

 <p>S P Jain School of Global Management DUBAI • MUMBAI • SINGAPORE • SYDNEY</p>	<p>Student Anti-Discrimination, Harassment and Equality Policy</p>
<p>Document Type</p>	<p>Policy and Procedures</p>
<p>Administering Entity</p>	<p>President, VP- Academic, VP- Administration, Deans, Heads of Campuses</p>
<p>Latest Approval/ Amendment Date</p>	<p>November 9, 2017</p>
<p>Last Approval Amendment Date</p>	<p>New Policy</p>
<p>Approval Authority</p>	<p>Board of Directors</p>
<p>Indicative time of Review</p>	<p>November 8, 2019</p>

1. Purpose

- a. S P Jain School of Global Management (S P Jain) aims to provide an environment where students and others in the School are treated fairly and with respect, and are free from unlawful discrimination, harassment and vilification.
- b. S P Jain aims to ensure that when student decisions are made, they are based on merit, not on attributes or characteristics that an individual may possess. S P Jain also tries to create an environment which promotes good working relationships.

2. Application of Policy

- a. This Policy applies to past and present students of S P Jain.
- b. This Policy is not limited to the school campus or its hours. This policy applies to all staff members, students, visitors, volunteers and contractors engaged or appointed by S P Jain, while on campus or engaged in school related activities.

3. Discrimination, Bullying, Harassment, Victimisation and Vilification

- a. S P Jain is actively committed to protecting the rights of students to achieve their full potential in an environment which values and affirms diversity and is free from Discrimination, Bullying, Harassment, Victimisation and Vilification. S P Jain will take all reasonable steps and actions to ensure that students will be treated fairly and with dignity and respect whilst studying.

4. Discrimination

- a. Direct discrimination occurs when a person is treated less favourably than another in their employment because of a reason or ground which is prohibited by law. The prohibited grounds of discrimination are set out in the Federal, State and Territory anti-discrimination laws and include sex, race, age, etc. A full list of the grounds of discrimination which operate federally

and in the State and/or Territories in which students undertake their studies at S P Jain may be relevant and are listed below.

Race (including colour, nationality, descent, ethnic, ethno-religious or national origin)	Religious belief, affiliation, conviction or activity
Sex	Marital status, domestic status, relationship status
Pregnancy (including potential pregnancy)	Homosexuality, transsexuality, sexuality, sexual preference/orientation, lawful sexual activity, gender identity
Carers' responsibilities, family responsibilities, carer or parental status, being childless	Disability/impairment, including physical, mental and intellectual disability
Breastfeeding	Age (including compulsory retirement)
Physical features (VIC only)	Profession, trade, occupation or calling (ACT only)
Industrial/trade union membership, non-membership or activity	Political belief, opinion, affiliation, conviction or activity
Employer association membership, non-membership or activity	Irrelevant criminal record (NT and TAS only)
Employment activity (VIC only)	Irrelevant medical record (NT and TAS only)
HIV/AIDS	Defence service
Association (i.e. association with a person who has one or more of the attributes for which discrimination is prohibited)	Religious appearance or dress (in work or study) (SA only)
Gender history (WA only)	Association with a child (in customer service) (SA only)
Spent convictions (ACT only)	

5. Indirect discrimination

- a. Indirect discrimination may occur when a School imposes a policy, requirement or condition which applies to everyone equally but it in fact operates to disadvantage a particular group because of a characteristic of that group, such as their sex, age, race (i.e., a prohibited ground of discrimination). Example: A student not being invited to work on a research project because they are from a non-English speaking background and it is assumed people might have difficulty understanding them.
- b. Indirect discrimination is sometimes also referred to as 'disparate impact' discrimination. In general terms, it occurs where there is a requirement or condition that applies generally, but has the effect of disadvantaging a particular group and is unreasonable in all of the circumstances. Example: A student not being able to undertake a subject because they have a disability and cannot access the lecture room where classes are being undertaken.
- c. Discrimination also includes the situation where any participant harasses another person based on a ground of discrimination. Harassment is an unwelcome conduct that is expected to offend, humiliate or intimidate a reasonable person.

6. Vilification

- a. Vilification is a public act which incites hatred, severe contempt or severe ridicule of a person or group, because of race, homosexuality, transgender, transsexuality or HIV/AIDS. Vilification is a particularly serious breach of law and will be dealt with accordingly.

7. Sexual harassment

- a. Sexual harassment is an unwelcome conduct of a sexual nature, that can offend, humiliate or intimidate a person. Conduct can amount to sexual harassment even if the person did not intend to offend, humiliate or intimidate the other person. However, conduct will not be construed as sexual harassment if a reasonable person, having regard to all the circumstances, would not have anticipated that the conduct would offend, humiliate or intimidate the other person. Sexual harassment does not have to be directed at a particular individual to be unlawful. Behaviour which creates a hostile working environment for other workplace participants can also be unlawful.
- b. Examples of sexual harassment include, but are not limited to:
 - physical contact such as pinching, touching, grabbing, kissing or hugging
 - staring or leering at a person or at parts of their body
 - sexual jokes or comments
 - requests for sexual favours
 - persistent requests to go out, where they are refused
 - sexually explicit conversations
 - displays of offensive material such as posters, screen savers, internet material etc.
 - accessing or downloading sexually explicit material from the internet
 - suggestive comments about a person's body or appearance
 - sending rude or offensive emails, attachments or text messages.

8. Bullying

- a. Bullying is repeated, unreasonable and inappropriate behaviour directed towards an individual or group, which creates a risk to health and safety.

9. Victimisation

- a. Victimisation is where a person is retaliated against or subjected to a detriment because they have lodged a complaint, they intend to lodge a complaint or they are involved in a complaint of unlawful conduct. A student or an employee of S P Jain must not retaliate against a person or student who raises a complaint or subject them to any detriment.

10. Rights and responsibilities

- a. All students must:
 - understand and comply with this policy;
 - ensure they do not engage in any unlawful conduct towards other workplace participants, customers/clients or others with whom they come into contact through work;
 - ensure they do not aid, abet or encourage other persons to engage in unlawful conduct;
 - follow the complaint procedure in this Policy if they experience any unlawful conduct;
 - report any unlawful conduct they see occurring to others in the workplace in accordance with the complaint procedure in this Policy; and
 - maintain confidentiality if they are involved in the complaint procedure.

- b. All persons within the school should be aware that they can be held legally responsible for their unlawful conduct.
- c. All persons within the school, who aid, abet or encourage other persons to engage in unlawful conduct, can also be legally liable.

11. Gender equality

- a. S P Jain aims to fulfil its obligations under the *Gender Equality Act 2012* (Cth) ('the **Act**'), by developing and implementing a program which will attempt to eliminate discrimination and contributing to gender equality in the company.
- b. The aim of S P Jain's actions is to:
 - i. promote and improve gender equality (including equal remuneration between all women and men)
 - ii. to remove barriers in the full and equal participation of women, in recognition of the disadvantaged position of women in relation to employment and student matters; and
 - iii. promote, amongst employers, the elimination of discrimination on the basis of gender in relation to student matters, and foster consultation between staff and students on issues concerning gender equality.

These actions are about attempting to achieve the potential of all School participants. It has direct benefits throughout the organisation. These benefits include increased productivity, increased morale, reduced absenteeism, better results and higher retention rates of students.

12. Breach of this Policy

- a. All participants are required to comply with this Policy at all times. If a staff member or student breaches this Policy, they may be subject to disciplinary action. In serious cases this may include expulsion or termination of employment. Agents and contractors (including temporary contractors) who are found to have breached this Policy may have their contracts with S P Jain terminated or not renewed.
- b. If a person makes an unfounded complaint or a false complaint in bad faith (e.g., making up a complaint to get someone else in trouble or making a complaint where there is no foundation for the complaint), that person may be disciplined and may be exposed to a defamation claim or expulsion.

13. Complaint handling procedure

- a. If a student or staff member feels that they have been subjected to any form of unlawful conduct contrary to this Policy, they should not ignore it and register their grievance as detailed in the Student Grievance and Mediation Policy and Procedures.

14. Associated documents:

- a. Student Grievance and Mediation Policy and Procedures
- b. Student Code of Conduct Policy