



## YOS Independent School

Lawnton and Goodna Campuses  
(A Queensland Non-State Independent School)

<b>ANTI- DISCRIMINATION POLICY</b>		<b>CODE: ADP2018</b>
<b>Scope of Application:</b>	Students, parent / carers 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>Filing Instructions:</b>	F:drive - <a href="#">F:\Programs\Independent Schools\Master School Folder\Current Policies and Procedures\Finalised Policies and Procedures</a>	
<b>Related policies / legislation:</b>	<ul style="list-style-type: none"> <li>• <a href="#">Salvation Army EEO, Discrimination, Harassment and Bullying Policy</a></li> <li>• <a href="#">Anti-Discrimination Act 1991 (Qld)</a></li> <li>• <a href="#">Australian Human Rights Commission Act 1986 (Cth)</a></li> <li>• <a href="#">Age Discrimination Act 2004 (Cth)</a></li> <li>• <a href="#">Disability Discrimination Act 1992 (Cth)</a></li> <li>• <a href="#">Racial Discrimination Act 1975 (Cth)</a></li> <li>• <a href="#">Sex Discrimination Act 1984 (Cth)</a></li> <li>• <a href="#">YOS Independent School Sexual Harassment Policy</a></li> <li>• <a href="#">YOS Independent School Student Bullying Policy</a></li> <li>• <a href="#">YOS Independent School Disability Discrimination Policy and Procedures</a></li> <li>• <a href="#">YOS Independent Schools Dispute Resolution Policy and Procedures</a></li> <li>• <a href="#">TSA Code of Conduct</a></li> </ul>	
<b>Forms</b>	<ul style="list-style-type: none"> <li>• <a href="#">Complaints/Dispute Resolution form</a></li> </ul>	

### Change record / revision history:

Version	Prepared/ reviewed by	Date reviewed	Approved by	Authorised by	Review date
5.1	Helen Boardman	18/12/2018	Darren McGhee	Thomas Austin	December 2020
5.2	Helen Boardman	Amendments: 29/4/2020			December 2020



### **Purpose**

YOS Independent School is committed to protecting students and parents carers from unlawful discrimination and to responding appropriately should such discrimination occur.

### **Policy Statement**

All students at YOS Independent School have the right to learn in an environment free from unlawful discrimination. YOS Independent School will provide a fair and safe learning and teaching environment where all students have equal opportunities. YOS Independent School considers that appropriate responses to poverty, inequality, racial discrimination and exclusion from mainstream services, are founded in the enactment of the gospel and character of Jesus Christ.

Employees, volunteers and anyone involved in the operations of a Salvation Army service also have the right to an environment free from unlawful discrimination and are required to adhere to [The Salvation Army "EEO, Discrimination, Harassment and Bullying Policy"](#).

YOS Independent School is committed to protecting students and employees from unlawful discrimination and to responding appropriately should such discrimination occur. Any instances of discrimination should be reported under the [YOS Independent School's Dispute Resolution Policy and Procedures](#) for students and The Salvation Army Procedures for responding to Harassment, Discrimination and Bullying for employees, located in the above mentioned Policy.

In accordance with relevant law, YOS Independent School 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 YOS Independent Schools. Both direct and indirect unlawful discrimination are prohibited.

The Act prohibits discrimination on the basis of the following attributes:

- (a) sex;
- (b) relationship status;
- (c) pregnancy;
- (d) parent / carer al 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.

YOS Independent School is classified as a special assistance school and due to this, is required to enroll students who are classified as relevant students under the Education (Accreditation of Non-State Schools) Act 2017. Relevant Students means students who:

- (a) would not otherwise be
  - I. enrolled at and attending school while of compulsory school age; or
  - II. participating in an eligible option full-time, or in paid employment for at least 25 hours each week, during the compulsory participation phase; and
  - III. are not provisionally registered, or registered, for home education under the Education (General Provisions) Act 2006, chapter 9, part 5.

In accordance with the relevant law and YOS Independent School's enrolment criteria, YOS Independent School prohibits unlawful discrimination against students in all facets of education 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

### **Definitions**

**Direct discrimination:** Direct discrimination based on 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.

**Indirect discrimination:** Indirect discrimination based on 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; and
- b) With which a higher proportion of people without the attribute comply or can comply; and
- c) That is not reasonable

## **Responsibilities**

### School Responsibilities

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

YOS Independent School 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 [YOS Independent Schools Dispute 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

### Student and Employee Responsibilities

- All students and employees at YOS Independent Schools have a responsibility not to engage in discriminatory conduct and to uphold the school's policy
- If students or employees believe that this type of behaviour is occurring in the school, they should make a complaint under the school's [Dispute Resolution Procedure](#)

### Equity Contact Officer Role

- Provide consistent informed advice to students, parents/carers and colleagues
- Raise staff awareness on harassment issues
- Educate staff and students on the Policy and Procedures
- Facilitate early resolution of incidents of discrimination or harassment
- Provide a safe environment for staff to express concerns in a confidential manner
- Make recommendations to management about ways to prevent further incidents
- Assist in promoting a workplace free from discrimination and harassment

## **Implementation**

YOS Independent School aims to provide a safe and non-judgmental learning environment for students, where they accept each other's individuality and can learn together. Some ways in which YOS Independent School hopes to achieve this is through:

- Creating awareness around discrimination by:
  - highlighting this policy at staff orientation and every two years after policy has been reviewed
  - giving students space and time to develop posters to put around the school
  - having discussions with students around what is discrimination and the effects it can have on people
  - through curriculum
  - implementing a calendar of events which may include cultural events and other awareness days
  - through Student Council who meet weekly to discuss ideas and events

- accessing activities through The Salvation Army Multi Cultural Officer and Indigenous Officer
- Training for employees on how to prevent and manage discrimination
  - Training as part of performance
- Establishing a Dispute Resolution Policy and Procedure with the aim that students can relate to and come to a positive and constructive solution
- Keeping appropriate records, monitor and reports on discrimination procedures in student files, on SAMIS and f drive
- Encourage a healthy school culture by;
  - not having offensive materials around
  - being open, accepting, inclusive
  - celebrating each other's individuality
  - having a positive and respectful attitude
  - having appropriate programs/ workshops that promote team work and student cohesiveness.
- Designating an Equity Contact Officer to manage disputes and be of assistance if required

### **Compliance and Monitoring**

YOS Independent School will ensure any discrimination is addressed in accordance with the school's [Restorative Justice Framework](#) and [Dispute Resolution Policy and Procedures](#) and it is brought to the Principal's attention and be dealt with in a timely manner.

Any forms that are completed will be kept on the student or staff member's file and uploaded to F drive and SAMIS.

YOS Independent School endeavour to show transparency with the community and this will be done through the Annual General Report and posting policies on the website and invites to relevant events.