



Learning for life

GEMS ANTI-DISCRIMINATION



GEMS ANTI-DISCRIMINATION POLICY

Audience:	This GEMS Christian Education Limited (GEMS) Policy applies to: • Emerald Christian College • Ontrack College • ECC Little Gems		
Purpose:	GEMS is committed to protecting students and staff from unlawful discrimination and to responding appropriately should such discrimination occur.		
Scope:	Students, parents/carers and staff, including full-time, part-time, permanent, fixed-term and casual employees, as well as contractors, volunteers and people undertaking work experience or vocational placements.		
Status:	Approved		
References:	• Anti-Discrimination Act 1991 (Qld) • Australian Human Rights Commission Act 1986 (Cth) • Age Discrimination Act 2004 (Cth) • Disability Discrimination Act 1992 (Cth) • Disability Standards for Education 2005 • Racial Discrimination Act 1975 (Cth) • Sex Discrimination Act 1984 (Cth) • Queensland Human Rights Commission Employer Toolkit		
Related Documents:	• GEMS Complaints Handling Policy • GEMS Disability Discrimination Policy • GEMS Sexual Harassment Policy • GEMS Workplace Bullying Policy • GEMS Staff Code of Conduct • GEMS Student Code of Conduct		
Supersedes:	Gems Anti-Discrimination Policy, May 2023		
Authorised by:	GEMS Governing Body Chairperson	Date of Authorisation:	June 2024
Review Period:	Every two years	Next Review Date:	June 2026
Policy Owner:	GEMS Governing Body		

UNDERPINNING POLICY FOUNDATION

GEMS Christian Education Ltd. bases its governance and operations on Biblical truths and the teachings of Jesus Christ.

GEMS Christian Education Ltd. pursues the following strategic intentions towards its core purpose so that:

- Students will embrace the GEMS values of God, Excellence, Members and Service; discover who they are as individuals and pursue God's purpose for their lives.
- Staff will embrace the Core Values and personally display Christ to students by utilising stimulating, creative, innovative curriculum and teaching practices.
- Resource sustainability will continue to provide and maintain an outstanding and inspiring place of teaching and learning within an environment of seeking partnerships with the wider community.
- Culture is Christ-centred, driven by GEMS values and demonstrated by GEMS FACETS of Friendly, Appreciative, Compassionate, Encouraging, Truthful and Self-Controlled

ANTI-DISCRIMINATION

1. Policy Statement

- 1.1 All students and staff at GEMS have the right to learn and work in an environment free from unlawful discrimination. GEMS will provide a fair and safe learning and teaching environment where all students and staff have equal opportunities.
- 1.2 GEMS is committed to providing an environment that is safe and respectful for its staff and students. Each member is part of a community; a community committed to preparing staff and students for an Eternity with God. As God teaches in His Word (1 Corinthians), the whole is made up of parts each with a specific value and contribution to make. All staff are expected to be committed to live a life consistent with the Word of God.
- 1.3 GEMS is committed to protecting students and staff from unlawful discrimination and to responding appropriately should such discrimination occur, including possible disciplinary action. Any instances of discrimination should be reported under the GEMS Complaints Handling Policy.
- 1.4 In accordance with relevant law, GEMS will act to prohibit unlawful discrimination towards its students and staff on the basis of "protected attributes" relevant to GEMS whilst students and staff are engaging in their education and work at GEMS. Both direct and indirect unlawful discrimination are prohibited.
- 1.5 In accordance with the relevant law, GEMS prohibits unlawful discrimination against students in all facets of education at GEMS, 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
- 1.6 In accordance with the relevant law, GEMS prohibits unlawful discrimination against staff undertaking all categories of work, whether it be full-time, part-time, permanent, fixed-term, casual, work experience, vocational placement or voluntary, and in every aspect of work, including:
 - Recruitment
 - Terms and conditions
 - Training
 - Promotion
 - Termination of employment

2. Definition of Discrimination

2.1 Direct Discrimination

Direct discrimination on the basis of 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 different¹.

2.2 Indirect Discrimination

Indirect discrimination on the basis of 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;
- b) with which a higher proportion of people without the attribute comply or are able to comply; and
- c) that is not reasonable².

¹Anti-Discrimination Act 1991 s10

²Anti-Discrimination Act 1991 s11

2.3 Protected attributes

The *Anti-Discrimination Act 1991 s7 (Qld)* prohibits discrimination on the basis of the following attributes:

- a) sex;
- b) relationship status;
- c) pregnancy;
- d) parental 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; and
- p) association with, or relation to, a person identified on the basis of any of the above attributes.

2.4 Federal anti-discrimination

Federal anti-discrimination legislation prohibits discrimination on the basis of criminal record, medical record or social origin.

3. Responsibilities

3.1 GEMS Responsibilities

3.1.1 The legislation establishes a legal responsibility on GEMS to provide a school and workplaces free from discrimination.

3.1.2 GEMS takes reasonable steps to prevent unlawful discrimination in the Company, as follows:

- Develop and implement an anti-discrimination policy to assist in preventing any instances of discrimination.
- Educate and train relevant staff to assist in preventing any instances of discrimination and to appropriately respond to any instances of discrimination.
- Establish appropriate grievance and complaints procedures via the GEMS Complaint Handling Policy 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 staff and students to contribute to a healthy workplace culture to assist in preventing any instances of discrimination.

3.2 Staff Responsibilities

3.2.1 All staff contribute to maintaining a discrimination-free and inclusive workplace and a healthy College and workplace culture.

3.2.2 All GEMS staff have a responsibility not to engage in discriminatory conduct and to uphold the GEMS policy.

3.2.3 Staff have an obligation to model appropriate behaviour; promote this policy; treat all complaints seriously and attend to them promptly under the GEMS Complaints Handling Policy; monitor the College environment; and seek support for complex or serious matters.

3.2.4 If staff believe that discriminatory behaviour is occurring in the College, they should make a complaint under the GEMS Complaints Handling Policy.

3.3 **Student and Parent Responsibilities**

- 3.3.1 All students and parents contribute to maintaining a discrimination-free and inclusive school, and a healthy College culture.
- 3.3.2 All students and parents at GEMS have a responsibility not to engage in discriminatory conduct and to uphold the GEMS policy.
- 3.3.3 If students or parents believe that discriminatory behaviour is occurring in the College, they should make a complaint under the GEMS Complaints Handling Policy.

4. **Implementation**

GEMS will take reasonable steps to prevent anti-discrimination, including the following:

4.1 **Awareness**

GEMS will ensure it is implementing processes relating to anti-discrimination by ensuring staff, students and parents are made aware of the policy and their anti-discrimination obligations.

4.2 **Training**

GEMS will educate and train relevant staff to assist in preventing any instances of discrimination and to appropriately respond to any instances of discrimination.

4.3 **Complaints Procedure**

Implement appropriate complaints handling policy and procedure.

5. **Compliance and Monitoring**

5.1 **Record keeping, monitoring and reporting**

The College will monitor the Complaints Register and other related registers and data (for example, student behaviour incidents) to identify any patterns in discriminatory behaviour and implement appropriate improvement measures. Suggestions of non-compliance with this policy and any related processes may be submitted as complaints under the GEMS Complaints Handling Policy.

5.2 **Confidential and impartial information**

Information in this regard is to be reported to the Executive Principal.

5.3 **Culture**

Removal of any anti-discriminatory or offensive materials, rules and practices, and encouraging staff to contribute to a healthy College culture.

END OF POLICY
