

Insert logo/name

Anti-Discrimination and Harassment Policy

Insert RTO Name is committed to ensuring that all staff and learners have the right to work and learn in an environment where they are treated with dignity and respect and are free from all forms of discrimination or harassment.

Under State and Federal Legislation discrimination and harassment are unlawful and will not be condoned under any circumstances.

Rights and Responsibilities of Staff

We understand that all staff have rights and responsibilities with regard to ensuring our workplace is free from discrimination and harassment and will put processes in place to ensure these rights are met by informing staff at Induction of their rights and responsibilities as follows:

All staff have the right to:

- recruitment and selection decisions based on merit without being affected by irrelevant personal characteristics
- a work environment free from discrimination, bullying and sexual harassment
- raise issues or to make complaints in a reasonable and respectful manner without being victimised
- reasonable flexibility in working arrangements, especially where needed to accommodate their family responsibilities, disability, religious beliefs or culture.

All staff are responsible for:

- following the standards of behaviour outlined in this policy
- offering support to people who experience discrimination, bullying or sexual harassment, including providing information about how to make a complaint
- avoiding gossip and respecting the confidentiality of complaint resolution procedures
- treating everyone with dignity, courtesy and respect.

Insert RTO Name is aware of the following forms of discrimination and harassment:

1. **Discrimination** happens when there is adverse action because of a person's characteristics such as their race, religion or sex, colour, ethnic or ethno-religious background, descent or nationality; marital status, disability; homosexuality; age; or gender identification.

Actions that could be defined as adverse action include:

- Treating someone differently from others.
- Cancelling an enrolment or terminating employment.
- Changing circumstances of employment or training.
- Not offering employment or a place in a course.
- Offering a potential employee/learner different (and unfair) terms and conditions compared to other employees or learners.

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2. **Harassment** includes and refers to any unwanted, unacceptable or offensive behaviour by an individual or group towards another individual or group within the organisation. This behaviour may be verbal, physical, or take the form of written material including posts on social media. It may be related to a person's sex; race, colour, ethnic or ethno-religious background, descent or nationality; marital status disability; homosexuality; age; or gender identification.

The following are examples of discrimination and/or harassment:

1. **Bullying** may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient. It only has to occur once to be considered unlawful.
2. **Sexual Harassment** may be homosexual or heterosexual. It is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, spoken or written and can be directed at women by men, at men by women, and also between members of the same sex.
3. **Racial Harassment** is any behaviour, deliberate or otherwise pertaining to race, colour, nationality - including citizenship, or ethnic or national origins, which is directed at an individual or group and which is found to be offensive or objectionable to recipients and which creates an intimidating, hostile or offensive environment.
4. **Harassment on Grounds of Sexual Orientation** is any behaviour which is intimidating, hostile, degrading, humiliating or offensive pertaining to sexual orientation. It may be directed against individuals or groups of people who are, or are thought to be lesbian, gay, bisexual or transgendered.
5. **Religious Harassment** is any behaviour which is intimidating, hostile, degrading, humiliating or offensive pertaining to religion of an individual.
6. **Harassment on the Grounds of Disability** may be based on a person's physical or mental impairment, learning difficulty or disfigurement.
7. **Harassment on the Grounds of Age** is relevant to any age of person.

Any of the above actions and including victimisation and gossip directed against a staff member will result in discipline against the perpetrator.

Procedure

Staff Induction

All staff, Trainers and Assessors and learners are responsible for ensuring a learning and assessment environment free of harassment and discrimination. They are informed of their responsibilities as follows

- The Anti-discrimination and Harassment Policy is explained at staff induction.
- It is included in the Staff and the Learner Handbooks as a staff and learner responsibility to

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provide an environment free of harassment and discrimination and as a staff and learner right to work and learn in an environment free of harassment and discrimination.

- It is explained at course orientations

A workplace free of discrimination and harassment will be encouraged by:

- Ensuring appropriate staff and learner inductions take place
- Modelling appropriate behaviour
- Intervening promptly and appropriately when any form of harassment or discrimination occurs
- Acting fairly to resolve issues including encouraging the parties involved to resolve complaints informally
- Ensuring staff and learners who raise an issue or make a complaint are not victimised
- Ensuring recruitment decisions are based on merit only and do not take into consideration any irrelevant personal characteristics
- Considering requests for flexible work arrangements.
- Monitoring the professional development needs of staff to ensure required skills concerning harassment and discrimination are relevant and current.
- Ensuring any complaints are immediately and fairly dealt with following the Complaints and Appeals Policy and Procedure.

Evidence

The following will be retained as evidence of compliance with Anti-Discrimination Legislation:

- Staff Induction Checklists and records
- Records of Complaints and Appeals

Related Policies

Work Health and Safety Policy

Complaints and Appeals Policy

Staff Induction Policy

Supporting Documents

- Code of Practice
- CEO Position Description
- Vet Compliance Manager Position Description
- Trainer and Assessor Position Description

Forms and Records

- Complaints and Appeals Forms
- Staff Induction Checklist

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References

[Australian Human Rights Commission](#)

[Fair Work Ombudsman/Fair Work Act 2009](#)

[Sex Discrimination Act 1984](#)

[Australian Human Rights Commission Act 1986](#)

[Age Discrimination Act 2004](#)

[Disability Discrimination Act 1992](#)

[Racial Discrimination Act 1975](#)

[A Quick Guide to Australian Discrimination Laws](#)

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