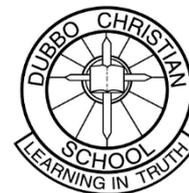


Dubbo Christian School Policy



ANTI DISCRIMINATION

RANGS Reference	
Date of Last Review	July 2018
Board approval required	Yes
Owner	Principal

RATIONALE

Discrimination is a form of abuse towards another person or group of people. God calls us to honour all men and women because all have been created in His image. Biblical principles clearly condemn discriminatory behaviour.

This policy outlines the schools guidelines for dealing with discrimination. Discriminatory actions, including abuse towards any other person, whether physical or verbal, is sinful. We are encouraged in the Bible to “show proper respect to everyone” (1Peter 2:17) and not let “obscenity, foolish talk or coarse joking” form part of our speech (Ephesians 5:4). These commands and also themes from the book of James regarding warnings against showing favouritism and the encouragement to be impartial (James 3:17) are important considerations. Isaiah 42 tells us that God is a God of justice and rather than perpetuating discrimination, poverty or oppression, we should work to see Gods plan to ‘set the captives free’ and ‘release from prison’ those who are oppressed, regardless of their circumstances, ethnic or religious background.

This policy is part of student and staff welfare and relates to the mental, emotional and spiritual well being of people. It is noted that some activities will be subject to a range of policy areas and that there may be overlap with other welfare policies at the school.

Dubbo Christian School ensures that its practices, policies and procedures are free from direct or indirect discrimination on all relevant legislative grounds as defined by, but not limited to, the following Commonwealth and State legislation:

NSW Anti-Discrimination Act (1975)

Racial Discrimination Act (1975)

Sex Discrimination Act (1984)

Disability Discrimination Act (1992)

Age Discrimination Act (2004)

NSW Anti-Discrimination Amendment (Miscellaneous Provisions) Act (2004)

Disability Discrimination and other Human Rights Legislation Amendment Act (2009)

NSW Fair Work Act (2009)

Australian Human Rights Commission Act (1986)

1. DEFINITIONS

- 1.1 The definitions contained in this policy are framed with reference to specific legislation and concern unlawful discrimination. Not all unacceptable behaviour may be considered “discriminatory”, but will still be proscribed by other school policies such as those covering work performance, staff or student misconduct or the principles enshrined in the Code of Conduct.

- 1.1.1 **Disability** has the same meaning as the definition of “disability” in s 5 of the *Disability Discrimination Act (1992)(DDA.)*
- 1.1.2 **Discrimination** is unfair or inequitable treatment on the basis of the characteristics and attributes listed in part 23.8.
- 1.1.3 **Harassment** is behaviour, comments or images that are unwelcome, offensive or intimidating which makes the victim of that conduct upset, unhappy or scared, and that, in the circumstances, a reasonable person should have expected would be offensive or intimidating. The DCS Anti-Harassment Policy should be read with this policy.
- 1.1.4 **Victimisation** is any unfavourable treatment of a person as a consequence of their involvement (or proposed involvement) in a grievance under the school’s grievance procedures. Unfavourable treatment may include such things as adverse changes to their work or study environment, denial of access to resources, work opportunities or training, or ostracism. The DCS Anti-Harassment Policy should be read with this policy.
- 1.1.5 **Vilification** is the public incitement of hatred, serious contempt or severe ridicule of a person on the basis of the race, ethnic origin or religion of that person. Vilification does not include, for example, legitimate academic debate about issues that might include discussions of race.
- 1.1.6 **Direct Discrimination** is treating someone in an unfair or less favourable way because of one or more characteristics or attributes.
- 1.1.7 **Indirect Discrimination** is a rule or requirement that is the same for everyone but has the effect of disadvantaging individuals and groups sharing the same characteristics or attributes.
- 1.1.8 **Systemic (or Institutional) Discrimination** is covert or hidden discrimination against particular groups (often unconscious) built into the seemingly neutral practices and policies of an institution or organisation.
- 1.1.9 **Racial Discrimination** is behaviour which disadvantages people because of their race, colour, national or ethnic origin, or disadvantages any relative or associate of these people.
- 1.1.10 **Sex Discrimination** is behaviour which disadvantages people because of their gender (refer to section *Sexual Discrimination*).
- 1.1.11 **Disability Discrimination** is behaviour that disadvantages people because of their actual or perceived disabilities or disadvantages those related or associated with a person with disability. The type of disabilities covered under legislation include physical, intellectual, psychiatric, sensory, neurological or learning disabilities. The DCS Anti-Harassment Policy and the DCS Learning Support Policy should be read with this policy.

2. POLICY STATEMENT

- 2.1 Staff and students shall not engage in or be subjected to behaviour, practices, policies or processes that may constitute unlawful discrimination, Harassment, Victimisation or Vilification.
- 2.2 Dubbo Christian School aims to ensure that its practices, policies and procedures are free from direct or indirect discrimination.
- 2.3 Specifically, staff and students shall not:
 - 2.3.1 engage in Harassment or Victimisation of a student with a Disability, or a student who has an Associate with a Disability including with respect to:
 - (i) the need for individual strategies and adjustments for a student with a Disability; and
 - (ii) the need to use supports such as a wheelchair, hearing aid, breathing support, an interpreter, a reader, an assistant or carer or a guide or hearing dog, or other animal.

- 2.4 Appropriate action will be taken in any instance of Harassment or Victimisation including of a student with a Disability or a student who has an associate with a Disability, which may include the dismissal or expulsion of proven offenders and notification to relevant authorities as required by law.
- 2.5 All staff, students and parents are expected to contribute to the removal of discrimination at Dubbo Christian School. All members of the school community can actively participate by promoting mutual respect between individuals, fostering informed attitudes and behaviours which support the prevention of discrimination objectives.
- 2.6 Dubbo Christian School is committed to providing equitable, dignified access to its premises and services.
- 2.7 Dubbo Christian School has already and will continue to implement training to ensure all staff and students know their rights and responsibilities with respect to discrimination.
- 2.8 Dubbo Christian School will provide an effective procedure for complaints based on the principles of natural justice (see section 7).
- 2.9 Dubbo Christian School will treat all complaints in a sensitive, fair, timely and confidential manner.
- 2.10 People making an allegation or complaint with regards to discrimination will not be victimised.
- 2.11 Dubbo Christian School will encourage the reporting of behaviour which breaches this policy.
- 2.12 The following are covered by anti-discrimination legislation:
 - 2.12.1 Sex, pregnancy or potential pregnancy
 - 2.12.2 Race or colour
 - 2.12.3 National or ethnic origin
 - 2.12.4 Marital or career status
 - 2.12.5 Breastfeeding requirements
 - 2.12.6 Sexual preference or orientation
 - 2.12.7 Disability, including HIV/AIDS status
 - 2.12.8 Age
 - 2.12.9 Religious or political beliefs
 - 2.12.10 Membership or non-membership of an organisation
 - 2.12.11 Family responsibilities

3. SEXUAL DISCRIMINATION

- 3.1 Sexual discrimination occurs when a person is treated less fairly than another person because of their sex or marital status or because they are pregnant, either directly or indirectly.
- 3.2 The *Sex Discrimination Act 1984* makes sex discrimination against the law. The Act gives effect to Australia's obligations under the Convention on the Elimination of All Forms of Discrimination Against Women and parts of the International Labour Organisation Convention 156. Dubbo Christian School expects that all staff and students will maintain appropriate standards of behaviour in the major objectives which are to:
 - 3.2.1 Eliminate discrimination on the basis of sex, marital status or pregnancy and , with respect to dismissals, family responsibilities; and
 - 3.2.2 Eliminate sexual harassment at work, in educational institutions, in the provision of goods and services, in the provision of accommodation and the administration of federal programs. Refer to Dubbo Christian School Anti-Harassment Policy.

4. DISABILITY DISCRIMINATION

- 4.1 The School makes provision for individual needs across the scope of its activities and services, to allow students and staff to participate as fully as possible into planned activities and programmes. (Disability Standards for Education 2005)
- 4.2 **Assessment of Requirements**
The school will determine, in consultation with the relevant stakeholders, what modifications or actions best meet the needs of the individual to ensure equitable access to educational opportunities and school facilities so that students and staff may achieve their goals. Any agreed upon modifications or action plans can be revised as needs change, in consultation with relevant stakeholders in accordance with the DCS Learning Support Policy.
- 4.3 **Prevention of harassment and victimisation**
Dubbo Christian School has implemented training to ensure all staff and students know their rights and responsibilities with respect to Harassment and Victimisation. Specifically, the Principal:
- (a) runs a training session with all members of staff annually about their obligation to not engage in Harassment or Victimisation of any student, including a student with a Disability or a student who has an associate with a Disability;
 - (b) has commenced implementing peer education on disability awareness in consultation with an external expert in special needs to be delivered to every student in the school by the last school day of Term 1 of each school year, which includes the obligation to not engage in Harassment or Victimisation of any student, including a student with a Disability or a student who has an associate with a Disability.
- 4.4 The Anti-Discrimination Policy should be read in conjunction with the DCS Learning Support Policy.

5. FEEDBACK

- 5.1 The school values feedback about its services and facilities, and seeks to continually improve its ability to care for and support members of the school community.
- 5.2 Any comments or suggestions for improvement in its ability to meet individual needs or promote a non-discriminatory environment are welcomed and should be directed to the Principal, Deputy Principal or Business Manager.

6. COMPLAINTS

- 6.1 Complaints should be made in person or in writing to the Deputy Principal according to the Dubbo Christian School Grievance Policy.
- 6.2 Complaints may also be made to an external body such as the Anti-Discrimination Board of NSW or the Human Rights and Equal Opportunity Commission at any time.

Related Policies & Procedures	Person Responsible
Anti-Discrimination Procedure	Principal