

ROCKHAMPTON GIRLS GRAMMAR SCHOOL

Anti-Discrimination Policy

POLICY

Rockhampton Girls Grammar School (RGGGS) is an equal opportunity organisation. The School is committed to providing an environment that is free from discrimination, harassment, vilification and victimisation in accordance with its obligations under anti-discrimination legislation.

This policy is in **three** parts: Part A – General; Part B – Employment; Part C – Enrolment

Scope of the Policy

This policy applies to all staff, volunteers, Board Members, students and parents/guardians of RGGGS.

PART A GENERAL

DEFINITIONS

Discrimination is unlawful discrimination, which may be direct or indirect.

Direct discrimination occurs when a person is treated less favourably, on the grounds of a specified attribute, than other persons who do not have that attribute or status in circumstances which are the same, or not materially different. Discrimination is also prohibited where a person is treated less favourably on the basis on a characteristic common to or generally attributed to persons who have the attribute.

Indirect discrimination occurs when seemingly fair rules, practices or procedures which appear to be neutral, impact unfairly on a group of people with a specified attribute and there is no reasonable basis for the rule, practice or procedure. When a person with any of the attributes cannot comply with a rule, practice or procedure, but the majority of persons who do not have that attribute, or have a different attribute, are able to comply, then that person has indirectly been discriminated against.

It is unlawful to discriminate against a person on the basis of the following **attributes** or because a person is associated with or related to a person who has the attribute:

age	pregnancy
disability or impairment	breast-feeding
trade union activity	lawful sexual activity
relationship status	religious beliefs or activity
political beliefs or activity	sex
parental status	race
sexuality	gender identity
family responsibilities	

Discrimination does not need to be intentional or deliberate; motive is irrelevant.

Harassment includes:

- **Sexual harassment.** Sexual harassment is any verbal, written, visual or physical behaviour of a sexual nature that is unwelcome and unwanted where the harasser in all the circumstances should have reasonably anticipated that the other person would be offended, humiliated or intimidated. RGGGS has a Sexual Harassment Policy.



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- **Harassment of persons with disabilities.** The words “disability” and “impairment” have a very wide meaning and include past, present, future and imputed disabilities or impairments. They do not relate only to persons who might have an obvious disability such as blindness. Harassment of persons with disabilities or impairments, or who are associated with persons who have disabilities or impairments, is unlawful. Harassment means an action taken in relation to a persons’ disability that is reasonably likely to humiliate, offend, intimidate or distress the person. Harassment includes making comments about a person’s disability, isolating a person because they are disabled, or not including them because they are disabled. RGGGS has an Anti-Bullying and Harassment Policy and a Disability Policy (regarding students with disabilities).
- **Racial harassment or vilification.** As in the case of persons with disabilities, harassment on the grounds of race includes making comments about a person’s race, racial characteristics or place of origin. It also includes isolating a person because of their race, racial characteristics or place of origin or not including them for any of those reasons.

Victimisation occurs when a person is treated or threatened to be treated in an adverse manner as a result of making or threatening to make a complaint of discrimination or harassment. Victimisation also occurs when there is adverse treatment because a person has supported the complaint of another. As with discrimination generally, motive is irrelevant. A complaint of victimisation can be successful even if the underlying discrimination or harassment complaint does not succeed.

It is unacceptable and against the law for any person to be treated differently for the reason that he or she decided to exercise his or her legal rights under discrimination laws or help someone else to do the same.

LEGISLATION

- Anti-Discrimination Act 1991 (Qld)
- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Age Discrimination Act 2004 (Cth)
- Human Rights and Equal Opportunity Commission Act 1986 (Cth)

GENERAL PRINCIPALS

- RGGGS does not tolerate any form of discrimination, harassment, vilification or victimisation.
- All members of the RGGGS Community must refrain from engaging in discriminating, harassing, vilifying or victimizing conduct towards any colleagues, students, parents or other individuals.
- Discrimination, harassment and victimisation of students with disabilities, on the basis of disability, is specifically prohibited.
- Discrimination, harassment, vilification and victimisation undermine proper relationships and may lead to low morale, absenteeism, withdrawals and resignations.
- The prevention of conduct that is in breach of this policy is the responsibility of all members of the RGGGS community. Each person must ensure that they fully understand this policy and must notify if they become aware that discrimination, harassment, vilification or victimisation may be occurring at the School.
- Any reports of discrimination, harassment, vilification and/or victimisation will be treated seriously and investigated promptly, confidentially and impartially in accordance with RGGGS’ Grievance Procedure.
- RGGGS will provide information and/or training for all employees and volunteers in both their rights and obligations and RGGGS policies and procedures relevant to discrimination, harassment, vilification and victimisation issues.
- In addition, the topics of discrimination, harassment, vilification and victimisation form part of the School’s curriculum. Students at all levels will acquire appropriate knowledge and understanding about these issues.



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- The School aims to provide a supportive environment where discrimination, harassment, vilification and victimisation do not occur. Discrimination, harassment, vilification and victimisation are all unlawful. A person found to have discriminated against, harassed or victimised colleagues, students or other individuals can be:
 - issued a warning;
 - demoted;
 - dismissed;
 - prosecuted in court or a tribunal; or
 - required to pay damages out of their own pockets.

EDUCATION & INFORMATION

1 RGGGS will ensure that students receive information and training about their rights and responsibilities in maintaining an environment free from discrimination, harassment, vilification and victimisation as follows:

- Prep – Year 3: incidentally during class activities and through the SOSE work program
- Years 4 – 12: during care program

2 RGGGS will ensure that staff receive training about their rights and responsibilities in maintaining an environment free from discrimination, harassment, vilification and victimisation, and how to deal with and identify instances of discrimination, harassment, vilification and victimisation as follows:

- upon commencement, and
- biennially

Information will also be supplied to parents/guardians regarding their rights and obligations and the RGGGS policies and procedures relevant to discrimination, harassment, vilification and victimisation

COMPLAINTS PROCEDURE

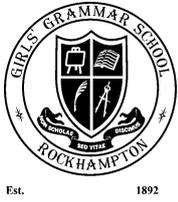
The RGGGS Grievance Procedure applies to complaints of discrimination, harassment, vilification or victimisation. . A person will not be victimised for making an allegation or a complaint.

POLICY REVIEW

The Principal, Trustees of the Board and the Board Secretary are responsible for ensuring that the policy and procedures relating to anti-discrimination are implemented and that appropriate support and information are provided to facilitate their effective implementation.

The implementation of anti-discrimination policy and procedures includes:

- understanding the nature of discrimination, harassment, vilification and victimisation and their effects on the educational and employment environment;
- involvement in the resolution of complaints in the school or workplace, as required.



PART B EMPLOYMENT

1. Job Descriptions:

RGGS keeps a handbook that clearly states the duties for all categories of employees in the School. This includes the position responsibilities and to whom the person is responsible.

2. Selection Criteria for appointment and promotion:

Selection criteria applicable to employment opportunities at RGGS will be contained in the job description for that position. RGGS formulates selection criteria consistent with the job specification and includes only skills and experiences that are required on a regular basis to carry out the duties of the position.

Successful job applicants will be selected on the basis of merit (i.e. the applicant's qualifications, skills, abilities, knowledge and experience).

This criterion also applies to the promotion of staff at RGGS.

3. Interviews:

The position selection criteria form the basis upon which questions are asked during interviews. Interview panel members must ensure that interview questions do not contravene this policy and/or anti-discrimination legislation.

4. Exemptions:

In some cases, relevant exemptions may apply under anti-discrimination legislation. For example, if a person is unable to fulfill a "genuine occupational" or "inherent" requirement of a role.

PART C ENROLMENT

This part of the policy should be read in conjunction with the RGGS Enrolment Policy.

1. Prospective students:

RGGS will not discriminate in:

- failing to accept a person's application for admission as a student;
- the way in which a person's application is processed;
- the arrangements made for, or the criteria used in, deciding who should be offered admission as a student; or
- the terms on which a person is admitted as a student.

2. Current students:

RGGS will not discriminate:

- in any variation of the terms of a student's enrolment;
- by denying or limiting access to any benefit arising from the enrolment that is supplied by the School; or
- by treating a student unfavourably in any way in connection with the student's training or instruction.

3. Relevant exemptions:

In some cases, exemptions may apply under anti-discrimination legislation. For example, it is not unlawful discrimination for RGGS to operate a girls' school. It is also not unlawful for RGGS to fail to accept an enrolment for a student where that person requires special services or facilities that would impose unjustifiable hardship on the School.



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4. Students with disabilities:

This statement should be read in conjunction with the RGGGS Disability Policy.

All prospective students should be treated with dignity and enjoy the benefits of education and training in an educationally supportive environment which values and encourages participation by all students, including students with disabilities.

POLICY RELEASE DETAILS

Date of Policy	September 2011
Reviewed by	RGGGS Executive
Review Date	By the Principal, when there are changes to relevant legislations.
Access	Public availability – RGGGS Website

RELATED POLICIES AND DOCUMENTS

- RGGGS Child Protection Policy
- RGGGS Enrolment Policy
- RGGGS Disability Policy
- RGGGS Staff Handbook
- RGGGS Confirmation of Enrolment Contract