

Anti-Discrimination and Harassment Policy

Introduction

The information in this policy summarises Child Side Playgroup and School's (Child Side) commitment to equal employment opportunity and equity and to eliminating all forms of discrimination and harassment based on age, race, skin colour, physical or intellectual impairment, gender, religion, political conviction or national or social origin.

Scope and Application

This policy applies to all employees, parents, children, community members, visitors and clients of Child Side School. This policy will be reviewed and amended in accordance with Child Side School Policy on Policies.

Related Legislation/Guidelines

- Racial Discrimination Act 1975
- Disability Discrimination Act 1992
- Human Rights & Equal Opportunity Commission Act 1986
- Sex Discrimination Act 1984
- Age Discrimination Act 2004
- Equal Opportunity Act 1984 (WA)
- Occupational Safety and Health Act 1997 (WA)

Definitions

- Discrimination is differentiating treatment against an individual or group of individuals. It may be based on age, race, skin colour, physical or intellectual impairment, gender, religion, political conviction or national or social origin. It may occur between children, staff, parents, guardians. It can take the form of less preferential treatment, abusive comments or unwelcome jokes, offensive actions or gestures or violence. Discrimination can occur either directly or indirectly
- Direct discrimination occurs when someone is treated less favourably because of their age, race, skin colour, physical or intellectual impairment, gender, religion, political conviction or national or social origin.
- Indirect discrimination occurs when a policy or a rule that treats everyone in the same way has an unfair effect on people of a particular age, race, skin colour, physical or intellectual impairment, gender, religion, political conviction or national or social origin.
- Harassment is a form of discrimination and includes both sexual and non-sexual harassment and occurs when a person threatens, abuses, insults or taunts another person because of their age, race, skin colour, physical or intellectual impairment, gender, religion, political conviction or national or social origin, and that other person is disadvantaged, or has reasonable grounds

for believing that they will be disadvantaged, by taking objection. Harassment may involve verbal taunts or physical violence or a combination of both and is unlawful.

- Sexual Harassment is a form of discrimination which covers a range of unwelcome, unsolicited and non-reciprocated behaviour. This may constitute deliberate or unintentional communication (verbal or otherwise) or physical contact of a sexual nature. Sexual harassment may occur even when there is no intention of causing offence. It may occur through the words or actions of an individual or a group. It extends from unwelcome actions such as gestures and the display of offensive pictures and comments of a sexual nature, and implied or explicit demands for sexual activity, to physical contact such as patting, through to more hostile conduct. In general, sexual harassment does not arise in the context of mutual attraction and flirtation based upon choice and consent. In the context of the school environment, sexual harassment may be summarised as conduct which is an unlawful act of a sexual nature aimed at a person or persons in the school and it:
 1. Is unwelcome and is continued after the aggrieved person has clearly signalled that it is unwelcome;
 2. Occurs in circumstances in which a reasonable person would anticipate that the harassed person would be offended, humiliated or intimidated;
 3. The harassed person is disadvantaged or has reasonable grounds to believe they will be disadvantaged in the school by rejection of the conduct.

Policy

Child Side School places an important emphasis on building strong working and community relationships between children, staff and families. The school motto states that we: Be Kind, Be Safe, Be Creative. This philosophy is imbedded through the school at all levels to ensure that a non-discriminatory and harassment-free environment is established and maintained.

Child Side School recognises that all children, staff and parents should be able to learn, teach, work and provide care in a non-discriminatory and harassment-free environment. The school requires that all students, staff, parents, volunteers and visitors abide by this policy.

The school requires that all students, staff, parents, volunteers and visitors take all reasonable measures to ensure that conduct of a nature which is likely to be, or taken as, discrimination or harassment does not occur. Students, Staff and Parents who conduct themselves in this way will be subject to appropriate disciplinary action, including possible dismissal for staff involved with serious offences.

Processes of 'Restorative Justice', 'Explicit Teaching' and 'Guiding Children's Behaviour' (refer to policy of 'Guiding Children's Behaviour and work of Louise Porter) will be utilised with children. The primary aim of any intervention will be to restore positive learning, working and community relationships, to heal hurt and to establish a renewed understanding of expectations. The 'Grievance Process' may also be utilised (refer to Grievance Policy). Also refer to 'Code of Conduct' policy which refers to actions taken for individuals who breach the Child Side School 'Code of Conduct'.

