



People

ST6 – Equal Opportunity Procedure

Purpose

- + This Procedure sets out the expectations and requirements for the reporting, investigation and resolution of allegations of Harassment, Discrimination or Bullying at Santos.

Scope

- + This document applies to all Santos Workers, regardless of their location in Australia and encompasses all Santos activities, including work related social activities and any unwelcome contact outside of usual working hours. It applies to all aspects of Santos operations including, but not limited to, recruitment and selection, performance management and reviews, promotions, remuneration management, training and development, benefits and all other contractual arrangements with Santos Workers.
- + For information about or support with this document, please contact Santos HR.

Document Control

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Approved by:	Angus Jaffray, Executive Vice President Strategy & Corporate Services		
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1 Principles

- 1.1 Santos does not accept and will not condone Unlawful Behaviour, which may include Harassment, Discrimination or Bullying undertaken by or toward Santos Workers in any circumstances.
- 1.2 Santos will take all reasonable steps to ensure the workplace is free of Discrimination, Harassment and Bullying.
- 1.3 Santos also strictly prohibits Victimisation of any Santos Worker who has made an allegation of Harassment, Discrimination or Bullying.

2 Requirements

2.1 Nature of Complaints and Confidentiality

- 2.1.1 Any complaint of Harassment, Discrimination or Bullying must be made honestly and in good faith.
- 2.1.2 No person involved in an allegation or investigation of a breach under this Procedure will disclose the details of the issue, the investigation or the outcome to anyone who does not have a 'need to know' for purposes of resolving the complaint. If any Santos Worker is found to have breached confidentiality, appropriate disciplinary action may be taken against them.
- 2.1.3 Any complaints must be made honestly, responsibly and in good faith. If it is found that a Santos Worker has made a defamatory or vexatious complaint, they may be subject to disciplinary action in accordance with the SMS-MS14 People-ST18 Counselling and Discipline Procedure.

2.2 Reporting of Incidents

- 2.2.1 If any Santos Worker believes that he or she is being Discriminated against, Harassed, Bullied or Victimised, the Santos Worker should report the behaviour or incident to their Leader. Where the Leader is not available, or is the alleged offender, the Santos Worker should report the matter to the next level Leader or Human Resources representative in accordance with SMS-MS14 People-ST10 Issue Resolution Procedure.
- 2.2.2 Advice may also be sought from a Contact Officer who will provide assistance with the complaint and explain the available options. Contact Officers are not qualified to give an opinion on the merits of a complaint. Please refer to section 1.6 for more information relating to Contact Officers.

2.3 Investigation

- 2.3.1 Where a complaint has been made or any unacceptable behaviours have been observed in the workplace, the relevant Leader and Human Resources will determine the most appropriate way to approach the issue in accordance with SMS-MS14 People-ST10 Issue Resolution Procedure.
- 2.3.2 An informal or formal resolution may be undertaken dependant on the nature of the complaint or the seriousness or potential seriousness of the observed behaviours. Any resolution process will be conducted in accordance with SMS-MS14 People-ST10 Issue Resolution Procedure.
- 2.3.3 Leaders must act reasonably to prevent or resolve incidents of Harassment, Discrimination or Bullying and may be found vicariously liable for failure to do so.

2.4 Breach

- 2.4.1 Where allegations are substantiated, the relevant decision maker/s, in consultation with Human Resources, will determine appropriate action to ensure that the behaviour does not continue.
- 2.4.2 Any disciplinary action will be in accordance with the SMS-MS14 People-ST18 Counselling and Discipline Procedure. Such action may, in serious circumstances, extend to termination of employment or the engagement of the Santos Worker.

2.4.3 Individuals found culpable of Unlawful Behaviour may also face legal liability and damages.

2.5 Contact Officers

2.5.1 Contact Officers are Santos employees who are trained to provide Santos Workers with information and support to address Discrimination, Harassment, Bullying, Victimization or other workplace issues. This includes providing information to Leaders, supervisors and staff on:

- resolution processes;
- the types of behaviour that are acceptable at work;
- raising awareness that people's boundaries differ; and
- attend meetings as an observer (non-speaking role).

2.5.2 Contact Officers are not qualified to give an opinion on the merits of a complaint.

2.5.3 Contact Officers are located in most of our locations and a List of Contact Officers across company locations can be found on the company's intranet or provided by Human Resources.

2.6 Referral to external tribunals

2.6.1 The complainant has the right to seek redress in the Australian Human Rights Commission (or relevant State body), or the Fair Work Commission, as appropriate, at any stage.

2.6.2 Santos Workers are however encouraged to refer the matter to their Leader or Human Resources to enable the issue to be addressed internally in the first instance.

3 Key Terms

Term	Definition
Bullying	means repeated, Unreasonable Behaviour directed towards a Santos Worker or group of Santos Workers which creates a Risk to Health and Safety. Bullying does not include reasonable management action taken in a reasonable manner, including taking disciplinary action or performance management of an individual. In extreme cases bullying may involve physical assault. Even if not intended, bullying may result in a breach of health and safety laws. Examples include abusive, insulting or offensive language or comments; aggressive or intimidating behaviour; unjustified criticism or complaints; or continually excluding or isolating a Santos Worker from work-related events.
Direct Discrimination	means treating a person less favourably than others because of a particular attribute or status which is unrelated to the performance of the position. Federal and State legislation set out prohibited grounds for discrimination including, but not limited to: <ul style="list-style-type: none">• sex, sexuality, sexual orientation, gender identity, intersex status;• race, colour, nationality, descent and ethnic, ethno-religious or national origin;• physical or intellectual disability;• pregnancy, potential pregnancy or family responsibilities;• age;• political opinion;• religion;• criminal or medical record; and• marital status.
Discrimination	means Direct Discrimination and Indirect Discrimination.

Term	Definition
Harassment	means any unwanted, unwelcome and uninvited behaviour that results in a person feeling humiliated, intimidated or offended, and under the circumstances it would be reasonable for them to feel this way. The perception by an individual that they have been harassed is sufficient for them to lodge a complaint. Harassment may be unlawful, even if there was no intent to harm another person. Examples include unwelcome practical jokes; the use of unsuitable language in the workplace; spreading gossip or rumours; or the reciting of racist jokes.
Indirect Discrimination	occurs when there is a requirement that at first sight seems to treat everyone equally, but which in fact has an unfavourable effect on a certain group of people. It occurs if a person imposes a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons who have a particular attribute, which is a prohibited ground under Federal or State anti-discrimination legislation, unless the condition, requirement or practice is reasonable in the circumstances. Examples include conducting team meetings before or after ordinary working hours when a team member is unable to attend due to carer's responsibilities; providing training or promotional opportunities to full-time employees only; or deciding not to offer employment to a person with a disability without assessing the person's ability to perform the role.
Leader	means, if employed by Santos, the manager to whom a Santos Worker reports, or if otherwise engaged by Santos, the relevant contact within Santos.
Repeated	refers to the persistent or ongoing nature of the behaviour and can refer to a range of different types of behaviour over time.
Risk to Health and Safety	includes the risk to the emotional, mental or physical health of the person(s) in the workplace.
Santos Worker	means any person who performs work, or provides services, in any capacity for, or on behalf of, Santos, including: (a) employees, officers and directors; (b) contractors, agents, consultants and subcontractors; and (c) apprentices, trainees, secondees, students gaining work experience, volunteers and job applicants.
Sexual Harassment	means any unwanted, unwelcome and uninvited behaviour of a sexual nature that results in a person feeling humiliated, intimidated or offended, and under the circumstances it would have been reasonable for them to feel this way. The perception by an individual that they have been sexually harassed is sufficient for them to lodge a complaint. Sexual harassment does not refer to behaviour based on mutual attraction, friendship and respect if the interaction is consensual, welcome and reciprocated. Sexual harassment is unlawful under the Sex Discrimination Act 1984 (Cth) and may create a legal liability for those engaging in such behaviour, as well as anyone who condones, allows or encourages it. Santos may also be held liable. Examples include leering or staring; unwanted physical contact; demands for sexual favours; unwelcome comments about a person's private life; or viewing pornographic images in the workplace.
Unlawful Behaviour	means behaviour including Bullying, Harassment, Sexual Harassment, Victimization and direct and indirect discrimination as defined in this Procedure.
Unreasonable Behaviour	means behaviour that a reasonable person, having regard to the circumstances would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.
Victimization	occurs when an individual is threatened with or subjected to any form of detriment as a result of raising an equal opportunity matter. Victimization can be unlawful.