



## Anti-Discrimination Policy

<b>Purpose:</b>	Samford Valley Steiner School (SVSS) is committed to protecting students and employees from unlawful discrimination and to responding appropriately should such discrimination occur.	
<b>Scope:</b>	Students, parents and employees, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements	
<b>Status:</b>	Approved	<b>Supersedes:</b> Jan 2023
<b>Authorised by:</b>	School Director	<b>Date of Authorisation:</b> Feb 2025
<b>References:</b>	<ul style="list-style-type: none"> <li>• <u><i>Anti-Discrimination Act 1991 (Qld)</i></u></li> <li>• <u><i>Australian Human Rights Commission Act 1986 (Cth)</i></u></li> <li>• <u><i>Age Discrimination Act 2004 (Cth)</i></u></li> <li>• <u><i>Disability Discrimination Act 1992 (Cth)</i></u></li> <li>• <u><i>Disability Standards for Education 2005</i></u></li> <li>• <u><i>Racial Discrimination Act 1975 (Cth)</i></u></li> <li>• <u><i>Sex Discrimination Act 1984 (Cth)</i></u></li> <li>• SVSS Sexual Harassment Policy</li> <li>• SVSS Workplace Bullying Policy</li> <li>• SVSS Disability Discrimination Policy</li> <li>• SVSS Social Health and Wellbeing Policy</li> <li>• SVSS Employee Code of Conduct</li> <li>• SVSS Complaints Resolution Policy</li> <li>• SVSS Complaints Resolution Procedures</li> </ul>	
<b>Review Date:</b>	Every 2 years	<b>Next Review Date:</b> 1 Feb 2027
<b>Policy Owner:</b>	School Director	

## Policy Statement

All students and employees at SVSS have the right to learn and work in an environment free from unlawful discrimination. SVSS will provide a fair and safe learning and teaching environment where all students and employees have equal opportunities.

SVSS is committed to protecting students and employees from unlawful discrimination and to responding appropriately should such discrimination occur, including possible disciplinary action. Any instances of discrimination should be reported under the SVSS Complaints Resolution Policy.

In accordance with relevant law, SVSS will act to prohibit unlawful discrimination towards its students and employees, on the basis of “protected attributes” relevant to the school, whilst students and employees are engaging in their education and work at SVSS. Both direct and indirect unlawful discrimination are prohibited.

In accordance with the relevant law, SVSS prohibits unlawful discrimination against students in all facets of education at SVSS including:

- admission and enrolment applications
- terms of admission and enrolment
- variation of the terms of a student's enrolment
- denial or limitation of benefits normally resulting from enrolment
- exclusion or suspension of students
- assessment and examination
- access to resources and facilities
- treatment of a student in regard to training or instruction

In accordance with the relevant law, SVSS prohibits unlawful discrimination against employees undertaking all categories of work, whether it be full-time, part-time, permanent, fixed-term, casual, work experience, vocational placement or voluntary, and in every aspect of work, including:

- recruitment
- terms and conditions
- training
- promotion
- termination of employment

### Attributes of unlawful discrimination

State and Commonwealth law set out “attributes” on which unlawful discrimination is based, including:

- (a) sex
- (b) relationship status
- (c) pregnancy
- (d) parental status
- (e) breastfeeding
- (f) age
- (g) race
- (h) impairment
- (i) religious belief or religious activity

- (j) political belief or activity
- (k) trade union activity
- (l) lawful sexual activity
- (m) gender identity
- (n) sexuality
- (o) family responsibilities
- (p) association with, or relation to, a person identified on the basis of any of the above attributes.

Federal anti-discrimination legislation prohibits discrimination on the basis of criminal record, medical record or social origin.

## Definitions

- **Direct discrimination:** Direct discrimination on the basis of an attribute happens if a person treats, or proposes to treat, a person with an attribute less favourably than another person without the attribute is or would be treated in circumstances that are the same or not materially different.<sup>1</sup>
- **Indirect discrimination:** Indirect discrimination on the basis of an attribute happens if a person imposes, or proposes to impose, a term –
  - a) with which a person with an attribute does not or is not able to comply
  - b) with which a higher proportion of people without the attribute comply or are able to comply
  - c) that is not reasonable.<sup>2</sup>

## Responsibilities

### School Responsibilities

The legislation establishes a legal responsibility on employers to provide workplaces free from discrimination.

SVSS takes reasonable steps to prevent unlawful discrimination in the school, as follows:

- Develop and implement an anti- discrimination policy to assist in preventing any instances of discrimination.
- Educate and train relevant employees to assist in preventing any instances of discrimination and to appropriately respond to any instances of discrimination.
- Establish appropriate grievance and complaints procedures via its SVSS Complaints Resolution Policy and Procedures to appropriately respond to any instances of discrimination.
- Remove any discriminatory or offensive materials, rules and practices to assist in preventing any instances of discrimination.
- Encourage employees and students to contribute to a healthy workplace culture to assist in preventing any instances of discrimination.

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<sup>1</sup> *Anti-Discrimination Act 1991 s10*

<sup>2</sup> *Anti-Discrimination Act 1991 s11*

## **Staff Responsibilities**

All staff contribute to maintaining a discrimination free and inclusive workplace, and a healthy school and workplace culture.

All staff at SVSS have a responsibility not to engage in discriminatory conduct and to uphold the school's policy.

Staff have an obligation to model appropriate behaviour; promote this policy; treat all complaints seriously and attend to them promptly under the school's Complaints Handling Policy and Social Health and Wellbeing Policy; monitor the school environment; and seek support for complex or serious matters.

If staff believe that discriminatory behaviour is occurring in the school, they should make a complaint under the school's Complaints Handling Policy.

## **Student and Parent Responsibilities**

All students and parents contribute to maintaining a discrimination free and inclusive school and a healthy school culture.

All students and parents at SVSS have a responsibility not to engage in discriminatory conduct and to uphold the school's policy.

If students or parents believe that discriminatory behaviour is occurring in the school, they should make a complaint under the school's Complaints Handling Policy.

## **Implementation**

SVSS takes reasonable steps to prevent discrimination including the following:

- awareness – regularly raise awareness of discrimination, including by the development and implementation of an anti-discrimination policy, and via the clear support and promotion of the policy by the school board and Senior Leadership Team.
- training – regularly educate and train employees (especially senior staff) appropriately on how to prevent and manage discrimination.
- complaints resolution – establishment of an appropriate complaints resolution policy and procedures.
- record keeping, monitoring, reporting – keep appropriate records, monitor and report on discrimination issues.
- culture – removal of any discriminatory or offensive materials, rules and practices, and encouragement of employees to contribute to a healthy school culture.

The school will ensure it is implementing processes relating to anti-discrimination by ensuring staff, students and parents are made aware of the policy and their anti-discrimination obligations. The school will educate and train relevant staff to assist in preventing any instances of discrimination and to appropriately respond to any instances of discrimination.

Anti-discrimination legislation applies to all employees undertaking all categories of work, whether it is full-time, part-time, permanent, fixed term, casual, work experience, vocational placement or

voluntary, and in every aspect of work. SVSS Anti Discrimination policy makes it clear that discrimination is unlawful in the following areas:

- recruitment
- terms and conditions
- training
- promotion
- termination of employment.

### **Compliance and Monitoring**

The school will monitor the Complaints Register and other related registers and data (for example student behaviour incidents) to identify any patterns in discriminatory behaviour and implement appropriate improvement measures.

Suggestions of non-compliance with this policy and any related processes may be submitted as complaints under SVSS Complaints Handling Policy.