



DISCRIMINATION AND HARASSMENT POLICY

"The School's policies which are made from time to time are made pursuant to the requirements set out in section 47 of the Education Act and of the Board of Studies for registration for the school."

This statement applies to all employees, contract workers, agents and job applicants at Sherwood Hills Christian School. It also applies to suppliers of the School.

The purpose of this statement is to make you aware of:

- What is unlawful workplace discrimination and harassment;
- The School employees who have been trained to receive workplace complaints of discrimination and harassment;
- The procedures the School has in place to hear and resolve workplace complaints of discrimination and harassment.

WHAT IS UNLAWFUL DISCRIMINATION?

The Federal and State anti-discrimination laws relevant industrial relations laws variously make unlawful discrimination on a variety of grounds:

- Sex, marital status, pregnancy or familiar responsibility;
- Sexual preference or trans-sexuality;
- Race, colour, descent, nationality, national origin, ethnicity or religion;
- Disability or impairment;
- Transgender status;
- Age;
- Political belief or activity;
- Trade union membership or union industrial activity;
- Profession or occupation.

Unlawful discrimination occurs when a person is treated less favourably because they belong to a particular group or category or people. Discrimination can be direct or indirect and can occur in the recruitment process, during the course of employment, or upon termination of employment.

Discrimination can also occur in the provision of goods or services. The School's employee's etc. should not discriminate against suppliers. Similarly, suppliers should not discriminate against employees etc. of the School.

Direct discrimination occurs where someone is treated less favourably because of the sex, racial group, age group etc.

Indirect discrimination occurs where everyone is treated on the same terms according to a rule, policy, or organisation directive, but the effect of which ends up being less favourable to people of one sex, age group, race etc.

There are exceptions from anti-discrimination law, which may apply in some situations- for example, because of the requirements of a particular job.



WHAT IS HARASSMENT

Unlawful harassment is a form of unlawful discrimination. Unlawful harassment includes sexual harassment and other types of harassment, which the law does not allow.

In general, unlawful harassment is any form of behaviour that is not wanted and not asked for, and that a reasonable person would have anticipated would:

- Humiliating someone;
- Offend someone;
- Intimidate someone.

Where such conduct is because of one of the unlawful reasons.

Unlawful harassment may occur whether or not the person who is the target of the conduct feels that his or her job depends on putting up with the conduct. In some cases, one action will be enough to create unlawful harassment. In other cases there may need to be a persistent pattern of behaviour before unlawful harassment has occurred.

It is no defence to a complaint of unlawful harassment that you did not mean to cause offence.

What is sexual harassment?

Unlawful sexual harassment is one form of harassment, which the law does not allow.

Unlawful sexual harassment includes, but is not limited to:

- Pressure or demands for dates or sexual favours;
- Unnecessary familiarity – for example, deliberately brushing against a person or constantly staring at a person;
- Unwanted physical contact – for example, touching or fondling;
- Sexual jokes or innuendo;
- Offensive telephone calls;
- Offensive sexual gestures;
- Unwelcome comments or questions about a person's sex life;
- Display or circulation of sexual material, including magazines, posters or pictures and messages;
- Sexual assault.

Mutual attraction between people is not sexual harassment. Friendships (sexual or otherwise) which develop between people who meet at work are a private concern. However, the School expects you to consider your behaviour carefully so that you ensure that your behaviour cannot be construed as unlawful sexual harassment (for example, pressure or unnecessary familiarity).

Any personal friendships that develop should not impact on your responsibilities to do your work, or on the performance or productivity of your co-workers.



Other types of unlawful harassment.

Other types of unlawful harassment include, but are not limited to:

- Verbal abuse or comments that put down or stereotype people because of their race, sexuality, pregnancy, disability etc.
- Jokes based on race, sexuality, pregnancy, disability etc.
- Mimicking someone's accent, or the habits of someone with a disability.
- Offensive gestures based on race, sexuality, pregnancy, disability etc.
- Ignoring or isolating a person or group because of their race, sexuality, pregnancy, disability etc.
- Display or circulation of racists or other offensive material.

Hostile Work Environment

A working environment or workplace culture that is sexually permeated or hostile may also amount to unlawful sexual harassment. Examples of such a hostile work environment could include pornographic or sexually explicit calendars, posters, magazines, inappropriate use of e-mail or internet and inappropriate screen savers.

WHAT ARE YOUR OBLIGATIONS?

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

It is sometimes difficult to know whether other people will find your behaviour acceptable. You should be careful not to risk being misunderstood and thus becoming the subject of a complaint. Remember that some people find particular types of behaviour offensive when others do not.

You must always consider your behaviour from the point of view of the person receiving it. If a person on the receiving end of your behaviour makes it clear that they do not like it and/or want it to stop and it continues, it is probably unlawful discrimination or harassment.

WHAT WILL THE SCHOOL DO ABOUT DISCRIMINATION OR HARASSMENT?

The school has set up procedures for dealing with unlawful discrimination and/or harassment claims.

Complaints about lawful discrimination or harassment will generally be dealt with in accordance with our guidelines. Please refer to these guidelines if you wish to make a complaint or if you need further information.



WHAT CAN YOU DO IF YOU ARE BEING UNLAWFULLY DISCRIMINATED AGAINST OR HARASSED?

- Do not ignore circumstances where you feel you are being unlawfully discriminated against or harassed, thinking it will go away. Ignoring the behaviour could be taken as tacit approval by the person causing the harassment or discrimination.
- Where you feel comfortable ask the person to stop, or make it clear that you find the behaviour offensive or unwelcome. Maybe the alleged discriminator/harasser is not aware that his/her behaviour is intimidating or unwelcome and will stop once they are told.
- Speak to your supervisor or trained grievance resolution advisor as soon as possible after the incident or incidents have occurred. You may approach these people in the first instance to seek confidential guidance on discrimination or harassment matters.
- Raise the grievance with your supervisor or with any of the persons named on the list of trained grievance resolution advisers.
- Whilst you may feel the need to tell a trusted friend or work colleague about the matter, you should be careful. Accusations of unlawful discrimination/harassment can harm the reputation of those involved and could ultimately lead to an action for defamation. Do not allow rumours to spread.

The School will take whatever action it considers appropriate if there has been unlawful discrimination or harassment, including disciplining or dismissing offenders.

You should also be aware that if you lie about a complaint, the School will view this as a very serious matter, and you may be discipline or dismissed.

ABOUT THIS STATEMENT

This statement summarizes some of the rights and obligation, which are created by legislation. The statement is not intended to go beyond the legislation. This statement is not a term of any contract, including any contract of employment. This statement may be varied from time to time.

The Headmaster is responsible for the updating of this policy document.