

# Anti-Discrimination and Harassment Policy

## Purpose

The purpose of this policy is to provide ABC Licence Training guidance in relation to the equal treatment of its personnel and students. ABC Licence Training has zero tolerance against discrimination and harassment. ABC Licence Training believes in providing an environment free of discrimination, harassment or bullying of any sort and one that promotes mutual respect for the rights of each individual.

ABC Licence Training is an equal opportunity employer. ABC Licence Training ensures that its appointments, promotion and all employment practices are based on merit.

This policy is to be read in conjunction with the Access & Equity Policy of ABC Licence Training.

## Scope

This policy applies to all persons including current and prospective staff, students and visitors of ABC Licence Training.

## Policy Statement

### Discrimination

Discrimination is when an individual is denied an opportunity or treated less favourably due to personal attributes (e.g. race, gender, medical condition etc.) Discrimination may be direct or indirect.

Direct discrimination occurs when unlawful distinctions are made such as a person with a particular attribute is treated less favourably than one without that attribute. Indirect discrimination occurs when a practice or policy has a discriminatory effect on an individual.

Discriminatory grounds that are considered under various Federal and State legislative instruments include the following but is not limited to age, impairment/disability, race, colour, ethnic or religious background, sex.

## Harassment

Harassment is a behaviour or act that offends, humiliates or intimidates an individual. Harassment may be verbal, written, physical or visual. Harassment in any form is unlawful under the Commonwealth and State Legislation.

Examples of harassment may include but is not limited to:

- Use of inappropriate language
- Offensive hand or body gestures
- Isolating someone
- Stalking someone
- Sexual or suggestive remarks or references
- Offensive jokes and comments about someone's ethnicity, race, religion, nationality, gender or sexual preference
- Picture, posters, graffiti, electronic images, etc. that are offensive, obscene, or objectionable
- Physical harassment such as unnecessary physical contact, pushing, shoving etc.

## Bullying

Bullying is also a form of harassment and is one when an individual uses his/her strength or power to coerce others. Bullying may include persistent criticism, groundless withdrawal of benefits, ignoring a person's point of view, public reprimands, and humiliation.

## Vilification

Vilification on the basis of race or religion is simply a public act of hatred – and it's against the law.

It can include things such as graffiti in churches or other public places, speeches, abuse, remarks in the media or on internet sites, gestures, posters or stickers. For these sorts of things to be considered vilification, they need to be public and to incite people to hate others because of their race or religion.

All ABC Licence Training employees must ensure that all persons on site (including visitors) are treated equitably and are not subject to vilification or harassment. They must also ensure that people who make complaints, or act as witnesses, are not victimised in any way.

## Reporting an incident and RTO Responsibility

Staff or students who feel they are being harassed or have witnessed any incident or harassment, bullying etc. must report the matter to ABC Licence Training. All complaints/allegations will be promptly investigated. The privacy of the individual reporting will be respected at all times and all details of the investigation will remain confidential.

Any person who is found in breach of this policy may be subject to disciplinary action which may include expulsion for students or dismissal for staff.

The person being investigated will also have the right to access the Complaints and Appeal process of ABC Licence Training.

## Management Action and Responsibility

All staff including third party providers and franchisees of ABC Licence Training are expected to uphold this policy. CEO is responsible for the overall management of this policy.

## Legislative Context

The legislative base for this policy is as follows:

- National Vocational Education and Training Regulator Act 2011 (Cth)
- Standards for Registered Training Organisations 2015
- Age Discrimination Act 2004 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Work Place Gender Equality Act 2012 (Cth)
- Fair Work Act 2009 (Cth).
- New South Wales Anti-Discrimination Act 1977 (NSW);
- Northern Territory Anti-Discrimination Act 1996 (NT)
- Queensland Anti-Discrimination Act 1991 (QLD);
- South Australia Equal Opportunity Act 1984 (SA);
- Victoria Equal Opportunity Act 1995 (VIC);
- Western Australia Equal Opportunity Act 1984 (WA)