Anti-Discrimination Policy

Effective	July 2026
Review	July 2028
Owner	Principal
Approver	The Sycamore School Governing Body

1 Purpose

The Sycamore School is committed to protecting students and staff from unlawful discrimination and responding appropriately to related complaints.

2 Applicability

This policy and procedure is to be followed by a person who fills the role with a ☒.

- ☒ Staff (all employees (full-time, part-time, permanent, fixed term, casual or relief), apprentices/trainees, host employees, people doing work experience or vocational placement)
- ☒ Directors
- ☒ Contractors
- ☒ Parents/Carers
- ☒ Students
- ☒ Visitors
- ☒ Volunteers
- ☐ Others

3 Definitions/Acronyms

Spell out any definitions or acronyms. If there are not do not delete this section – just write NIL

Board	Directors of The Sycamore School Governing Body
School	The Sycamore School
Direct discrimination	Occurs when a person (or a group of people) is singled out for worse treatment, compared to others in similar circumstances, because of one or more attributes list above.
Indirect discrimination	Occurs when one rule applies to all, but in fact disadvantages a person (or group of people) because they are unable, or less able to comply with the rule because they have an attribute listed above. The fact that the disadvantage was not intended is not an excuse.

4 Policy

All students and staff at The Sycamore School have the right to learn and work in an environment free from unlawful discrimination. A fair and safe teaching and learning environment where all students and staff are treated with dignity and respect and have equal opportunities is provided by the School.

The Sycamore School is committed to complying with its legal obligations under relevant State and Federal discrimination laws, including protecting persons from unlawful discrimination, responding appropriately to complaints and considering action against staff should discrimination be found to have occurred.

The School has a legal obligation under the Sex Discrimination Act 1984 (Cth) **(SD Act)**, being a positive duty[1] to take reasonable and proportionate measures to eliminate, as far as possible, unlawful conduct that is sexual harassment, sex-based harassment, conduct that creates a hostile workplace environment on the ground of sex and victimisation. To fulfil this positive duty, The Sycamore School is committed to providing workers with a safe working environment and meeting the Guiding Principles and Standards in the Australian Human Rights Commission's Guidelines for Complying with the Positive Duty under the Sex Discrimination Act 1984 (Cth) (Guidelines). The School's Sexual Harassment Policy provides further detail on this obligation.

Under both State and Federal discrimination laws, discrimination may be considered to be either direct or indirect 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 different.

Under the State legislation (the Anti-Discrimination Act 1991 (Qld)), 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; and
(b) with which a higher proportion of people without the attribute comply or are able to comply; and
(c) that is not reasonable.

The meaning of indirect discrimination slightly differs under federal discrimination legislation.

The Sycamore School seeks to ensure that its staff do not discriminate against other staff and students on the basis of the protected attributes in the areas of activity listed in the Anti-Discrimination Act 1991 (Qld).

The Anti-Discrimination Act 1991 (Qld) prohibits discrimination in certain activity areas on the basis of the following **protected attributes**:

(a) sex
(b) relationship status
(c) pregnancy
(d) parental status
(e) breastfeeding
(f) age

[1] *Sex Discrimination Act 1984* (Cth), s47C

(g) race
(h) impairment
(i) religious belief or religious activity
(j) political belief or activity
(k) trade union activity
(l) sex work 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.

Federal legislation also prohibits discrimination in protected areas on the basis of certain attributes, for example, age, race, disability, sexual orientation, sex (including intersex status and gender identity). Unlawful discrimination under Federal laws also includes sexual harassment.

The activity areas that are most relevant to the school's activities are the education area and the work area as defined under the legislation and there are some circumstances where exemptions will apply. In particular, in the education activity area, The Sycamore School commits to ensuring that unlawful discrimination against students on the basis of a protected attribute does not occur by:

- failing to accept a person's application for admission as a student
- the way in which an application is processed
- the arrangements made for, or the criteria used in, deciding who should be offered admission as a student
- the terms in which a person is admitted as a student
- variation of the terms of a student's enrolment
- denial or limitation of access to any benefit arising from enrolment that the school supplies
- excluding a student
- treating a student unfavourably in any way in connection with the student's training or instruction.

In Queensland, the Anti-Discrimination Act 1991 (Qld), the Disability Discrimination Act 1992 (Cth) and the Disability Standards for Education 2005 (Cth) regulate disability discrimination of students and their associates in schools, including but not limited to the areas of:

- enrolment
- participation in curricular and co-curricular activities and use of facilities and services
- curriculum development, accreditation and delivery
- student support services
- elimination of harassment and victimisation.
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To assist the school in meeting these statutory obligations, the school also has a Student Disability Discrimination Policy which outlines written processes for how the School will identify students with a disability and how the school devises educational programs specific to the educational needs of students with a disability.

The school is also committed to ensuring that discrimination against staff does not occur in accordance with obligations under various State and Federal legislation; for example, requirements in the Anti-Discrimination Act 1991 (Qld), Fair Work Act 2009 (Cth), Disability Discrimination Act 1992 (Cth), Sex Discrimination Act 1984 (Cth), Age Discrimination Act 2004 (Cth) and Racial Discrimination Act 1975 (Cth).

5 Responsibilities

School Responsibilities

The legislation establishes a legal responsibility on The Sycamore School to provide a school and workplace free from discrimination.

The School takes reasonable steps to prevent unlawful discrimination in the school as follows:

- Develop and implement an anti-discrimination policy to assist in preventing discrimination and a Sexual Harassment Policy to assist in meeting the positive duty under the SD Act.
- Educate and train relevant staff to assist in preventing discrimination and to appropriately respond to discrimination and to meet the positive duty under the SD Act.
- Establish a complaints procedure via The Sycamore School Complaints Handling Policy to appropriately respond to instances of discrimination.
- Remove any discriminatory materials, rules and practices to assist in preventing discrimination.
- Encourage staff, students and parents to contribute to a healthy school culture to assist in preventing discrimination.

Staff Responsibilities

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

All staff at the School have a responsibility not to engage in discriminatory conduct and to uphold this policy.

All staff have an obligation to model appropriate behaviour; promote this policy; treat all complaints seriously and attend to them promptly under the school's Complaints Handling Policy or Sexual Harassment Policy; monitor the school environment; and seek support for complex or serious matters.

6 Related Legislation

- *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 (Cth)*

- *Racial Discrimination Act 1975 (Cth)*
- *Sex Discrimination Act 1984 (Cth)*
- *Work Health and Safety Act 2011* (Qld) and *Regulation*
- *Queensland Human Rights Commission Employer Toolkit*
- *Guidelines for Complying with the Positive Duty under the Sex Discrimination Act 1984 (Cth), AHRC*
- *Information Guide on the Positive Duty under the Sex Discrimination Act 1984 (Cth)*

7 Related Documents

- *Sexual Harassment Policy*
- *Workplace Bullying Policy*
- *Work Health and Safety Policy*
- *Student Disability Discrimination Policy*
- *Student Code of Conduct*
- *Student Bullying Policy*
- *Staff Code of Conduct*
- *Complaints Handling Policy*
- *Whistleblower Policy*
- *Work Health and Safety Policy*

8 Procedures

Implementation

The Sycamore School will ensure it is implementing processes relating to anti-discrimination by ensuring staff are aware of the policy and their obligations and that students and parents are aware of the policy. The school will educate and train relevant staff to assist in preventing any instances of discrimination and to appropriately respond to any instances of discrimination.

Compliance and Monitoring

The School will monitor the Complaints Register and other related registers and data (for example student behaviour incidents) to identify any patterns in discriminatory behaviour by staff and implement appropriate improvement measures.

Complaints of non-compliance with this policy and any related processes are encouraged to be made under the Schools' Complaints Handling Policy or where relevant, the Sexual Harassment Policy.

I am a Student and I Have Experienced Discrimination by Another Student or Staff Member

- Tell someone you trust. This may be your teacher, the social worker or another staff member. If you do not speak to someone, or report what happened, then no one will know what is going on and they cannot help you. They may wish for you to

speak with the Principal. You can take a friend, teacher or parent with you if you like.

- Tell your parent/carer. They can make a complaint to the School following the School's Complaint Handling Policy.

If you or your parent/carer are not happy with how the School has dealt with your complaint you can then take the matter further by contacting the Board Chair of The Sycamore School Governing Body by emailingboardchair@sycamore.qld.edu.au.

If you feel the issue is still not resolved, you can make a complaint to either the Australian Human Rights Commission or the Queensland Anti-Discrimination Commission (but you can only complain to one or the other).

There are time limits associated with making a complaint to the Australian Human Rights Commission or Queensland Anti-Discrimination Board. You should complain to the Australian Human Rights Commission within 6 months of the discrimination occurring, or to the Queensland Anti-Discrimination Board within 12 months of the discrimination occurring; otherwise, there is a risk that the complaint will not be investigated.

Complaints are usually resolved through 'conciliation', where you sit down with your School and an officer from the Commission or the Board and have a chat about what happened and what the School can do to resolve the complaint; ideally coming to an agreement.

But sometimes this process does not lead to a good outcome. You then have the option of taking the complaint to a tribunal or court. However, you should not go to court or a tribunal without getting legal advice and representation first. It is often available for free.
You may feel scared about making a complaint, but it is against the law for someone to treat you unfairly or harm you because you made a complaint against them. If that happens, they can be fined or imprisoned.

I am a Parent/Carer and I Have Experienced Discrimination by a Staff Member

The Sycamore School strongly encourages any parent/carer who believes they have been discriminated against, sexually harassed, or victimised by a staff member to take appropriate action. Do not ignore discrimination, sexual harassment, vilification, or requests for unnecessary information, thinking it will go away, often it just gets worse. Choose the action you feel most comfortable with. You can follow more than one action at the same time.

- Contact the Principal by email principal@sycamore.qld.edu.au or by phoning 07 3117 0966.
- Follow the process outlined in the Complaint Handing Policy.

Disciplinary action will be taken by the School against any staff member found to have breached this policy.

I am a Staff Member and I Have Experienced Discrimination by a Parent/Carer

- Seek assistance from the Principal or Director of The Sycamore School Governing Body.

- Seek assistance or advice from your trade union.
- Contact the Queensland Human Rights Commission on 1300 130 670 for information on your rights and responsibilities.
- Contact the Australian Human Rights Commission on 1300 656 419.

Actions that may be taken against parents/carers include not allowing direct communication with the staff member, not being allowed on the School grounds or reporting them to the police.

Contact Information

If you have any questions regarding this policy, or have any feedback about the policy, please contact the Principal, principal@sycamore.qld.edu.au or 07 3117 0966.

9 Document History

Version	Description of modification	Modified by	Date
1.0	Developed using the ISQ template (June 2026). Separation of the School policy: *Anti-discrimination and Sexual Harassment Policy* into two separate school policies.	Toni Banfield	07/07/2026