



FOR RUDOLF STEINER EDUCATION LTD.

ANTI-DISCRIMINATION POLICY

Mumbulla School for Rudolf Steiner Education (the School) is committed to the elimination of all forms of discrimination in the school environment. This policy applies to all the school’s employees and students and has implications for the school community.

Mumbulla School aims to provide a safe and supportive learning environment that respects and values diversity and is free from violence, discrimination, harassment, and vilification.

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ANTI-DISCRIMINATION POLICY

The School aims to foster a culture of inclusivity, respect and acceptance of diversity. In doing so, we seek to deepen understanding and knowledge, promote student and staff wellbeing and help everyone achieve their full potential. Our School is enriched by and celebrates the diversity of our whole school community.

Our school is committed to ensuring that individuals and groups are not disadvantaged because of their sex, gender identity, sexuality, race, culture, ethnicity, national or religious background. No student, employee, parent or community member should experience discrimination within the learning or working environment of the school.

Mumbulla School rejects all forms of discriminatory behaviour and is committed to the elimination of all forms of bigotry or intolerance in its organisation, curriculum and in the learning and working environment.

Eradicating expressions of discrimination in learning and working environments, and challenging the attitudes that allow them to emerge, is the shared responsibility of all.

LEGISLATION

There is both Federal and State legislation that deals with discrimination. The relevant legislation is:

Federal

- Human Rights and Equal Opportunity Commission Act 1986
- Commonwealth Racial Discrimination Act 1975
- Racial Hatred Act 1995
- Workplace Relations Act 1996
- Sexual Discrimination Act 1984

State

- Anti-Discrimination Act 1977 (NSW)

DEFINING UNLAWFUL DISCRIMINATION

Discrimination is treating one person or group less favourably than another or causing them disadvantage. Unlawful discrimination is discrimination which law has defined as unacceptable.

There are several Federal and State laws which presently make discrimination unlawful on a variety of grounds (unlawful reasons) including:

- a) sex, marital or relationship status, pregnancy, breastfeeding or family responsibilities;
- b) sexuality or sexual preference;
- c) race, colour, descent, nationality, national origin, ethnicity or ethno-religious origin;
- d) religious belief or activity;
- e) disability or impairment;
- f) transgender status or gender identity;
- g) age;
- h) responsibilities as a carer.

How can unlawful discrimination occur?

Discrimination can be direct or indirect.

Direct discrimination occurs where someone is treated less favourably because of sex, age group, race, religion, gender identity, culture, ethnicity, sexuality or background.

Indirect discrimination occurs where everyone is treated on the same terms according to a rule, policy or directive but which has the effect of being less favourable to people of a particular sex, age group, race, religion, gender identity, culture, ethnicity, sexuality or background and which is not reasonable in all the circumstances. An example of indirect discrimination would be a school policy stating that the school will not engage part time teachers – this would impact on teachers who may wish to work part time due to carers' responsibilities and would most likely exclude a large proportion of women – and this restriction is not reasonable.

DEFINING UNLAWFUL HARASSMENT

Unlawful harassment is a type of unlawful discrimination. In general, unlawful harassment is any form of conduct or behaviour which affects a person that:

- a) is unwelcome (not wanted) or uninvited (not asked for); and
- b) is based on one of the unlawful reasons; and
- c) a reasonable person would have anticipated might humiliate, offend or intimidate the person exposed to the conduct.

What are the types of unlawful harassment?

Types of unlawful harassment include, but are not limited to:

- a) sexual harassment;
- b) verbal abuse or comments that degrade or stereotype people because of their sex, age group, race, religion, gender, culture, ethnicity, sexuality or background jokes based on race, sex, sexuality, pregnancy, disability etc;
- c) mimicking someone's accent, or the habits of someone with a disability;
- d) offensive gestures based on race, sex, sexuality, pregnancy, disability, etc;
- e) bullying a person because of their race, sex, sexuality, pregnancy, disability, etc;
- f) ignoring or isolating a person or group because of their race, sex, sexuality, pregnancy, disability, etc; or
- g) display or circulation of racist, pornographic or other offensive material (including in electronic format).

Harassment might not be unlawful, if it is not based on one of the unlawful reasons. However, the School expects its staff, parents/carers and students to treat each other and other people with whom they come into contact as representatives of the School with respect and courtesy.

In some cases, a single action or incident can create unlawful harassment. In other cases, there may need to be a persistent pattern of behaviour before unlawful harassment has occurred.

IMPLEMENTATION STRATEGIES

Mumbulla School will:

1. Implement programs to counteract the causes and redress the effects of discrimination in our educational context.
2. Protect the rights of students, staff, and parents/carers to achieve their full potential in an environment which encourages the affirmation of their identity.
3. Provide students, staff, parents/carers, and community members with a mechanism for the lodgement and resolution of complaints.
4. Ensure that all members of the school community understand their rights and responsibilities under the Anti-Discrimination Policy and Grievance Policy.
5. Implement anti-discriminatory employment practices.

The Education Manager will:

1. Allocate resources, including appropriate materials for whole school and classroom use.
2. Ensure that all staff, members of the Board of Directors, P&F, parent/carers, students and community members are familiar with the Anti-Discrimination Policy and Grievance Policy and Procedures and understand their rights and responsibilities in relation to them.
3. Ensure recruitment and enrolment procedures are compliant with the Anti-Discrimination Policy.
4. Develop, implement, and review strategies to promote the policy.
5. Assist staff in the development of strategies for addressing all forms of discrimination in appropriate subject areas and across the curriculum.
6. Intervene to prevent discrimination from occurring and to redress its effects if preventative measures are not possible.
7. Monitor the school environment for all forms of discriminatory attitudes and behaviours.

Teachers will:

1. Ensure that curriculum content and teaching methods are consistent with and support the Anti-Discrimination Policy.
2. Develop strategies in the school for increasing student understanding of difference and diversity in sex, age, race, religion, gender identity, culture, ethnicity and sexuality.
3. Monitor the school environment for discriminatory and vilifying attitudes and behaviours and intervene to prevent them from occurring in the school environment.

What Are Your Obligations?

Everyone at the School has the legal obligation not to discriminate against, or harass for any unlawful reason, or bully for any reason any employee, agent, contract worker, contractor, supplier, parent/carer, student or visitor.

You must always consider how your behaviour will be viewed by the person or people you are dealing with. You might unlawfully harass someone, bully someone or unlawfully discriminate against someone even if you do not mean to do or say anything offensive. It is not a legally acceptable defence to say that you did not mean or intend to humiliate, offend or intimidate somebody else.

It is sometimes difficult to know whether someone will find your behaviour acceptable. What is offensive to one person may not be offensive to another. You should be careful not to risk being misunderstood and, as a result, becoming the subject of a complaint.

CONCERNS AND COMPLAINTS

Mumbulla School encourages all members of the school community to attempt to resolve complaints and concerns through the school. The school's complaints procedures are detailed in the School's *Grievance Policy and Procedures*.

All complaints will be treated confidentially, fairly, and consistently, and resolved as quickly as possible. Any member of the school community who raises an issue of discrimination in good faith will not be victimised or otherwise unfairly treated or disadvantaged. All complaints of victimisation will be taken seriously, investigated, and acted upon as quickly as possible.

Every student and staff member at Mumbulla School should feel welcome, supported and emotionally and physically secure at school. The wellbeing of all students and staff is a priority for the School. We understand that you cannot achieve your potential if someone is treating you unfairly, discriminating against you, vilifying, harassing or victimising you.

Grievance procedures exist to provide an avenue to address unacceptable behaviour. Grievance procedures are designed to explain what to do if you believe you have been discriminated against as explained earlier in this policy.

The School will treat all reports fairly, confidentially and quickly. Only people directly involved in the issue or complaint will be told about it. Each complaint will be investigated to work out whether it is more likely the behaviour happened than not and, if so, how serious it is. Appropriate action to resolve the problem will be taken.

The Education Manager or someone else they appoint, has responsibility for investigating complaints of discrimination of any kind. If proven, the consequences of such behaviour may include counselling, the removal of privileges, a parent/carer interview, suspension, or expulsion.

Mumbulla School will monitor how the complaint was resolved and the wellbeing of those involved. Further action will be taken if the problem behaviour continues.

WHERE TO GO FOR HELP

Cyber bullying resources and support:

Reach Out Website: <https://about.au.reachout.com/us/>

Bullying. No way!: Website: <http://www.bullyingnoway.com.au>

Office of the eSafety Commissioner: Website: <https://www.esafety.gov.au/esafety-information>

Anti-Discrimination NSW: Website: <https://www.antidiscrimination.justice.nsw.gov.au/>

email: complaintsadb@justice.nsw.gov.au

Equal Opportunity Act 1984: Website: <https://www.slp.wa.gov.au>

Select 'Acts in force', then browse Acts by title 'E'

Human Rights and Equal Opportunity Commission Act 1986: Website: <http://www.hreoc.gov.au>

Available under the 'Human Rights' heading on the front page.

Racial Discrimination Act 1975: Website: <http://www.hreoc.gov.au>

Available under 'Racial Discrimination' heading on the front page.

Racial Hatred Act 1995: Website: <http://www.hreoc.gov.au>

Available under 'Racial Discrimination' heading on the front page.

The Racism. No Way! website has a lot of valuable information for students and teachers.

www.racismnoway.com.au. Information is available in their library and classroom sections.

The Human Rights and Equal Opportunity Commission also has "Information for Teachers" covering Education Modules, Current Issues, Human Rights Resources, and a Human Rights Education Mailing List and provides a wealth of information on all forms of discrimination. www.hreoc.gov.au.

Workplace Relations Act 1996: Website: <https://www.legislation.gov.au/Details/C2006C00104>.

SUPPORTING SCHOOL DOCUMENTS

Discrimination, Harassment and Bullying Statement for Employees, Contractors and Volunteers

Anti-Bullying Policy

Inclusion Policy

Grievance Policy and Procedure

REFERENCES

AISNSW Discrimination, Harassment and Bullying Statement for Employees, Contractors and Volunteers (NSW/ACT)

Available: <https://www.ais.edu.au>

Human Rights and Equal Opportunity Commission Act 1986

Website: <http://www.hreoc.gov.au>

Racial Discrimination Act 1975

Website: <http://www.hreoc.gov.au>

Racial Hatred Act 1995

Website: <http://www.hreoc.gov.au>

Workplace Relations Act 1996

Website: <https://www.legislation.gov.au/Details/C2006C00104>.

Anti-Discrimination Act 1977 (NSW)

Website: <https://legislation.nsw.gov.au>