

Purpose

Ramsay Health Care (**Ramsay**) is committed to creating positive workplace relationships by taking all reasonable steps to ensure that its working environment is free from inappropriate or unacceptable workplace behaviour including bullying, discrimination, harassment, sexual harassment, and victimisation.

The Appropriate Workplace Behaviour Policy (**Policy**) is to be read in conjunction with the Understanding Discrimination, Harassment and Bullying Guideline.

The Policy establishes the organisation's behavioural expectations of its Workers and Workplace Participants, and meets the obligations under applicable laws, including the *Fair Work Act 2009* (Cth) and anti-discrimination laws.

Scope

This Policy applies to all Workers and Workplace Participants in the following circumstances:

1. In the workplace, including during work hours when you are working at other work locations (e.g. if working remotely or from another practice location).
2. At any work-related functions or events (e.g. work lunches, conferences, work meetings, team events and Christmas events).
3. Outside work, where you may be representing Ramsay and your conduct may impact in any way of Ramsay or its Employees.
4. in dealings with other people including colleagues, patients and their families, external health care workers, clients, students, customers and suppliers.

This policy exists for the benefit of Ramsay and does not form part of any contract of employment; however, it is a condition of employment that Employees comply with it.

Policy statement

Ramsay will not tolerate inappropriate or unacceptable workplace behaviour from Workers or Workplace Participants. Ramsay requires Workers and Workplace Participants to behave appropriately and in accordance with this Policy.

Ramsay is committed to:

- providing a safe, healthy and secure environment for all Workers and Workplace Participants, free from bullying, discrimination or harassment;
- fostering a diverse and inclusive workplace by preventing and eliminating discrimination, bullying and harassment;
- ensuring all Employees and prospective Employees receive equitable treatment in all aspects of the employment relationship;
- proactively identifying and eliminating or reducing risks to the extent reasonably practical;
- preventing harm – including from alcohol, smoking and illicit drugs;
- complying with all relevant federal and state legislation covering human rights, equal opportunity and unlawful discrimination, victimisation, vilification, workplace bullying and sexual harassment; and
- education and training about the content and obligations in this Policy.

Consistent with the positive duty under the *Sex Discrimination Act*, Ramsay has a legal obligation to take reasonable and proportionate measures to eliminate, as far as possible:

- discrimination on the ground of sex in a work context;
- sexual harassment in connection with work;
- conduct creating a work environment that is hostile on the ground of sex, and
- related acts of victimisation.

Definitions

Behaviour or Conduct refers to the way a person behaves, especially in a particular place or situation, such as the Workplace.

Employee is a person employed by Ramsay Health Care Group and its related entities.

Manager is a person who is responsible for the day-to-day management of one or more Employees.

Ramsay is the Ramsay Health Care Group and its related entities.

Workplace Participant refers to VMOs, consultants, partners, volunteers, customers at a Ramsay workplace. Where Employee is mentioned in this document, the term Employee also covers Workplace Participants.

Worker includes an Employee, director, contractor, subcontractor, outworker, apprentice, trainee, intern, work experience student.

Workplace has its broadest meaning. It includes the physical locations where work is performed, and any other place (e.g. off-site or virtual) where work is performed. Behaviour or conduct may still be related to the Workplace if it occurs 'out-of-hours'. Conduct or behaviour that arises out of, or in the course of, employment will have a sufficient connection to the Workplace.

Inappropriate or unacceptable conduct

Ramsay will not tolerate inappropriate or unacceptable behaviours at work, including but not limited to:

- **Discrimination**, being the direct or indirect adverse treatment of an individual or group based on personal attributes unrelated to job requirements.
- **Vilification** describes the conduct which would incite hatred, ridicule or serious contempt for a person or group of people on the grounds of a protected attribute under anti-discrimination laws. This may include displaying or communicating offensive material that can be seen or heard by other people, or displaying a sign, flag or clothing that promotes hatred towards a group of people.
- **Bullying**, occurs when an individual or a group engages in repeated and unreasonable behaviour towards a Worker or group of Workers, while at work, and the behaviour creates a risk to health and safety.
- **Sexual harassment** (including sex-based harassment and hostile work environment), occurs when a person engages in unwelcome behaviour or conduct of a sexual nature towards another person, where it could be reasonably anticipated that the other person would be offended, humiliated or intimidated.

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- **Victimisation**, being the behaviour or conduct that subjects, or threatens to subject, others to a detriment (including a fear that the treat will be carried out) and the detriment is caused without their consent because they have:
 - asserted their rights under discrimination or workplace laws;
 - made a complaint, or propose to make a complaint;
 - helped someone else make a complaint;
 - provided information in relation to a complaint; or
 - refused to do something because it would constitute discrimination, harassment, sexual harassment or victimisation.
- **Misconduct** is any action, conduct or behaviour that breaches any of Ramsay's policies, expectations, or an Employee's contract with Ramsay. This includes, but is not limited to:
 - behaviour that is contrary to our policies, procedures, guidelines, culture, Code of Conduct, The Ramsay Way, contract of employment or legislation;
 - destruction of Ramsay's or another Employee's property;
 - falsifying or altering Ramsay records or reports, including Employee timesheets;
 - engaging in threatening or intimidating behaviour, such as bullying, discrimination, abuse, assault or harassment of another Worker, customer, or any other behaviour that would breach this Policy;
 - unauthorised absenteeism or unexplained absence;
 - behaviour that constitutes an impediment to the Employee carrying out their duties as per the Employee's contract of employment; and / or
 - refusal to carry out a lawful and reasonable direction.
- **Serious Misconduct** is conduct of an Employee that is wilful or deliberate and that is inconsistent with the continuation of the employment contract. It is also conduct that causes serious and imminent risk to the health and safety of a person or to the reputation, viability or profitability of Ramsay. Examples of serious misconduct include, but not limited to:
 - engaging in theft, fraud, sexual harassment or assault during the course of employment;
 - intoxication (by either drugs or alcohol) at work;
 - committing a serious safety breach;
 - falsifying medical certificates or statutory declarations;
 - refusal to carry out a lawful and reasonable instruction that is consistent with the Employee's contract of employment;

Responsibilities

Ramsay

To achieve its commitments under this Policy, Ramsay will:

- encourage the reporting of inappropriate or unacceptable behaviours at work and those that breach this Policy;
- educate Workers about acceptable behaviour at work;
- promptly, effectively and confidentially address complaints;
- promote appropriate standards and expectations of conduct at all times;
- provide appropriate and effective processes, structure and resources to prevent and address all forms of inappropriate or unacceptable behaviour.

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Employees

Ramsay expects all Employees to:

- understand and comply with all Ramsay policies and guidelines and relevant legislation, including the obligations and standards of behaviour outlined in this Policy;
- report complaints of inappropriate or unacceptable behaviours to their Manager and / or Human Resources;
- complete the required online training as part of their onboarding as well as further compliance refresher training as required;
- offer support to people who experience inappropriate, unacceptable or unlawful behaviour such as discrimination, bullying or harassments, including sexual harassment, and sex-based harassment, including providing information about how to lodge a complaint or report;
- avoid gossip and respect the confidentiality of any report or complaint procedures;
- pro-actively report any inappropriate or unacceptable behaviour they have witnessed; and
- treat everyone with dignity, courtesy and respect.

Additional Responsibilities of Managers

Ramsay expects our Managers to:

- model appropriate standards of behaviour;
- take steps to educate and make Workers aware of their obligations under this Policy;
- intervene quickly and appropriately when they become aware of inappropriate or unacceptable behaviour, bullying, harassment or discrimination and treat such issues with the appropriate level of sensitivity, tact, confidentiality and seriousness;
- act fairly to resolve issues and enforce workplace behavioural standards, making sure relevant parties are heard;
- help resolve complaints informally;
- ensure formal reports about breaches of these standards and procedures are managed in line with Ramsay's Workplace Complaint Resolution Guideline;
- take appropriate steps to ensure people who raise an issue or make a complaint are not victimised, and to act where they become aware that someone may have been victimised; and
- ensure the recruitment, access to professional development opportunities and, appointment and promotion decisions are based on merit.
- promote a culture free from discrimination, bullying and harassment;
- make Employees aware of what action to take if they believe they have been subjected to, or witness to, inappropriate or unacceptable behaviour, as aligned to the Workplace Complaint Resolution Guideline;
- treat all complaints seriously, as aligned to the Workplace Complaint Resolution Guideline.
- encourage and support active bystanders.

Human Resources

Any inappropriate or unacceptable behaviour will be treated seriously and dealt with in accordance with the Workplace Complaint Resolution Guideline or the Managing Misconduct Guideline.

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Non-compliance and reporting

Breaches of this Policy will lead to disciplinary action, up to and including termination of employment.

Workers may choose how they wish to report inappropriate behaviour. However, if you feel that you have been subjected to any form of inappropriate or unacceptable workplace behaviour contrary to this Policy, or the relevant laws, you are encouraged to seek assistance in accordance with Ramsay's Workplace Complaint Resolution Guideline and report the behaviour to your manager and / or Human Resources.

Ramsay will treat all complaints seriously. In each instance where improper behaviour is found to have occurred, Ramsay will take appropriate action and will be managed in accordance with the Managing Misconduct Guidelines.

Ramsay will not tolerate retaliation against Workers who raise genuine concerns in good faith.

Support

Employee Assistance Program (EAP)

Ramsay's EAP is available for all Employees and their immediate family members. Ramsay's EAP provider is Telus Health, their support services are available 24 hours a day, 7 days a week. The 24-hour helpline number is 1300 360 364. This is both confidential and free.

The EAP counsellors are experienced in dealing with a wide range of personal and work related matters to support Employees and their families.

External Support Service

Lifeline www.lifeline.org.au provides 24-hour crisis counselling, support and suicide prevention services. Call 13 11 14, text 0477 13 11 14 or chat online at www.lifeline.org.au/crisis-chat/.

Beyond Blue www.beyondblue.org.au aims to increase awareness of depression and anxiety and reduce stigma. Call 1300 22 4636, 24-hours/7days a week, chat online at www.forums.beyondblue.org.au.

Monitoring and review

This policy is owned by the Chief People Officer. It is subject to review by the Chief People Officer for continued applicability and relevance.

Related documents

Code of Conduct
Managing Misconduct Guidelines
Workplace Complaint Resolution Guideline

For further information on the Code of Conduct or relevant policies and procedures please contact Human Resources.

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References

Australian Human Rights Commission
Victorian Equal Opportunity and Human Rights Commission
Anti-Discrimination NSW
Respect@Work – Creating safe, inclusive and respectful workplaces
Fair Work Commission

Document version control

- Document owner: Chief People Officer

Version Number	Date	Amended by	Approved by	Reason / Change
1.0	November 2024	ER/IR Team	Chief People Officer	Original replacing Discrimination, Bullying and Harassment Policy

Document history from previous policy: Discrimination, Bullying and Harassment Policy

Version control:

Version number	Date	Created/Amended by	Approved by	Reason/Change
V.1.	May 2004	Group HR	Gavin O'Meara, Manager – People & Culture	Original
V.2.	October 2012	Group HR / H Lesirge	Group HR	Amended to reflect changes in anti-discrimination legislation; general update
V.3.	July 2013	Group HR / H Lesirge	Group HR	Amended definition of bullying to reflect Safe Work and Fairwork Act definition; update to SA WH&S legislation; EOWA changed to WGEA
V.4.	January 2015	National HR Services Team	National HR Services Manager	Update
V.5.	September 2018	National HR Services Team	National HR	Updated EAP provider details

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