

Anti-Discrimination and Bullying Policy

The purpose of this policy is to ensure that HEED EDUCATION provides a safe, respectful, and inclusive environment for all students, personnel, and stakeholders. This policy outlines the organisation's commitment to preventing discrimination, harassment, and bullying, and to promoting equality and respect across all aspects of its operations.

This policy applies to all students, personnel, contractors, and third party providers associated with HEED EDUCATION. It covers all activities and environments, including training delivery, workplaces, and online interactions.

The organisation does not tolerate any form of discrimination, harassment, or bullying and takes immediate and appropriate action to address such behaviours. HEED EDUCATION will ensure compliance with anti-discrimination laws and promote a supportive environment for everyone.

HEED EDUCATION aims to ensure all those participating in the workplace and services are treated with respect, dignity and fairness with an aim of creating an environment which promotes positive working relationships.

HEED EDUCATION ensures that all stakeholders understand what will be regarded as bullying, how complaints of bullying can be made and how claims will be treated. This applies to all personnel, agents and clients engaging in HEED EDUCATION's services.

HEED EDUCATION expectations are not limited to the workplace or working hours, and will include all work related events which includes, but is not limited to, lunches, client functions, meetings and conferences as well as social events.

HEED EDUCATION expectations relate to all forms of communications.

Rationale

HEED EDUCATION ensures the effectiveness of its anti-discrimination and bullying processes through comprehensive monitoring, evaluation, and continuous improvement practices. The organisation maintains clear procedures for identifying, addressing, and resolving issues related to discrimination and bullying, ensuring compliance with legal and policy requirements. Regular audits, feedback mechanisms, and performance monitoring allow HEED EDUCATION to assess the efficiency of its processes, identify areas for improvement, and implement corrective actions where necessary. These measures, combined with staff training and clear communication, ensure that the organisation upholds a safe, respectful, and inclusive environment for all stakeholders. By fostering a culture of accountability and support, HEED EDUCATION actively promotes fairness, respect, and dignity across all aspects of its operations.

Discrimination

Discrimination can be direct, indirect or systemic.

Direct discrimination is any action which specifically excludes a person or group of Individuals from a benefit or opportunity, or significantly reduces their chances of obtaining it, because their status or personal characteristics, irrelevant to the situation (e.g., sex, ethnic origin) are applied as a barrier. Direct discrimination has as a focus assumed differences between Individuals.

Indirect discrimination is the outcome of rules, practices and decisions which treat Individuals equally and therefore appear to be neutral, but which, in fact, perpetuate an initially unequal situation and therefore significantly reduce a person's chances of obtaining or retaining a benefit or opportunity.

Rules, practices and decisions are applied to all groups alike, but it is the very assumption of a likeness that constitutes the discrimination.

Systemic discrimination is system of discrimination perpetuated by rules, practices and decisions which are realised in actions that are discriminatory and disadvantage a group of Individuals because of their status or characteristics and serve to advantage others of different status or characteristics. Direct and indirect discrimination contribute to systemic discrimination.

Bullying & Harassment

Bullying is repeated, unreasonable behaviour directed towards an individual or a group of individuals that creates a risk to health and safety and is unlawful. Repeated behaviour refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

Unreasonable behaviour means behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening. Examples of bullying may include (but are not limited to):

- A manager or supervisor using a management style that is harsh, involves shouting, constant criticism or humiliation of an individual or group of individuals in private or in front of their peers,
- An individual being treated less favourably by another individual or group of individuals, including, but not limited to, bullying or intimidation, forcing an individual to participate in an "initiation" process, the playing of practical jokes or forcing an individual to undertake demeaning tasks,
- Sniggering or gossiping behind someone's back,
- Laughing at someone which is intended to make them feel uncomfortable or distressed,
- A manager setting unreasonable timelines or constantly changing deadlines for an individual to meet, or setting tasks that are unreasonably below or beyond a person's skill level, and/or
- Continuously and deliberately excluding someone from workplace activities including ignoring or keeping individuals isolated from relevant communications about work issues.

In line with HEED EDUCATION's commitment to creating a workplace which is free from workplace health and safety risks and one which strives to create positive working relationships, all individuals are expected to observe the following minimum standards of behaviour, including:

- Being polite and courteous to others,
- Being respectful of the differences between Individuals and their circumstances,
- Ensuring they do not engage in any bullying behaviour(s) towards others in, or connected with the workplace which includes all individuals,
- Ensuring they do not assist, or encourage others in the workplace, or in connection with the workplace to engage in bullying behaviour(s) of any type,
- Adhering to the complaint procedure if they experience any bullying behaviour(s) personally,
- Reporting any bullying behaviour(s) they see happening to others in the workplace, or connected with the workplace in line with the complaint procedure, and
- Keeping information confidential if involved in any investigation of bullying.

Fair and reasonable management action taken to counsel an individual for instances of underperformance, investigating complaints made against personnel, discipline for misconduct and other work directions in line with business needs does not amount to bullying.

All individuals are expected to adhere to the standards of behaviour contained herein at all times. Any individual who is found to have breached these expectations will be disciplined accordingly, which may lead up to, and include termination of employment. If a contractor of HEED EDUCATION is found to have breached these expectations, their contract stands to be terminated or may not be renewed in the future.

Equity & Bullying Complaints

Any individual who believes that they have been subject to actions or words that may constitute discrimination or bullying should act upon such bullying as soon as possible by following the procedure set out below. Individuals who believe they have witnessed discriminatory or bullying behaviour by another individual in the workplace are also able to make complaints.

In the first instance, the aggrieved individual should, wherever practicable and if they feel comfortable doing so, attempt to amicably resolve the matter with the individual(s) who are alleged to have engaged in bullying. When confronting the issue, the individual should clearly state the offensive behaviour experienced, explain that the behaviour is unwelcome and offensive and ask that the behaviour does not continue. The person may not be aware that their behaviour or conduct was causing offense or was unwelcome.

This is not a compulsory part of the complaint procedure, and if an individual does not wish to confront the person directly, then this is not encouraged.

Where the alleged bullying involves the individual's direct manager and it is not practical for them to directly resolve the matter, they shall immediately notify the Chief Human Resources Officer who, with the individual's approval will endeavour to investigate and resolve the matter on an informal basis in accordance with the procedure set out below.

Informal Complaint Procedure

An informal complaint procedure includes a range of alternatives which can be applied in a flexible manner to address different complaints in consideration of the relevant circumstances. The informal complaint procedure is intended to be used for less serious allegations of bullying and instances which generally do not warrant disciplinary action being taken. An individual who is unsure of whether or not to make a formal or informal complaint may make an informal complaint first and decide if they want to escalate the complaint to a formal complaint.

Different options for handling informal complaints may include, but are not limited to:

- HEED EDUCATION relevant manager having a conversation with the alleged bully about the behaviour complained of, and
- HEED EDUCATION relevant manager having a meeting with the individuals concerned in an attempt to reach a resolution.

Formal Complaint Procedure

Where an individual wishes to lodge a formal complaint, they will be required to do so by communicating this to the Chief Executive Officer.

HEED EDUCATION's complaints processes are followed. Please refer to the **Complaints Policy** for further information.

If HEED EDUCATION feels it is appropriate in the interests of health and safety of individuals concerned, and or the efficiency of the investigation process, individuals may be requested to refrain from attending work course services for a period whilst the investigation is underway. Alternatively, individuals may be given different duties or work to perform while the investigation is being conducted. Employees who are requested to do either of these will be paid at their normal rate of pay during this period.

Whilst the investigator will endeavour to preserve the confidentiality of the complainant and the person complained of, it may be necessary to speak with other workers or Individuals involved to determine what happened and to maintain the integrity of the investigation process.

Where potentially unlawful conduct has occurred, HEED EDUCATION will alert the appropriate authorities. Those Individuals who are involved in the complaint (including the complainant, witnesses etc.) are also under a duty to maintain confidentiality and display a commitment to uphold the integrity of the investigation process. If the complainant chooses to bring a support person with them to any meetings, they too are bound by confidentiality.

Gossiping and/or the spreading of rumours as a result of, or in connection with, a process followed under this policy will not be tolerated under any circumstances and may lead to further disciplinary action for those concerned.

Outcomes

The outcomes of a formal or informal complaint procedure will depend on the nature of the complaint, its severity and what is deemed appropriate in the relevant circumstances.

Where the results of an investigation procedure suggest that an individual is guilty of bullying, appropriate disciplinary procedures will be followed in line with the Discipline Policy. The disciplinary action will depend on the nature and severity of the behaviour and may include termination of employment, which may be instant dismissal where serious misconduct is deemed to have occurred.

Where the complaint involves a contractor or agent of HEED EDUCATION and an investigation process reveals that a person has engaged in unlawful conduct or other behaviour, which is prohibited by this policy, those concerned may face termination of their contracts immediately or will not be renewed in the future.

In addition to the remedies provided above, other action may be deemed necessary to resolve or remedy the behaviour complained of, including but not limited to:

- Providing training to individuals concerned regarding bullying,
- Requiring individuals who have breached this policy to apologise to appropriate person(s),
- Adjusting service delivery or working arrangements where appropriate,
- Providing counselling to individuals (complainant and the person complained of),
- Placing personnel on performance improvement plans to ensure improved behaviour, and/or
- Providing coaching and mentoring.

Appeals Procedure

If any parties involved are unhappy with the outcome, or the way the complaint was managed by HEED EDUCATION, the appeals process is available. Please refer to the **Appeals Policy** for further information.

The following external bodies can also provide further information:

Jurisdiction	Contact Details		
ACT	ACT Human Rights Commission	(02) 6205 2222	www.hrc.act.gov.au
NSW	Anti-Discrimination NSW	1800 670 812	www.antidiscrimination.nsw.gov.au
NT	Northern Territory Anti-Discrimination Commission	1800 813 846	www.adc.nt.gov.au
QLD	Queensland Human Rights Commission	1300 130 670	www.qhrc.qld.gov.au

Jurisdiction	Contact Details		
SA	Equal Opportunity Commission SA	(08) 7322 7070	www.equalopportunity.sa.gov.au
TAS	Equal Opportunity Tasmania	1300 305 062	www.equalopportunity.tas.gov.au
VIC	Victorian Equal Opportunity and Human Rights Commission	1300 292 153	www.humanrights.vic.gov.au
WA	Equal Opportunity Commission WA	(08) 9216 3900	www.eoc.wa.gov.au
National	Australian Human Rights Commission	1300 656 419	www.humanrights.gov.au
National (<i>Employment Matters</i>)	Fair Work Ombudsman	13 13 94	www.fairwork.gov.au

Monitoring and Evaluation

HEED EDUCATION monitors and evaluates student support processes to ensure performance is effective and outcomes are met.

A process of performance monitoring, evaluation, and reporting has been established and implemented.

The organisation continually improves the effectiveness and efficiency of processes. Process performance and outcomes are regularly audited to identify and remove causes of existing and potential problems, as well as to uncover any opportunities for improvement.