Moreton Bay College
Breadth of mind. Depth of heart.

Moreton Bay Boys' College
Life adventurers. Life achievers.

Anti-Discrimination Policy

Policy Aim:	The Moreton Bay Colleges welcome and encourage everyone to participate freely, equally, and fully in the life of the Colleges' community and affirm that all should be heard and feel included. To this end The Moreton Bay Colleges commit to fostering safe communities, safe dialogue and relationships characterised by trust and respect.
Scope and Responsibilities:	This policy applies to employees, volunteers, parents/carers and students, including those with disabilities and people visiting the Colleges including people undertaking work experience or vocational placements; it also applies to the enrolment of all students and employment practices. The CEO and Executive Principal has overall responsibility for this policy.
Board Approval:	Required

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Definitions:	**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 different. **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 c) that is not reasonable. Subject to the specific exemptions detailed in State and Federal Anti-Discrimination Laws, discrimination on the following grounds is against the law: • Sex • Trade Union activity • Pregnancy breastfeeding • Age • Race • Impairment • Religious belief or activity • Political belief or activity • Lawful sexual activity • Social origin • Criminal record Association with, or in relation to, a person identified based on any of the following attributes: • relationship status • parental status • race • religious belief or religious activity • lawful sexual activity • social origin In the area of employment, discrimination is also prohibited on the grounds of: • Sexual orientation • Gender identity • Intersex status
Related Documentation:	Anti-Bullying Strategy Sexual Harassment Policy Learning Enhancement Policy Enrolment Policies Health, Safety and Wellbeing Policy

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Legislation Applicable:	Anti-Discrimination Act 1991 (Qld) Australian Human Rights Commission Act 1986 (Cth) Age Discrimination Act 2004 (Cth) Disability Discrimination Act 1992 (Cth) Racial Discrimination Act 1975 (Cth) Sex Discrimination Act 1984 (Cth)

Moreton Bay College and Moreton Bay Boys' College are equal opportunity organisations, which are committed to providing an environment that is safe for their staff and students.

The policy of the Colleges is to treat all members of the Colleges' communities on their merits, in an environment free of discrimination and harassment. The Colleges do not tolerate any form of discrimination.

If you feel that you have been discriminated against you should contact one of the following designated anti-discrimination officers in the respective College who have been nominated to give advice and/or investigate complaints:

- CEO & Executive Principal
- MBC Principal
- MBBC Principal
- Business Manager
- Director of People and Capability

You are likely to be asked to put your complaint in writing. The anti-discrimination officer will carefully investigate your complaint and will report to you within 14 working days on the outcomes of their investigation.

If you are not satisfied with the manner in which your complaint has been dealt with you may take the matter to the CEO and Executive Principal in the first instance and thereafter the Board Chair.

False and/or malicious complaints may lead to legal action being taken against the complainant.

Regarding staff, disciplinary action may be taken against anyone who discriminates against a co-worker and may involve a formal warning, counselling, demotion or dismissal, depending on the circumstances.

Regarding students, disciplinary action as per the Colleges' Positive Behavior Policy or Anti-Bullying Strategy may be taken against a student who discriminates against another student or member of the College community.

EMPLOYMENT

Job descriptions

Each individual College reviews and updates duty statements for its employees whenever there is a change of role. This includes the position responsibilities and to whom the person is responsible.

Selection Criteria for appointment and promotion

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The qualities sought in an employee for a specific position are reflected in all job descriptions and refer to (at least) qualifications, skills, abilities, knowledge, and experience. Once an employee is engaged then the same criteria apply in relation to promotion.

Interviews

The Selection Criteria form the basis upon which questions are asked during interviews but are not the only basis.

Relevant exemptions

In relation to employment, the Anti-Discrimination Act provides an exemption in the following areas applicable to Moreton Bay College and Moreton Bay Boys College:

- where there is a genuine occupational qualification required.
- in educational institutions with a religious purpose.
- where job capacity is restricted by impairment and special terms are imposed.
- where special services or facilities are required by people with disabilities that would impose unjustifiable hardship on the school; or
- where special circumstances or impairment would cause unjustifiable hardship to the employer.

Some exemptions are absolute, some are not.

ENROLMENT

Prospective students

Subject to the Colleges' written enrolment policy, the Colleges do not discriminate in:

- failing to accept a person's application for admission as a student.
- the way in which a person's application is processed.
- the arrangements made for, or the criteria used in, deciding who should be offered admission as a student; or
- the terms on which a person is admitted as a student.

Current students

The Colleges do not discriminate:

- in any variation of the terms of a student's enrolment.
- by denying or limiting access to any benefit arising from the enrolment that is supplied by the College; or
- by treating a student unfavorably in any way in connection with the student's training or instruction.

Relevant exemptions

The Act provides an exemption in the following areas:

- in relation to sex or religion if a school operates wholly or mainly for students of a particular sex or religion.
- where selection criteria for an educational program are based on a minimum qualifying age.
- in relation to impairment where people with disabilities require special services or facilities that would impose unjustifiable hardship on the College.

Some exemptions are absolute, some are not.

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STUDENTS WITH DISABILITIES

This statement should be read in conjunction with the Learning Enhancement Policy.

When there are available places and a student with a disability seeks admission, particular care is taken to ensure that the application is properly considered.

In considering the application the following procedures are followed:

1. The application is discussed with the parents or caregivers and the student (depending on the age of the student).
2. Detailed notes are kept of this meeting and of all subsequent conversations and meetings.
3. The Principal, Head of Sub-school or Registrar/Assistant Registrar speaking with the parents or caregivers will advise them in an open, honest, and straightforward manner of the services and facilities available within the College and an inspection of the Colleges' facilities will be offered at the earliest opportunity.
4. The parents' views on the additional services and facilities that the student needs will be obtained with verification of this information sought where necessary.
5. The student seeking enrolment will be observed in his/her present setting and the teachers at the school presently attended will be consulted to ascertain the assistance the student is currently receiving. Advice will be sought about the services and facilities that may be required in the future.
6. The Learning Enhancement teacher, and a child psychologist if appropriate, will be involved at an early stage of the process. Formal assessment of the student may be conducted.
7. Any additional services and facilities that may be required will be quantified and costed.
8. It may be necessary to engage an Occupational Therapist, building consultant or architect to obtain detailed costing of modifications that may be needed.
9. It may be appropriate to obtain reports from any Medical Practitioners or other professionals involved in treating or assisting the student.
10. Enquiries will be made to determine if additional funding might be available from the Commonwealth or State Governments. This extra funding may be recurrent or capital funding. Families may be requested to provide financial support in some instances.

If the student requires additional services and facilities because of the disability and the provision of these services and facilities by the College would cause unjustifiable hardship, the enrolment may be refused by the CEO and Executive Principal on that basis. Before this step is taken, the family seeking enrolment will be given advice about the College's preliminary view and offered the opportunity to comment.

COLLEGE RESPONSIBILITIES

The Colleges will:

- Treat seriously and investigate promptly any reports of discrimination.
- Investigate all reports impartially and as far as is possible, confidentially.
- Provide training for all employees and volunteers in both their rights and obligations and the College policies and procedures relevant to discrimination issues.
- Ensure that students are aware of their right to equitable treatment.
- Ensure that people/students who make complaints, or witness an instance of discrimination, are not victimized in any way.

Guarantee that no employee will be disadvantaged in their employment conditions or opportunities because of lodging a complaint.

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DOCUMENT CONTROL INFORMATION

Document Status

The current status of this document is shown below.

Policy	Anti-Discrimination Policy
Version	V2
Issue Date	May 2024
Revision Date	April 2026
Owner	Board
Confidentiality	N/A

Document History

The history of changes made to this document is shown below. The most recent changes are listed first.

Version	Date	Summary of Changes
V2	May 2024	
V1	November 2013	

Approval

This document has been approved for publishing by:

Reviewed by	ELT
Authorised by	Board

Distribution

Controlled paper copies of this document are distributed as follows:

No.	Issued To