying. Reasonable management action is action taken by management to direct and control the way work is carried out, such as the fair and reasonable allocation of work and providing feedback on performance in a constructive way.

4.1.2 Discrimination

Australia has laws regarding unlawful Discrimination, such as the *Age Discrimination Act 2004* (Cth), *Disability Discrimination Act 1992* (Cth), *Racial Discrimination Act 1975* (Cth), and the *Sex Discrimination Act 1984* (Cth).

The *Anti-Discrimination Act 1991* (Qld) (Act) prohibits Discrimination on the basis of the following protected attributes:

- sex;
- relationship status;
- pregnancy;
- parental status;
- breastfeeding;
- age;
- race;
- impairment;
- religious belief or activity;
- political belief or activity;
- trade union activity;

- lawful sexual activity;
- gender identity;
- sexuality;
- family responsibilities; and/or
- association with, or relation to, a person identified on the basis of any of the above attributes.

Direct Discrimination means to treat, or propose to treat, an individual less favourably because an attribute listed in the Act (such as age or sex) applies to them.

Indirect Discrimination means to impose, or propose to impose, terms on a person to whom an attribute listed in the Act applies, which are unreasonable and with which they are unable to comply, such as a rule that applies to everyone but has the effect of being less favourable to a person of a particular gender or impairment.

The University recognises that an individual can be discriminated against because of one or more characteristics that are part of or are perceived as part of their identity. This is known as the intersectionality of Discrimination. For example, where a person is Discriminated against on the grounds of their ethnicity may also be considered Discrimination on the grounds of gender, sexual orientation, and age.

Other conduct which meets the definition of Discrimination, includes:

- Vilification which is to publicly incite hatred, serious contempt, or severe ridicule of a person on the grounds of race, religion, sexuality, gender identity, or disability; and
- Victimisation which is treating or threatening to treat a person detrimentally because they have made or intend to make a Complaint or because they have supported the Complainant in making a Complaint.

4.1.3 Harassment

Harassment includes any behaviour that is unwelcome, unsolicited or unreciprocated and is likely to offend, insult, humiliate or intimidate a person.

Examples of Harassment include, but are not limited to:

- telling insulting or offensive jokes;
- sending offensive emails or text messages;

- displaying offensive posters or screen savers;
- making derogatory comments or taunts about someone; or
- asking intrusive questions about someone's personal life.

4.1.4 Inappropriate Conduct and Inter-personal Conflict

Inappropriate conduct is behaviour by an Employee which is unprofessional or inappropriate towards another person or within the workplace, which does not constitute Bullying, Harassment, and/or Discrimination (including Sex Misconduct).

Inter-personal Conflict can arise between two or more individuals in the course of their work or study at the University and can lead to poor workplace relationships. Inter-personal Conflict can include, but is not limited to:

- a difference of opinion or a misunderstanding;
- a disagreement on facts;
- a disagreement on an approach for addressing a problem or task; or
- a difference in values.

4.1.5 Misconduct and Serious Misconduct

In response to allegations of conduct that may be considered Misconduct or Serious Misconduct, the University may immediately initiate an investigation process in accordance with the Enterprise Agreement without further application of the *Employee Complaints Procedure* or *Employee Complaints (Sexual Harassment, Sexual Assault and Sex Discrimination) Procedure*.

Misconduct means conduct which is not Serious Misconduct but is nonetheless unacceptable or inappropriate, including but not limited to:

- wrongful or improper conduct of the kind which constitutes an impediment to carrying out an Employee's duties or to the Employee's colleagues carrying out their duties;
- dereliction of the duties required of the Employee; or
- research misconduct of a minor nature.

Serious Misconduct means conduct which involves deliberate behaviour by an Employee that is inconsistent with the continuation of their employment, and includes, but is not limited to:

- the Employee, in the course of their employment, engaging in:
    - conduct that causes serious and imminent risk to the health or safety of another person;
    - conduct that causes serious and imminent risk to the reputation or profits of the University;
    - theft;
    - fraud;
    - assault;
    - Sexual Harassment; or
    - research misconduct of a serious nature;
    - the Employee being intoxicated at work; or
    - the Employee refusing to carry out a lawful and reasonable instruction that is consistent with their employment agreement.

4.1.6 Psychosocial Hazards

The *Work Health and Safety Regulation 2011* (Qld) defines a Psychosocial Hazard as a hazard that:

- arises from or relates to:
    - the design or management of work;
    - a work environment;
    - plant at a workplace; or
    - workplace interactions or behaviours; and
- may cause psychological harm, whether or not the hazard may also cause physical harm.

The University has a duty to identify, manage and eliminate Psychosocial Hazards as far as reasonably practicable and to implement, maintain and review measures to control psychosocial risks.

4.1.7 Sexual Harassment

Sexual Harassment is prohibited under the *Anti-Discrimination Act 1991* (Qld) and the *Sex Discrimination Act 1984* (Cth). Sexual Harassment is defined as unwelcome conduct of a sexual nature, including unwelcome sexual advances or requests for sexual favours, directed at an individual in circumstances in which a reasonable person would have anticipated the possibility that the individual would be offended, humiliated or intimidated. Sexual Harassment is unlawful.

Examples of Sexual Harassment include but are not limited to:

- unwelcome physical touching;
- sexual or suggestive comments or jokes;
- unwelcome requests for sex;
- intrusive questions about a person's private life or body;
- the display of sexually explicit material, such as posters or pictures;
- unwanted invitations to go on dates;
- staring or leering;
- sex-based insults or taunts; and
- sexually offensive communications, including telephone calls, letters, text messages, email, and online interactions.

4.2 Prevention of Complaints

The Prevention of Discrimination, Bullying and Harassment Policy outlines the key principles governing the University's approach to preventing and responding to incidents of Discrimination, Bullying, Harassment (including Sexual Misconduct).

The University is committed to acting in accordance with its positive duty under the *Sex Discrimination Act 1984* (Cth) to eliminate, as far as possible, the following unlawful behaviour:

- Discrimination on the grounds of sex in a work context;
- Sexual Harassment in connection with work;
- sex-based Harassment in connection with work;
- conduct creating a workplace environment that is hostile on the grounds of sex; and

- related acts of Victimisation.

Employees are expected to actively engage in preventative measures and to take appropriate action in circumstances where they become aware of existing or possible Discrimination, Bullying, or Harassment (including Sexual Misconduct).

These actions include:

- monitoring workplace and learning environment culture to ensure it is safe and inclusive, and taking reasonable management action when it falls below this standard;
- reporting Complaints and assisting as required, with the implementation of relevant supportive measures for those individuals involved in the Complaint; and
- establishing, reinforcing, and role-modelling high standards of acceptable behaviour, in accordance with the Code of Conduct Policy.

4.3 Management of Complaints

Complaints made about Employees will be managed in accordance with the Employee Complaints Procedure and Employee Complaints (Sexual Harassment, Sexual Assault and Sex Discrimination) Procedure.

The University will manage Complaints in a way that respects the human rights of all individuals involved in the Complaint, as set out in the *Human Rights Act 2019* (Qld).

4.3.1 Natural Justice and Procedural Fairness

Individuals have the right to make a Complaint, without the fear of retaliation for making a Complaint, and all parties have the right to have the Complaint managed fairly, constructively, expeditiously, and confidentially in accordance with the principles of natural justice and procedural fairness.

4.3.2 Confidentiality

Complaints and the information arising from the management of Complaints, must be treated confidentially and only those individuals who are genuinely involved in the process of managing and resolving a Complaint, should be aware of the information relating to the Complaint.

Any breach of confidentiality by an Employee, whether wilful or negligent, could result in Disciplinary Action being taken against the Employee.

4.3.3 Good Faith

All parties to a Complaint are required to participate in the Complaint Management Process in good faith which means to:

- make a genuine effort to resolve the Complaint and engage in the Complaints management process;
- act respectfully during the Complaints management process; and
- act reasonably, fairly and honestly and disclose relevant information to the individual responsible for managing the Complaint.

If an Employee fails or refuses to voluntarily participate in the Complaint management process, the Chief People Officer may direct the Employee to participate.

A failure or refusal to carry out a lawful and reasonable direction which is given to an Employee, and which is consistent with their employment with the University, may result in Disciplinary Action being taken against the Employee.

4.3.4 Victimisation and Vilification

The University supports the right of individuals to make a Complaint under this Policy. Victimisation and Vilification constitute a breach of the Code of Conduct Policy and Employees who victimise or vilify a Complainant, may be subject to Disciplinary Action.

The University will notify parties to a Complaint of their obligations not to victimise or vilify the Complainant for making a Complaint.

4.3.5 Trauma-informed

The University will follow a Trauma-informed approach in relation to Complaints of Sexual Harassment and Sexual Assault which recognises the impact of trauma on the parties, affirms the dignity, and prioritises the physical, psychological, and emotional safety of all individuals involved in the Complaint.

4.3.6 Duty of Care

The University will manage and resolve Complaints promptly and sensitively in a way that ensures the health and safety of all parties involved in the Complaint, as far as reasonably practicable.

If an individual has raised concerns in relation to Discrimination, Bullying, or Harassment (including Sexual Misconduct) by an Employee but does not wish to make a Complaint, the University may choose to investigate these concerns, if there is a serious or imminent risk to the health and safety to any person.

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

4.3.7 Representation

At any time, the parties to the Complaint may seek assistance from or be accompanied by a Nominated Representative or Support Person.

A Nominated Representative is an individual who is appointed by an Employee to represent them and may include a union officer or delegate but may not include a practicing solicitor or barrister.

A Support Person is an individual who is chosen by a party to the Complaint to accompany and support them in the Complaint Management Process. A Support Person's role is not to represent or advocate for the Complainant.

Nominated Representatives and Support Persons must not have a conflict of interest in the Complaint whether the conflict of interest is actual, potential or perceived.

4.4 Vexatious or Malicious Complaints

Complainants should not make Complaints against Employees that are vexatious or malicious. Employees who make a Complaint based on allegations which they know to be false or have no reason to believe are true may be subject to Disciplinary Action.

Complaints which are made in good faith are not vexatious or malicious even if the Complaint is unsubstantiated or unable to be substantiated.

4.5 Referral of Complaints

At any time during the Complaint Management Process, the Complainant may withdraw their Complaint or lodge their Complaint with an external agency, as appropriate.

Complainants who are dissatisfied with the outcome of the Complaints Management Process or who do not wish to make a Complaint to the University in the first instance, may choose to make a Complaint to an external body such as the Australian Human Rights Commission, Queensland Human Rights Commission, Fair Work Commission, Fair Work Ombudsman, Queensland Ombudsman or Workplace Health and Safety Queensland for resolution.

If a Complaint raised under this Policy can be regarded as a matter that requires attention under the Public Interest Disclosure Act 2010 and Public Interest Disclosure Policy, the Complaint will be referred to the Public Interest Disclosure Coordinator.

4.6 Legal Obligations

The University will comply with its legal obligations in accordance with all relevant legislation.

Complainants are encouraged to report Complaints which include allegations of criminal activity such as sexual or physical assault or the threat of sexual or physical assault to the police.

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

In certain circumstances, the University may have a legal obligation to report certain criminal allegations to the police. The University will be guided by the police to ensure the Complaints Management Process does not jeopardise or obstruct a criminal investigation.

The University may also have a legal obligation to notify the Crime and Corruption Commission.

4.7 Personal Information

Personal Information collected by the University under this Policy and associated Procedure will be held and used in accordance with the Privacy Policy and Procedure.

4.8 Support

The University will take all reasonable steps to support individuals involved in a Complaint by implementing preventative, protective or other supportive measures as appropriate.

Employees are encouraged to access the confidential and free counselling service provided through the Employee Assistance Program.

Additionally, Employees are encouraged to contact the People Portfolio for advice in relation to the Complaint Management Process, conflict resolution measures and alternative support available to reduce the risk to Employees involved in the Complaint.

Students are encouraged to seek advice and support from the Safer Communities Coordinator.

5 References

Nil.

6 Schedules

This policy must be read in conjunction with its subordinate schedules as provided in the table below.

7 Policy Information

Accountable Officer	Chief Operating and Financial Officer
Responsible Officer	Chief People Officer
Policy Type	Executive Policy
Policy Suite	Employee Complaints Procedure

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

	Employee Complaints (Sexual Harassment, Sexual Assault and Sex Discrimination) Procedure
Subordinate Schedules	
Approved Date	12/10/2026
Effective Date	1/1/2026
Review Date	29/5/2029
Relevant Legislation	*Anti-Discrimination Act 1991* (Qld) Enterprise Agreement *Fair Work Act 2009* (Cth) *Human Rights Act 2019* (Qld) *Public Interest Disclosure Act 2010* (Qld) *Sex Discrimination Act 1984* (Cth) *Work Health and Safety Act 2011* (Qld) *Work Health and Safety Regulation 2011* (Qld)
Policy Exceptions	Policy Exceptions Register
Related Policies	Code of Conduct Policy Prevention of Discrimination, Bullying and Harassment Policy Privacy Policy Public Interest Disclosure Policy
Related Procedures	Privacy Procedure
Related forms, publications and websites	Employee Complaints Form Your Call Website and Your Call Report Form
Definitions	**Terms defined in the Definitions Dictionary**
	Employee A person employed by the University and whose conditions of employment are covered by the Enterprise Agreement and includes persons employed on a continuing, fixed term or casual basis. Employees also include senior Employees whose conditions of

employment are covered by a written agreement or contract with the University.

Racism

A person's race includes their: colour; and descent or ancestry; and ethnicity or ethnic origin; and nationality or national origin. Racism is the process by which systems and policies, actions and attitudes create inequitable opportunities and outcomes for people based on race. Racism occurs when prejudice - whether individual or institutional - is accompanied by the power to discriminate against, oppress or limit the rights of others. The Anti-Discrimination Act 1991 (Qld) makes it unlawful to discriminate against a person because of their race.

Sexual Misconduct

A broad term used to describe a range of isolated or combined behaviours of a sexual nature, used without consent or that are otherwise unwelcome. May include conduct defined as Sexual Harassment or a Sexual Offence.

Student

A person who is enrolled in a UniSQ Upskill Course or who is admitted to an Award Program or Non-Award Program offered by the University and is: currently enrolled in one or more Courses or study units; or not currently enrolled but is on an approved Leave of Absence or whose admission has not been cancelled.

University

The term 'University' or 'UniSQ' means the University of Southern Queensland.

University Community

Means all Students and Employees of the University, persons officially associated with the University, former Students and alumni at the University, as well as invitees, visitors and guests.

University Members

Persons who include: Employees of the University whose conditions of employment are covered by the UniSQ Enterprise Agreement whether full time or fractional, continuing, fixed-term or casual, including senior Employees whose conditions of employment are covered by a written agreement or contract with the University;

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

members of the University Council and University Committees; visiting, honorary and adjunct appointees; volunteers who contribute to University activities or who act on behalf of the University; and individuals who are granted access to University facilities or who are engaged in providing services to the University, such as contractors or consultants, where applicable.

Definitions that relate to this policy only

Bullying

Bullying is defined by the *Fair Work Act 2009* (Cth) as repeated unreasonable behaviour directed towards a person or group of people, either in person or online, that creates a risk to health and safety.

Examples of bullying include, but are not limited to:

- abusive, insulting, or offensive language or comments;
- intimidation;
- unjustified criticism or Complaints;
- deliberately excluding an individual from work- or study-related activities;
- deliberately withholding information that is vital for effective work or study performance;
- setting unreasonable or constantly changing deadlines;
- setting tasks that are unreasonably below or beyond a person's skill level;
- denying access to information, supervision, consultation or resources to the detriment of an Employee or Student;
- spreading misinformation or malicious rumours about an individual; and
- changing work arrangements to deliberately inconvenience a particular Employee.

Reasonable management action, carried out in a reasonable manner, does not constitute Bullying. Reasonable management action is action taken by management to direct and control the way work is carried

out, such as the fair and reasonable allocation of work and providing feedback on performance in a constructive way.

Complainant

A Complainant is the individual who makes a Complaint against an Employee.

Complaint

A Complaint is a statement of dissatisfaction or concern made by an individual against an Employee in relation to the Employee's conduct towards the individual.

Discrimination

Australia has laws regarding unlawful Discrimination, such as the *Age Discrimination Act 2004* (Cth), *Disability Discrimination Act 1992* (Cth), *Racial Discrimination Act 1975* (Cth), and the *Sex Discrimination Act 1984* (Cth).

The *Anti-Discrimination Act 1991* (Qld) (Act) prohibits Discrimination on the basis of the following protected attributes:

- sex;
- relationship status;
- pregnancy;
- parental status;
- breastfeeding;
- age;
- race;
- impairment;
- religious belief or activity;
- political belief or activity;
- trade union activity;
- lawful sexual activity;

- gender identity;
- sexuality;
- family responsibilities; and/or
- association with, or relation to, a person identified on the basis of any of the above attributes.

Direct Discrimination means to treat, or propose to treat, an individual less favourably because an attribute listed in the Act (such as age or sex) applies to them.

Indirect Discrimination means to impose, or propose to impose, terms on a person to whom an attribute listed in the Act applies, which are unreasonable and with which they are unable to comply, such as a rule that applies to everyone but has the effect of being less favourable to a person of a particular gender or impairment.

The University recognises that an individual can be discriminated against because of one or more characteristics that are part of or are perceived as part of their identity. This is known as the intersectionality of Discrimination. For example, where a person is Discriminated against on the grounds of their ethnicity may also be considered Discrimination on the grounds of gender, sexual orientation, and age.

Other conduct which meets the definition of Discrimination, includes:

- Vilification which is to publicly incite hatred, serious contempt, or severe ridicule of a person on the grounds of race, religion, sexuality, gender identity, or disability; and
- Victimisation which is treating or threatening to treat a person detrimentally because they have made or intend to make a Complaint or because they have supported the Complainant in making a Complaint.

Harassment

Harassment includes any behaviour that is unwelcome, unsolicited or unreciprocated and is likely to offend, insult, humiliate or intimidate a person.

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

Examples of Harassment include, but are not limited to:

- telling insulting or offensive jokes;
- sending offensive emails or text messages;
- displaying offensive posters or screen savers;
- making derogatory comments or taunts about someone; or
- asking intrusive questions about someone's personal life.

Inappropriate Conduct and Inter-personal Conflict

Inappropriate conduct is behaviour by an Employee which is unprofessional or inappropriate towards another person or within the workplace, which does not constitute Bullying, Harassment, and/or Discrimination (including Sex Misconduct).

Inter-personal conflict can arise between two or more individuals in the course of their work or study at the University and can lead to poor workplace relationships. Inter-personal conflict can include, but is not limited to:

- a difference of opinion or a misunderstanding;
- a disagreement on facts;
- a disagreement on an approach for addressing a problem or task; or
- a difference in values.

Misconduct and Serious Misconduct

In response to allegations of conduct that may be considered Misconduct or Serious Misconduct, the University may immediately initiate an investigation process in accordance with the Enterprise Agreement without further application of the *Employee Complaints Procedure or Employee Complaints (Sexual Harassment, Sexual Assault and Sex Discrimination) Procedure*.

Misconduct means conduct which is not Serious Misconduct but is nonetheless unacceptable or inappropriate, including but not limited

to:

- wrongful or improper conduct of the kind which constitutes an impediment to carrying out an Employee's duties or to the Employee's colleagues carrying out their duties;
- dereliction of the duties required of the Employee; or
- research misconduct of a minor nature.

Serious Misconduct means conduct which involves deliberate behaviour by an Employee that is inconsistent with the continuation of their employment, and includes, but is not limited to:

- the Employee, in the course of their employment, engaging in:
    - conduct that causes serious and imminent risk to the health or safety of another person;
    - conduct that causes serious and imminent risk to the reputation or profits of the University;
    - theft;
    - fraud;
    - assault;
    - Sexual Harassment; or
    - research misconduct of a serious nature;
    - the Employee being intoxicated at work; or
    - the Employee refusing to carry out a lawful and reasonable instruction that is consistent with their employment agreement.

Psychosocial Hazards

The *Work Health and Safety Regulation 2011* (Qld) defines a Psychosocial Hazard as a hazard that:

- arises from or relates to:
    - the design or management of work;
    - a work environment;
    - plant at a workplace; or
    - workplace interactions or behaviours; and
- may cause psychological harm, whether or not the hazard may also cause physical harm.

The University has a duty to identify, manage and eliminate Psychosocial Hazards as far as reasonably practicable and to implement, maintain and review measures to control psychosocial risks.

Sex Discrimination

Sex Discrimination can be direct or indirect.

Direct Discrimination is treating a person less favourably because of their sex than someone of a different sex, in similar circumstances.

Indirect Discrimination occurs when there is an unreasonable requirement that people with a certain attribute or characteristic have difficultly complying with, compared to others without that attribute. The intentions of the decision maker in this circumstance are irrelevant.

The University recognises that an individual can be discriminated against because of one or more characteristics that are part of, or are perceived as part of, their identity. This is known as the intersectionality of Discrimination. For example, a person who is discriminated against on the grounds of their sexuality may also be discriminated against on the grounds of gender.

Sex Discrimination is unlawful in all aspects of work, including recruitment, terms and conditions on which a job is offered, employment benefits, training, transfers, promotion and dismissal.

Sexual Assault

Is any unwanted or forced sexual act or behaviour without consent. This covers a broad range of sexual activity. Sexual assault occurs when an individual:

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

- without lawful reason indecently assaults a person including but not limited to groping or inappropriate touching of a sexual nature; or
- procures a person, without their consent, to commit an act of a sexual nature.

Sexual Harassment

Sexual Harassment is prohibited under the *Anti-Discrimination Act 1991* (Qld) and the *Sex Discrimination Act 1984* (Cth). Sexual Harassment is defined as unwelcome conduct of a sexual nature, including unwelcome sexual advances or requests for sexual favours, directed at an individual in circumstances in which a reasonable person would have anticipated the possibility that the individual would be offended, humiliated or intimidated. Sexual Harassment is unlawful.

Examples of Sexual Harassment include but are not limited to:

- unwelcome physical touching;
- sexual or suggestive comments or jokes;
- unwelcome requests for sex;
- intrusive questions about a person's private life or body;
- the display of sexually explicit material, such as posters or pictures;
- unwanted invitations to go on dates;
- staring or leering;
- sex-based insults or taunts; and
- sexually offensive communications, including telephone calls, letters, text messages, email, and online interactions.

Trauma-informed

The University will follow a trauma-informed approach in relation to Complaints of Sexual Misconduct, which recognises the impact of trauma on the parties, affirms the dignity, and prioritises the physical,

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.

	psychological, and emotional safety, of all individuals involved in the Complaint. **Victimisation and Vilification** Victimisation means any unfavourable treatment, or threats of unfavourable treatment against a person as a result of their actual or intended involvement in a Complaint. Vilification means the public incitement of hatred, serious contempt for, or severe ridicule of a person or a group of people on the basis of a protected attribute. Victimisation and Vilification constitute a breach of the Code of Conduct Policy and Employees who victimise or vilify a Complainant, may be subject to Disciplinary Action.
Keywords	Discrimination, Bullying, Harassment, Sexual Harassment, Sexual Assault, Complaint, Grievance, Discrimination, Sexual Misconduct
Record No	15/2853PL

Failure to comply with this Policy or Policy Instrument may be considered as misconduct and the provisions of the relevant Policy or Procedure applied. A hard copy of this electronic document is uncontrolled and may not be current as UniSQ the University regularly reviews and updates its Policies and Policy Instruments. The latest controlled version can be found in the UniSQ's Policy and Procedure Library.