



Student Anti-Discrimination Policy

Purpose:	Brisbane Boys' College is committed to protecting students from unlawful discrimination and to dealing with complaints of discrimination in a sensitive, timely and confidential manner.	
Scope:	This policy applies to students of Brisbane Boys' College. Discrimination involving employees is addressed and managed under the PMSA EEO, Anti-Discrimination, Sexual Harassment and Bullying Policy.	
References:	<ul style="list-style-type: none"> • Anti-Discrimination Act 1991 (Qld) • Australian Human Rights Commission Act 1986 (Cth) • Work Health and Safety Act 2011 (Qld) • Work Health and Safety Regulations 2011 (Qld) • BBC Complaints Policy and Procedure • BBC Privacy Policy • BBC Student Disability Policy and Procedure • BBC Student Discipline Policy and Procedure • BBC Work Health and Safety Policy • PMSA Code of Conduct • PMSA EEO, Anti-Discrimination, Sexual Harassment & Bullying Policy • PMSA Employee Complaints Policy and Procedure • PMSA Employee Discipline Policy and Procedure 	
Authorised by:	Headmaster	Date of Authorisation: 25 th August 2016
Review Date:	Every two years, or as appropriate, to take account of new laws, changes to school's operations and practices and to make sure it remains appropriate to the changing environment.	Next Review Date: 1 st July 2018
Policy Owner:	Headmaster	

Amendment Register

Date of Issue	Page Number	Detail of and reason for amendment
1 st September 2016	All	New policy endorsed by BBC Executive

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1.0 Policy Statement

Brisbane Boys' College believes in accepting the differences that exist among individuals, showing empathy and tolerance for those differences, and providing encouragement and support as well as opportunities for development and growth for all students and is committed to providing a learning environment which is based on authentic relationships and which is free from unlawful discrimination, victimisation and/or vilification for all students.

Brisbane Boys' College will take all reasonable steps to prevent and/or minimise any behaviour which may constitute discrimination towards its students on the basis of "protected attributes" relevant to the school, whilst students are engaging in all facets of their education at the College, 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

2.0 Principles

- We will strive to ensure that all students are able to learn in an environment free from discrimination with equal opportunity for course offerings, learning and participation.
- We commit ourselves to ensuring that processes are provided to create an awareness of the rights and responsibilities of all in relation to learning opportunities, with a view to avoiding discrimination.
- We will publish our policies and ensure that all in the College and wider College community are aware of them and of the standard of conduct expected of them.
- We commit ourselves to ensuring that processes are provided for resolving issues of discrimination as soon as possible, if and when they arise, and in the least disruptive manner.
- We will treat allegations of discrimination seriously, sensitively and confidentially.

3.0 Lawful Discrimination

Brisbane Boys' College as a school of the The Presbyterian and Methodist Schools' Association (PMSA), acknowledges that it is entitled to discriminate in the following situations:

1. It is not required to provide special services or facilities when that would impose unjustifiable hardship on the school;
2. Because it is a school which operates wholly or mainly for students of a particular sex or religion it may exclude applicants who are not of a particular sex or religion; and
3. It may offer age-based admission schemes to educational programmes.



4.0 Responsibilities

4.1 School Responsibilities

Brisbane Boys' College takes reasonable steps to prevent unlawful discrimination in the College, through:

- Developing and implementing an anti- discrimination policy to assist in preventing any instances of discrimination
- Educating and training relevant employees to assist in preventing any instances of discrimination and to appropriately respond to any instances of discrimination
- Establishing appropriate grievance and complaints procedures via its BBC Complaints Policy and Procedures to appropriately respond to any instances of discrimination
- Treating all complaints of discrimination, vilification and / or victimisation seriously and investigate promptly, confidentiality and impartiality.
- Removing any discriminatory or offensive materials, rules and practices to assist in preventing any instances of discrimination
- Encouraging all students and employees to contribute to a healthy workplace culture to assist in preventing any instances of discrimination.

4.2 Student Responsibilities

All students have a responsibility not to engage in discriminatory conduct and to uphold the College's policy. If a student is of the belief that this type of behaviour is occurring in the College, they should make a complaint under the BBC Complaints Policy and Procedure.

4.3 Employee Responsibilities

All BBC employees, volunteers and contractors (regardless of role or level of responsibility) also have a responsibility to:

- Model appropriate behaviour themselves, ensuring they do not engage in conduct in breach of this policy;
- Monitor the College environment to ensure that acceptable standards of behaviour are observed at all times;
- Ensure they take appropriate steps where they have observed any type of inappropriate behaviour in the workplace in breach of this policy, to ensure the behaviour stops and is appropriately dealt with;
- Not victimise another person for making or being involved in a complaint of a type of inappropriate behaviour;
- Treat information in relation to allegations of discrimination, vilification and / or victimisation with appropriate confidentiality; and
- Cooperate during any investigation of a complaint.
- Participate in any awareness training provided by BBC and/or the PMSA to ensure understanding of and compliance with this policy.



If an employee is of the belief that this type of behaviour is occurring in the school, they should make a complaint under the BBC Complaints Policy and Procedure or, if the behaviour relates to another employee, the PMSA EEO, Anti-Discrimination, Sexual Harassment and Bullying Policy.

5.0 Implementation

In implementing the Student Anti-Discrimination Policy, BBC affirms its commitment to the prevention of such behaviour in the College and aims to:

- Promote appropriate standards of behaviour at all times;
- Implement training and awareness raising strategies to ensure that all BBC students, employees, volunteers and contractors know their rights and responsibilities with regards to discrimination, vilification and victimisation;
- Encourage the reporting of behaviour that breaches this policy;
- Protect individuals from any victimisation or reprisals for being involved in a complaint under this policy; and
- Provide an effective procedure for complaints based on the principles of natural justice.

6.0 Compliance and Monitoring

Brisbane Boys' College will keep appropriate records, monitor and report on discrimination issues.

7.0 Breaches of this Policy

Brisbane Boys' College is committed to protecting students from unlawful discrimination and to responding appropriately should such discrimination occur, including possible disciplinary action. Any instances of discrimination should be reported under the BBC Complaints Policy and Procedures.

8.0 Definitions

'Attributes of unlawful discrimination' State and Commonwealth law set out "attributes" on which unlawful discrimination is based. These include:

1. Sex
2. Relationship status
3. Pregnancy
4. Parental status
5. Lawful sexual activity
6. Gender identity
7. Sexuality
8. Breastfeeding
9. Family responsibilities
10. Religious belief or religious activity
11. Political belief or activity
12. Trade union activity
13. Age
14. Race
15. Impairment (disability)
16. Intersex status
17. Criminal record
18. Association with, or relation to, a person identified on the basis of a prohibited attribute



'Direct Discrimination': Under section 10 of the *Anti-Discrimination Act 1991* (Qld), direct discrimination is defined as: 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. It is not necessary that the person who discriminates considers the treatment is less favourable. The person's motive for discriminating is irrelevant.

'Indirect Discrimination': Under section 11 of the *Anti-Discrimination Act 1991* (Qld), indirect discrimination is defined as: 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;
- c) that is not reasonable.

"Victimisation" refers to less favourable treatment of a person or persons or subjecting them to some form of detriment because the person:

- Has made a complaint or has proposed to make a complaint in accordance with the Policy;
- Has acted as a witness or has proposed to act as a witness in a complaint;
- Has supported a victim or intends to support a victim of a complaint;
- Has been made a respondent in a formal complaint investigation.

"Vilification" refers to a public act or statement that is capable of inciting others to hate, have serious contempt for, or severely ridicule a person or a group of people. Under Queensland legislation, perceived or actual vilification because of race, colour, nationality, descent, ethnic, ethno-religious or national origin, homosexuality (lesbian or gay), HIV or AIDS status or transgender status is illegal.