

Anti - Discrimination Policy

Excelsior Capital Limited

(ACN 050 542 553)

Anti-Discrimination Policy

Anti-Discrimination Policy

Excelsior Capital Limited (ECL) is committed to ensuring that our working environment is free from discrimination.

It is discrimination where the following occurs:

- 1 A person is treated less favourably, and
- 2 Because of a personal characteristic which is protected, and
- 3 Which results in a disadvantage.

All three of the above must be present to be considered discrimination. Possibly the most important of the above three to be aware of is the 'personal characteristic' grounds.

The protected 'personal characteristics' grounds include:

- a) *Age,*
- b) *Race, Nationality or Social Origin,*
- c) *Sex,*
- d) *Disability,*
- e) *Lawful Industrial Activity,*
- f) *Pregnancy,*
- g) *Breast Feeding,*
- h) *Religious Belief or Activity,*
- i) *Political Belief,*
- j) *Marital Status,*
- k) *Family/Carer Responsibilities,*
- l) *Transgender,*
- m) *Sexual Orientation,*
- n) *Association,*
- o) *Criminal Record.*

Unlawful discrimination can occur either directly or indirectly.

- p) **Direct discrimination** is any action which specifically excludes a person, or a group of people from a benefit or opportunity, or significantly reduces their chances of obtaining it because a personal characteristic based on any of the grounds listed above.

For example, if two employees apply for the same promotion, and the manager tells the unsuccessful employee that she was not hired because she was female, this would be direct discrimination.

- q) **Indirect discrimination** may occur if the outcome of rules, practices and decisions of ECL, which appear to treat people equally and to be neutral, actually has an adverse effect on a group of people or an individual (as appropriate) based on a ground/s listed above.

For example, if ECL created a height requirement to work in the office. Such a height requirement may indirectly discriminate against a whole group of persons such as particular races or a particular sex.

Anti-Discrimination Policy

Complaint Reporting Procedure

Discrimination can result in legal action against ECL and individuals; it can also cause Work Health and Safety risks. For these reasons, it is everyone's responsibility to report instances of discrimination.

If a workplace participant feels that they have been discriminated against, they should not ignore it. The first step is to immediately raise the concern with their direct manager/supervisor (unless the complaint is against their manager/supervisor in which case the complaint will be raised directly with the next level of management). ECL will, where possible, objectively investigate and assess the details of the complaint in accordance with the investigation response procedure and following the investigation, make a finding and take action on those findings where possible.

The nature of the investigation will depend on the situation. ECL may interview witnesses and where appropriate, workplace participants who have had allegations made against them. All workplace participants are expected to participate in investigations to ensure fair outcomes for all and to protect and maintain a safe workplace.

There may be occasions where there is insufficient evidence available to substantiate the claim. Workplace Participants who make a complaint should not expect or demand a particular outcome. ECL can only act if it has appropriate evidence before it – this is to ensure fairness for all workplace participants.

Breach of this Policy

ECL takes very seriously its commitment to providing a safe and healthy work environment, free from inappropriate workplace conduct.

Any employee who has been found by ECL, after an investigation, to have engaged in inappropriate behaviour with respect to discrimination will be subject to appropriate sanctions ranging from warnings up to and including possible termination of employment.

If a person makes a false complaint, or a 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 legal liability.

Access to this Policy

This Policy will be made available in the Corporate Governance section of the Group's website or a copy may be obtained from a Protected Disclosure Officer. Copies of the policy will also be made available to Group employees, contractors and officers electronically, via email on request or as appropriate.

Review

This Policy and related procedures shall be reviewed periodically (but at least annually) by the Board. This policy was approved and adopted by the Board.

Authorised by the Board of
Excelsior Capital Limited