

Anti-Discrimination, Harassment, Bullying and Violence Policy

1. Introduction

This policy outlines Strata Education's commitment to maintaining a safe, respectful, and inclusive learning and working environment free from discrimination, harassment, bullying, and violence. It details the organisation's approach to prevention, reporting, management, and continuous improvement related to these behaviours. The policy complements the existing Wellbeing Policy and Procedure, which addresses broader aspects of student and staff wellbeing.

2. Purpose

The purpose of this policy is to:

- Promote a culture of respect and safety by preventing discrimination, harassment, bullying, and violence.
- Define responsibilities and expected behaviours.
- Provide accessible, fair, and confidential reporting and resolution mechanisms.
- Ensure compliance with all relevant legislative requirements.

3. Scope

This policy relates to Strata Education, staff and contractors in employment and workplace practices and students in access to education, support, participation, and progression.

4. Legal and Regulatory Environment

This policy is informed by and aligned with

- *2025 Standards for RTOs (Standards 1.2, 4.3, and 6.1)*
- *The Privacy Act 1988 (Cth)* requires RTOs to protect students' personal and health information, including details relating to wellbeing concerns or support received.
- *Work Health and Safety (WHS) Legislation* RTOs have a duty of care under WHS laws to provide a learning environment that is psychologically and physically safe. This includes addressing, Bullying, Harassment, Abuse and Mental health risks
- *Equal Opportunity and Anti-Discrimination Legislation (Cth), State and Territory*
RTOs must provide a learning environment that is inclusive and free from discrimination. Under federal, state, and territory laws, it is unlawful to discriminate against a person on the basis of protected attributes such as age, disability, race, sex, gender identity, intersex status, sexual orientation, marital status, pregnancy, or breastfeeding.
Sex Discrimination Act 1984 (Cth)
Racial Discrimination Act 1975 (Cth)
Disability Discrimination Act 1992 (Cth)
Age Discrimination Act 2004 (Cth)
Australian Human Rights Commission Act 1986 (Cth)
International Covenant on Civil and Political Rights

5. Definitions

- *Bullying* is repeated and unreasonable behaviour directed towards an individual or group that creates a risk to health, safety or wellbeing.
- *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 considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

Examples of behaviour, whether intentional or unintentional, that may be bullying if they are repeated, unreasonable and create a risk to health and safety include but are not limited to:

- abusive, insulting or offensive language or comments
- aggressive and intimidating conduct
- belittling or humiliating comments
- victimisation
- practical jokes or initiation
- unjustified criticism or complaints
- deliberately excluding someone from work-related activities
- withholding information that is vital for effective work performance
- setting unreasonable timelines or constantly changing deadlines
- setting tasks that are unreasonably below or beyond a person's skill level
- denying access to information, supervision, consultation or resources to the detriment of the worker
- spreading misinformation or malicious rumours, and
- changing work arrangements such as rosters and leave to deliberately inconvenience a particular worker or workers.

If the behaviour involves violence, for example physical assault or the threat of physical assault, it should be reported to the police.

6. Policy

6.1. Policy Principles

The key principles informing this Policy are:

- zero-tolerance toward discrimination, bullying, harassment, and victimisation;
- confidential resolution process;
- merit-based processes;
- support for students and staff to report discrimination, bullying, harassment, and victimisation; and
- procedural fairness in making decisions which could affect students' and staff's interests

6.3. Bullying, Discrimination, Harassment and Violence

6.3.1. Bullying

Strata Education considers bullying as repeated and unreasonable behaviour directed towards an individual or group that creates a risk to health, safety or wellbeing.

Bullying can adversely affect the psychological and physical health of a person. Bullying is a psychological hazard that has the potential to harm a person, and it also creates a psychological risk as there is a possibility that a person may be harmed if exposed to it.

What is not bullying?

A single incident of unreasonable behaviour is not bullying, however it may be repeated or escalate and so should not be ignored.

6.3.2. Discrimination

Discrimination occurs when a person or group is treated unfairly or less favourably because of a protected attribute. This is unlawful under Commonwealth and State/Territory legislation.

Protected attributes under anti-discrimination law include:

- Race, colour, or ethnic origin
- Sex, sexual orientation, gender identity or intersex status
- Age
- Physical or mental disability
- Marital, parental, or carer status
- Pregnancy or potential pregnancy
- Religion or political opinion
- National or social origin

Example: It is unlawful to deny a student enrolment, a staff member a promotion, or a contractor an opportunity on the basis of any protected attribute, such as refusing to enrol a student due to their ethnicity or terminating a staff member because they are pregnant.

6.3.3. Harassment

Harassment refers to any unwelcome, offensive, or intimidating behaviour whether verbal, physical, or visual. Harassment creates a hostile, intimidating, or humiliating environment and can interfere with a person's ability to work, study, or feel safe.

- Harassment may include, but is not limited to:
- Unwanted sexual advances or physical contact
- Requests for sexual favours
- Offensive jokes, slurs, images, or gestures
- Comments about a person's appearance, background, or personal characteristics
- Intimidation, mockery, or exclusion
- Repeated unwelcome invitations or messages
- Displaying or circulating offensive material (including online or in group chats)

Harassment can occur:

- Between students
- Between staff
- Between staff and students
- In person, in writing, by phone, or via digital platforms

Strata Education does not tolerate any form of harassment. All reports will be treated seriously, handled sensitively, and managed in accordance with this policy and procedure.

6.3.4. Violence

Strata Education has zero tolerance for any form of violence within its learning and working environment. All incidents will be treated as critical and addressed immediately.

Violence refers to any act, threat, or attempt to cause physical harm, intimidation, or damage to property. It includes, but is not limited to:

- Physical assault (e.g. hitting, pushing, kicking)
- Threats of physical harm or aggression
- Damage to property or belongings
- Possession or use of a weapon
- Intimidation that causes a person to fear for their safety
- Violence or threats made in person, in writing, or via digital communication

Immediate action will be taken in the event of a violent incident, including ensuring the safety of those involved, notifying senior management, and referring to emergency services if required. Affected individuals will be offered appropriate support, including counselling and external referrals.

Any individual found to have committed or threatened violence may be subject to disciplinary action, up to and including termination of employment or removal from a training course. Serious incidents will be referred to the police or other relevant authorities.

6.3.5. Preventing Discrimination, Harassment, Bullying and Violence

Strata Education has a proactive approach to preventing discrimination, bullying, harassment, and violence, through:

- Staff and learner education during induction and throughout engagement
- Clear policies and procedures for reporting and managing incidents
- Regular review of the learning environment to ensure safety, respect and inclusivity
- Immediate action when concerns are raised
- Referral to appropriate support and resolution services

6.5. Prevention Measures

6.5.1. Establish a Safe and Respectful Culture

Strata Education promotes a safe and respectful culture by introducing the Student and Staff Codes of Conduct during induction and reinforcing them throughout the learning and employment journey.

Expectations for inclusive and respectful behaviour are embedded in day-to-day practice, with staff modelling appropriate conduct at all times.

Learning and communication materials are routinely reviewed to ensure they promote cultural safety, use inclusive language, and support gender equity.

6.5.2. Education and Awareness

Strata Education builds awareness through ongoing education for both staff and students. All staff complete regular training to help them identify and prevent discrimination, harassment, bullying, and violence.

Students receive clear information about respectful behaviour, their rights, and how to report concerns, both during orientation and throughout their course.

Policies and complaint procedures are made easily accessible to all students, staff, and contractors to ensure everyone understands how to seek help and what processes are in place.

6.5.3. Leadership Accountability

Strata Education ensures that leaders and managers model the values and behaviours expected across the organisation. Management leads by example, consistently demonstrating respectful, inclusive conduct.

Trainers and team leaders are equipped with the knowledge and support to address issues early and respond to concerns in a consistent and fair manner.

6.5.4. Early Risk Identification

To prevent escalation of issues, Strata Education monitors complaints, feedback, and learner engagement data for signs of risk. Regular check-ins, surveys, and open communication channels give students and staff the opportunity to raise concerns early in a safe and supportive environment.

6.6. Reporting and Responding to Incidents

Anyone at Strata Education, including students, staff, or contractors, can report concerns related to discrimination, bullying, harassment, or violence.

Reports can be made directly to a trainer, manager, or student support officer; submitted in writing via email or by using the *Incident Report and Investigation Form (Annexure A)*; or, where available, submitted anonymously through the organisation's reporting system.

All reports are treated seriously and with confidentiality.

6.6.1. Initial Response

Reports are acknowledged within 48 hours of receipt. A designated senior staff member is appointed to manage the matter with discretion and sensitivity.

Where there are immediate safety concerns, appropriate measures, such as changes to class schedules or separation of individuals, are put in place.

6.7. Investigation Process

Strata Education ensures that all investigations are fair, impartial, and respectful to everyone involved.

The investigating officer:

- interviews relevant parties and witnesses, reviews available evidence (such as emails, LMS activity, or messages), and
- documents all findings using the official investigation form.

Support is offered to both the complainant and respondent throughout the process.

6.8. Outcomes and Resolution

When an incident is substantiated, disciplinary or corrective actions are taken in line with the severity of the breach. These may include:

- warnings,
- behavioural agreements,
- mediation, or
- referrals to appropriate support services

Where required by law, serious incidents, including violence or unlawful harassment, are referred to the police or other authorities.

All parties are informed of the outcome, within the limits of privacy and confidentiality.

For all reports of discrimination, harassment, bullying or violence, Strata Education follows consistent response measures to ensure fairness, transparency and support for all involved. These standards are outlined in *Annexure B – Table 1- Responding to Discrimination, Harassment, Bullying and Violence*, which provides a summary of how reports are handled across the organisation.

7. Responsibilities for Preventing Bullying, Harassment and Violence

Under the WHS Model Legislation *Work Health and Safety Act 2011* (WHS Act), Strata Education, as a Person Conducting a Business or Undertaking (PCBU), has a primary duty of care to ensure, so far as is reasonably practicable, that workers, students, contractors, and other persons are not exposed to risks to their health and safety arising from its operations. This includes preventing and responding to bullying, harassment, and violence in the learning and working environment.

7.1. Responsibilities of Strata Education (PCBU)

Strata Education must:

- Provide and maintain a safe and respectful training and work environment, free from bullying, harassment and violence
- Implement clear policies and procedures for managing unacceptable behaviour
- Identify and manage psychological risks, including early indicators of bullying or interpersonal conflict
- Monitor the health and safety of staff and students and review conditions to prevent related harm
- Provide appropriate training, information, and instruction to staff, contractors and students about rights, responsibilities and complaint procedures

7.2. Responsibilities of Officers (e.g. Directors, Senior Managers)

Officers of Strata Education must exercise due diligence to ensure compliance with the WHS Act by:

- Ensuring the organisation has and implements appropriate processes and resources to prevent bullying and harassment
- Regularly reviewing risk controls and response processes
- Promoting a culture of safety, respect, and accountability

7.3. Responsibilities of Workers (Trainers, Assessors, Administrative Staff, Contractors)

All workers must:

- Take reasonable care for their own health and safety
- Take reasonable care that their actions or omissions do not adversely affect the health and safety of others
- Comply with all reasonable instructions, policies and procedures—including the Anti-Discrimination, Harassment and Bullying Policy and Procedure
- Report any incidents of bullying, harassment, or violence promptly

7.4. Responsibilities of Students and Other Persons

Students, visitors, and any other persons involved in the RTO's activities must:

- Treat others with dignity and respect
- Take reasonable care for their own health and safety, and that of others
- Follow reasonable instructions given by staff
- Refrain from engaging in bullying, harassment, or violent behaviour
- Report concerning behaviour through available reporting channels

8. Discrimination, Harassment Bullying and Violence Procedures

Strata Education's Anti-Discrimination, Harassment, Bullying, and Violence Procedures detail the processes for preventing, reporting, investigating, and resolving related incidents. These procedures describe how Strata Education implements its strategy to maintain a safe and respectful learning and working environment.

9. Victimisation

Strata Education Training will not victimise or treat any person unfairly for making a harassment complaint.

Strata Education will not tolerate behaviour of victimisation of another person and expects all staff, contractors and Learners to treat each other with dignity and respect. Any complaint of victimisation will be treated in the same manner as a complaint of discrimination, sexual harassment or vilification

10. Training and Awareness

Strata Education is committed to ensuring that all staff, contractors, and students are aware of their rights and responsibilities under this policy. To support this:

- All new staff, contractors, and students receive training on preventing discrimination, harassment, bullying, and violence as part of their induction.
- Ongoing training and professional development opportunities are provided regularly to maintain awareness and competence in identifying, preventing, and responding to these behaviours.
- Training materials and communications are reviewed periodically to ensure they remain current and relevant to legislative requirements and best practice.
- Staff in leadership and supervisory roles receive additional training to effectively manage and support complaint handling processes.

11. Policy Review and Continuous Improvement

Strata Education's Anti-Discrimination, Harassment, Bullying and Violence related policies and procedures are reviewed annually, or sooner if required in response to feedback, changes in legislation, or emerging risks. Input from students, staff, and contractors is actively sought and considered as part of the review process.

To ensure its practices remain current and effective, Strata Education draws on established frameworks and guidance from recognised authorities, including:

- WorkSafe Australia
- The Australian Human Rights Commission
- Fair Work Ombudsman
- Relevant state and territory anti-discrimination agencies
- Best-practice recommendations from these sources are used to guide updates to policies and procedures.

12. References

- Safe Work Australia – Guide for preventing and responding to workplace bullying
- Safe Work Australia – Preventing workplace violence and aggression national guidance material

13. Related Documents

- Strata Education Anti-Discrimination, Harassment, Bullying, and Violence Policy
- Strata Education Student and Staff Codes of Conduct
- Strata Education Incident Report and Investigation Form
- Strata Education Complaints and Appeals Policy
- Strata Education Student Wellbeing Policy and Procedure

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