

Anti-Sexual Harassment Policy

1 Purpose

The purpose of this policy is to set out Stockland's workplace approach to help prevent and respond to sexual harassment.

2 Scope

This Policy applies to Stockland Corporation Limited, Stockland Trust and their related companies and trusts (collectively "**Stockland**") and all Stockland employees (including, but not limited to non-executive directors, permanent, casual, fixed term employees and temporary, volunteers and self-employed workers) ("**Employees**" or "**you**"). Adherence with this Policy is mandatory.

3 Definition

Sexual harassment, in all its forms, is an abuse of power. This power may be explicit (e.g. based on hierarchy) or it may be implicit (e.g. deemed so by one party). It is generally characterised by unwelcome conduct of a sexual nature (which includes statements of a sexual nature to a person or in the presence of person, whether the statement is made orally or in writing) or an unwelcome sexual advance which a reasonable person would have anticipated the possibility that the person being harassed would be offended, humiliated or intimidated. It represents behaviours that are not aligned with Stockland's CARE values and are beneath the standards expected of employees across the organisation. It is unethical and against the law.

4 Our Position

Stockland has a zero tolerance approach to sexual harassment in the workplace. Zero tolerance means there will be action and consequences that are appropriate and proportionate considering the offender's behaviour and the impact of their actions, while considering the wishes of the person subjected to the harassment.

Stockland will act to prevent sexual harassment and provide safe and effective responses for employees and those connected to the organisation who are impacted, with a focus on wellbeing. Stockland will listen to and prioritise a response for impacted individuals. This is the commitment of the Board and Senior Leadership Team

It is expected that this commitment (to behave in a way that creates a safe environment, which is respectful, supports the wellbeing of others and is inclusive) is the shared responsibility of everyone who works within the organisation. It is also an expectation that, if it is safe to do so, an individual intervenes or reports when they see or know of behaviour that may cause offence, distress, or harm to others. Where it is deemed not safe to intervene, an employee must still raise their concerns in an appropriate manner per the Escalation Policy.

Stockland is committed to educating and supporting everyone connected with the organisation on how to prevent, intervene early and respond to offending behaviour so that sexual harassment is eradicated from the organisational culture and work environment.

4.1 Legal obligations

The laws give rise to potential legal liability for sexual harassment for individuals and our organisation.

Individuals may be liable for their own behaviour if they sexually harass another person. In some cases, this may also be criminal conduct.

Observers and other individuals may be liable if they request, instruct, induce, encourage, authorise, or assist someone to sexually harass another person.

Employers are also responsible for sexual harassment that occurs in the workplace and may be liable for failing to prevent or properly respond to sexual harassment, which is known as vicarious liability.



5 Recognising Sexual Harassment

5.1 Forms of sexual harassment

Sexual harassment takes many forms. It can be verbal, written, visual or physical behaviour. It can be a one-off incident or a pattern of behaviour. Examples of behaviour that could be considered sexual harassment include:

- Unwelcome comments about looks, dress, hairstyles
- Repeated and inappropriate invitations to drinks, dinner, non-work-related social events
- Jokes of a sexual nature or about a person's appearance, body shape, sexual activities, sexual orientation, gender identity or intersex status
- Unwelcome light touch gestures, e.g. an arm around, a kiss hello, touching a person's shoulders or back or otherwise infringing on their personal space
- Degrading comments, sexual objectification of people, repeated requests for dates
- Personal contact via email or social media that is out of context, out of work hours, including ongoing unwelcome contact (e.g. in person, phone, social media) following the end of a consensual relationship
- Whistling, catcalling, honking, staring, or leering
- Sexually explicit pictures, or gifs
- Intrusive questions or comments about private life, gender identity, sexual orientation, sexual relationships and sexual practices
- Sexually explicit comments in emails, SMS, phone messages or social media
- Touching or fiddling with a person's clothing including lifting up skirts or shirts, flicking bra straps or putting hands in a person's pocket
- Forced intimacy, e.g. touching, massaging, hugging, cornering or kissing, or exposing self
- Coercing people to look at pornography, requesting intimate images/video of someone, or sharing intimate images/video of someone without consent
- Requests or pressure for sex or other sexual acts in exchange for favourable treatment
- Stalking, following, watching
- Actual or attempted sexual assault or rape

Sexual Harassment can occur between people of different sexual orientations and/or gender identities.

5.2 Understanding context

When it comes to understanding a person's experience of sexual harassment, context is essential. Context is the lens through which a person experiences the behaviour of others. Context filters intent and can amplify impact or give behaviour a different nature. It explains why a certain behaviour, for example, a kiss or a touch on the back is experienced in one context as 'ok', and 'not ok' in another.

Contextual factors that come into play may include:

- Relationship and power disparity between the parties
- The history of the relationship
- Previous patterns of behaviour between the parties (i.e. one-off incident or pattern)
- Tone, verbal and non-verbal cues
- Position in the organisation
- Employment status, job security and the nature of work
- Where and when the incident takes place
- Personal characteristics such as age, gender identity, sexual orientation, Indigeneity, other cultural and linguistic diversity, and disability which can make people more subject to sexual harassment

All these factors combine to shape a person's experiences of sexual harassment, and in turn can guide responses.

5.3 Where and with who

Location

The workplace is ever expanding. Therefore, so too are the locations and circumstances in which sexual harassment may occur:

- In the workplace and at Stockland work-related locations, including development sites, worksites, remote sites and public spaces where work is conducted.
- Beyond the usual workplace and outside normal working hours where there is a link to employment such as conferences, social events, business trips and after parties.
- Online via technology and social media, irrespective of whether work resources were used.

Relationships

Work relationships are extensive which gives rise to the potential for workplace sexual harassment to occur between:

- Employees of the same organisation including manager/employee or co-workers.
- An employee and potential employee.
- An employee and someone connected to the organisation for work purposes: volunteer, intern, work experience or consultant.

Customers

Customers, clients, contractors, investors, and supporters are all people of value to our organisations and any offensive behaviour as outlined in this policy by them towards our employees, or towards them by Stockland employees is also unacceptable.

5.4 Personal relationships

Sexual, romantic or intimate interaction that is entered into freely and reciprocated between consenting employees will unlikely be a form of sexual harassment. However, if people behave in sexually inappropriate ways at work, it could still create a sexualised atmosphere that is unwanted by others in the workplace.

If you are in a relationship with another person within Stockland that involves an actual, perceived or potential conflict of interest, you are required to disclose that relationship to the People and Culture team so that they can manage any risk and issues as per the [Workplace Relationship Policy](#) and [Code of Conduct](#).

Sexual harassment may arise in situations where the personal relationship ends and the intimate behaviour of one of the parties is no longer welcome. Support should be sought from the relevant manager or the Employee Assistance Program as soon as possible if an employee is concerned about their behaviour or the behaviour of their ex-partner.

6 Reporting Sexual Harassment

Reports can be made by people directly impacted or others who observe or know of sexual harassment. Employees will not be restricted by a time limitation between the incident and reporting the issue to Stockland internally. It is important to note that there are time limitations for lodging a complaint with an external body, for example within six months of the incident if you wish the Australian Human Rights Commission to assist.

A number of reporting channels internally are available to help you address any matter that may arise, though an employee may also wish to seek help from an external body or authority:

Channel	
Managers	Line Manager or General Manager
People and Culture	Business Partners
Anonymous reporting	Whistle-blower channel, please see Stockland's Whistleblower Policy
External body	<ul style="list-style-type: none"> • Australian Human Rights Commission • Relevant State Equal Opportunity Commission • Relevant State Workplace Health and Safety Body

7 How Stockland will Respond

7.1 Prioritising your safety and wellbeing

Supporting the employee

- If you report sexual harassment, Stockland will support you and involve you in the decision about how to handle the situation. Stockland will actively seek your feedback, but this does not mean this will solely decide the organisation's response or the consequences for the other party or parties involved in the matter.
- Allegations raised are taken seriously and viewed with integrity. Stockland may take interim action in the interests of health and safety that is supportive and sensitive to the possibility that the reported behaviour occurred, without making conclusions.
- Everyone directly impacted by an issue, including those who report and alleged offenders, will have access to referral pathways to external support services.
- If you share your experience, Stockland will, to the extent possible, make sure that you do not need to retell your story to multiple people.



Staying informed

- Stockland is committed to keeping all parties involved in a matter, well informed and supported throughout the process. Investigations will be concluded as quickly as possible while making sure that the approach is ethical over expedient.
- The organisation will maintain confidentiality and make sure this is a priority for everyone involved noting that disciplinary action may be taken against any employee who breaches confidentiality while the matter is being addressed.
- It is important to note that zero tolerance does not mean Stockland responds in the same way to every incident.

7.2 Resolution options

There are a number of ways Stockland can help to resolve the situation depending on the context and circumstance.

Many people who experience sexual harassment want the behaviour to stop, to have their experience validated, their organisation to know that it happened and for it not to happen to anyone else. In many cases, what people want from the person who harassed them is an apology. Wherever possible, Stockland will prioritise early intervention and informal pathways that deliver these types of outcomes and support an employee's wishes to progress from one pathway to another where possible.

Option	What this might involve
Early intervention	<p>The objective is to let a person know their behaviour constitutes sexual harassment, have the behaviour stop and prevent escalation or repeat behaviour.</p> <p>Responding to issues through early intervention may include:</p> <ul style="list-style-type: none"> • Raising it with the person, raising it with an observer or seek advice or support from a preferred contact such as a People & Culture Business Partner. • Where an employee feels safe and comfortable to do so: <ul style="list-style-type: none"> - Intervene in a way that is comfortable for them, to redirect the conversation or stop the behaviour. - Separate the offender from the situation, e.g. remove the offender before circumstances escalate. - Speak up publicly/in the moment to address the comment or behaviour. - Encourage the offender to reflect on their behaviour, including apologising to the person or people impacted.
Informal pathways	<p>The objective is to provide the other party or parties involved in the matter with the opportunity to stop their behaviour, ensuring they also get a clear message their behaviour may constitute sexual harassment. It emphasises resolution rather than factual proof or substantiation of a complaint.</p> <p>Responding to allegations through informal pathways may include:</p> <ul style="list-style-type: none"> • A manager speaking to the other party or parties involved in the matter about their behaviour. • Facilitating or mediating an open and respectful conversation between the parties. • An anonymous report. • Putting system changes in place to prevent further issues, such as moving the work location of the offender. • Stockland initiating further reviews to understand any underlying cultural issues within the location/team and taking preventative action such as education.
Formal pathways	<p>The objective is to initiate fair and confidential inquiries to fully understand the circumstances of a reported issue by impartial, capable internal or external investigators. We will utilise a range of internal and external investigators and will be thoughtful of who we assign to each case based on the circumstances. Responding to issues through internal formal pathways may include:</p> <ul style="list-style-type: none"> • Written statements and interviews about the incident. • Speaking to witnesses on a confidential basis. • Gathering other relevant evidence. • Putting the allegations to the person and giving them the opportunity to respond. • Weighing up all the facts and making a decision about whether the behaviour has breached relevant policies and codes of conduct. • Proportionate consequences for substantiated sexual harassment.
External pathways	<p>The objective is to provide the individual the choice to have the issues resolved by an independent, expert body that can assist the employer and the parties to reach an outcome or resolution. Responding to issues through external pathways may include:</p> <ul style="list-style-type: none"> • Participating in mediated discussions. • Parties agreeing to outcomes or resolutions, including compensation.



	<ul style="list-style-type: none"> Escalating the issues to a formal Court or Tribunal if the matter cannot be resolved by conciliation. Findings and determinations are usually made public.
Criminal investigation	The most serious sexual harassment may also be considered an offence under Criminal Law. In that instance, it may be appropriate to refer the issue to the police. We will assist you in whatever way we can, which depending on the circumstances may include supporting you in contacting the police and reporting the incident.

7.3 Procedural fairness and natural justice

All investigations will be conducted to provide procedural fairness and natural justice, irrespective of an employee’s position in the organisation. This means:

- Giving someone the opportunity to understand the allegations made against them and to respond
- Providing appropriate support for individuals involved including the person subjected to the harassment and the alleged party or other parties involved in the matter, such as referral to external support services
- Facilitating a timely and objective process
- Substantiating decisions
- Focussing on outcomes that are reasonable and proportionate
- Focussing on maintaining confidentiality throughout the process where possible
- Disciplinary action may be taken against any employee who breaches confidentiality while the matter is being addressed

8 Possible Outcomes

There are a range of outcomes and implications for a person’s employment that Stockland might consider once a report of sexual harassment is substantiated. This may include, but will not be limited to:

- Mediation
- Requirement to participate in education or behaviour change coaching
- Disciplinary action against the person(s) found to have engaged in harassment
- An apology from the person(s) found to have engaged in harassment (structured with support people)
- Withholding remuneration increases or bonus payments
- Termination of employment

Stockland takes allegations seriously. Pending investigation, all parties are treated as fairly as possible.

9 Confidentiality, Privacy and Transparency

9.1 Confidentiality and privacy

The nature of sexual harassment and obligations that Stockland has when we’re made aware of sexual harassment means that there are limits to what may or may not be disclosed.

Confidentiality in sexual harassment cases means only those who need to know about the issue in order to help resolve it and prevent further incidents will know the details. This means there may be times when we cannot meet a person’s request that the information ‘goes no further’ than the person they reported the issue to. This is particularly the case, for example, when the issues are serious, involves someone senior in the organisation or there are psychological and safety risks to others.

While the individual subjected to the alleged harassment will sometimes feel frustrated by a workplace investigation process, it is impossible to fairly investigate an allegation if the issues involved are being openly discussed amongst staff and/or the media at the same time. Stockland will therefore ask and expect employees who report issues, participate in inquiries or are the subject of inquiries about their behaviour to keep all details of the issues confidential until the investigation is concluded. Failure to do so may result in further consequences or disciplinary action.

Once the matter is finalised, Stockland will consult with the impacted parties in relation to the way in which confidentiality will apply to any information.

9.2 Transparency

In order for everyone to be assured that issues are taken seriously, Stockland is committed to sharing what it can about sexual harassment cases being managed while respecting the privacy of the people involved. This does not mean full disclosure of all the details, but rather considered sharing of relevant information in order to encourage organisational learning and prevent



similar cases from happening in the future. Personal details will not be recorded and we will seek to maintain confidentiality for the individual.

Regarding external transparency, the following principles guide our approach to communicating about sexual harassment cases in particular where the allegation demands investigation, the offender or alleged offender is a senior leader and where there is legitimate public or stakeholder interest. These principles are subject to any other requirements relating to confidentiality, such as a requirement to ensure a matter raised under Stockland's Whistleblower Policy is kept confidential. Stockland therefore reserves the right to depart from these principles in appropriate circumstances.

1. Our organisation aims to be transparent with internal and external stakeholders about the fact that sexual harassment claims exist.
2. The identity of those involved will be protected by our organisation during the investigation process.
3. We will ask everyone involved to keep any workplace investigation process confidential while that process is underway with an exception for receiving expert counselling or support.
4. Once any investigation is complete, consult with the impacted parties in relation to the way in which confidentiality will apply to any information.
5. Where there is a legitimate public or stakeholder interest and an investigation has found that allegations are substantiated, our organisation may identify the offender and any financial settlements relating to the matter.

10 Reporting and Evaluation

The prevention of and response to sexual harassment is a priority at Stockland and is reported to our Board and Senior Leadership Team on a regular basis to help inform further action our organisation needs to take to eradicate sexual harassment.

11 Policy Compliance

Employees who breach this policy may face disciplinary action up to and including dismissal.

The decision about any outcomes of a sexual harassment investigation will take all the circumstances of the case into consideration including the seriousness of the behaviour, the context, the impact on the individual, the seniority of the offender and relevant industrial instruments.

Contractors or other workplace participants who breach this policy may have contractual arrangements terminated or may be excluded from Stockland's workplaces.

You must adhere to Stockland's Escalation Policy in reporting any breach of this policy that you are involved in or become aware of and do so in a timely manner.

12 Review

This Policy is reviewed and updated:

- Biennial; or
- When there are relevant changes in business practice, legislation, and compliance obligation
- When applicable and appropriate, whichever is sooner of the above

13 Related Policies

[Code of Conduct](#)

[Workplace Relationships Policy](#)

[Diversity and Inclusion Policy](#)

[Work Health and Safety Policy](#)

[Anti-Discrimination and Harassment Policy](#)

[Grievance Procedure](#)

[Conflict of Interests Policy](#)

[Whistleblower Policy](#)



14 Contact for Questions

For further details on any aspect of this policy, please contact the People Services team on (02) 9035 2020 option 2, or email peopleservices@stockland.com.au.

15 Document Control

REVISION	DATE	OWNER	DESCRIPTION OF CHANGES
1.0	August 2021	General Manager, Organisational Development and Corporate	New policy