



ANTI-DISCRIMINATION POLICY

Policy Number:		Version:	1
Drafted by:	Strategic Finance Executive	Board approval on:	June 2023
Responsible Person:	Strategic Finance Executive	Scheduled Review Date:	June 2024

INTRODUCTION

Big Yellow Umbrella (BYU) requires Board members, staff, students, and volunteers to treat everyone with fairness, dignity, and respect.

The perceived conduct of an organisation is an essential element in establishing its credibility and furthering its mission. An organisational culture that embeds anti-discrimination at every point of its service, ensures it consults with and is responsive to the Big Yellow Umbrella's members, clients, staff, students, volunteers, stakeholders, and Board members.

PURPOSE

The purpose of this policy is to provide a framework for Big Yellow Umbrella in dealing with discrimination and related harassment. This policy outlines areas of discrimination where personnel should not harass or treat someone differently or less favorably. It provides guidelines that will allow Big Yellow Umbrella staff, volunteers, students, and Board members to follow the anti-discrimination principles that should guide conduct.

POLICIES

Whether working in a paid or voluntary capacity for Big Yellow Umbrella, it is essential that you always conduct yourself in a way that is not harassing or discriminatory to others. What this means is, you should not harass or otherwise treat someone differently or less favorably. Failure to adhere to this anti-discrimination policy will result in performance management action. If the action/s is considered to be serious act of misconduct, immediate dismissal or ceasing engagement (volunteer) or termination in the case of a Board member.

Anti-discrimination in relation to this policy covers discrimination, equal opportunity in employment, sexual harassment, and workplace bullying. Actions cannot be interpreted as being, in any way, in contravention of this policy governing Big Yellow Umbrella.

ROLES AND RESPONSIBILITIES

The Chief Operations Manager and the Strategic Finance Executive are responsible for the implementation and monitoring of all aspects of this anti-discrimination policy.

All staff, students and volunteers are responsible for adhering to this policy internally and externally. Failure to comply with this policy could include counselling, warnings and in the worst case, dismissal / termination.

Workers, students, and volunteers should be aware that they can be held legally responsible for their unlawful conduct.

Workers, students, and volunteers who aid, abet, or encourage other workers to behave in a manner contrary to the law, can also be legally liable.

The staff, students and volunteers are responsible for notifying the Chief Operations Manager and the Strategic Finance Executive of all complaints and any other updates in team meetings.

This policy may be changed from time to time. The policy does not form part of any contract.

PROCEDURES

Discrimination

As a general principle we should treat everyone with fairness, dignity, and respect.

You are required to conduct yourself in a way that is not harassing or discriminatory to others. What this means is, you should not harass or otherwise treat someone differently or less favourably because they:

- Come from a different background, including their race, skin colour, nationality, descent, ethnic, ethno-religious or national origin.
- Have different religious beliefs, affiliations, conviction, or activities.
- Are male, female, or otherwise do or do not identify with a particular gender or combination of genders.
- Are married or not married or have a particular relationship status.
- Are or are not pregnant or might be pregnant.
- Are or are not homosexual, transsexual, bisexual or otherwise identify with a particular sexual preference/orientation.
- Have carers' responsibilities, family responsibilities, carer or parental status or are childless.
- Have any disability / impairment, including physical, mental, and intellectual disability.
- Breastfeed.
- Are or are not a particular age.
- Have or do not have particular physical features.
- Are from a particular profession, trade, occupation or calling.
- Have, hold, or undertake particular political beliefs, opinions, affiliations, convictions, or activities.
- Are or are not a member of a trade union.
- Have the right to take or have taken action that is legitimately associated with their trade union membership.
- Have particular workplace rights or entitlements, including the right to make a complaint or inquiry in relation to their employment.
- Have a medical record that is not relevant to their employment.
- Have a criminal record that is not relevant to their employment (including spent convictions).
- Have or do not have human immunodeficiency virus (HIV) and / or acquired immune deficiency syndrome (AIDS).
- Have the need to take leave for the purposes of defence services.
- Past or present association (i.e., association with a worker who has one or more of the attributes for which discrimination is prohibited).

Sexual Harassment

As a general principle we should assume that any behaviour at work (or in connection with work) that is of a sexual nature is unlikely to be conduct that is acceptable or welcome.

You are required to conduct yourself in a way that avoids conduct of a sexual nature.

Examples of sexual harassment include, but are not limited to:

- Physical contact such as pinching, touching, grabbing, kissing, or hugging.
- Staring or leering at another worker, student, or volunteer or at parts of their body.
- Sexual jokes, comments, or conversations about sexual matters.
- Requests for sex or sexual favours.
- Persistent requests to go out, where they are refused.
- Displays of offensive material such as posters, screen savers, internet material and so on.
- Accessing or downloading sexually explicit material from the internet.

- Suggestive comments about a worker's body or appearance.
- Sending rude or offensive emails, attachments, or text messages.

Bullying

Workplace bullying is repeated, unreasonable behaviour by one or more people, against another person engaged in the workplace. It is where that behaviour creates a risk to health and safety.

The behaviour:

- Need only have happened more than once and might be different behaviour; and
- Will be unreasonable if a reasonable person in the workplace views the behaviour as unreasonable.
- Even if you did not intend to engage in bullying behaviour it can still be bullying.

[Also see the Bullying and Harassment Policy.](#)

What is not bullying:

The following are times where you might feel pressure or concern but are not deemed bullying.

- Having performance related discussions with management. If there is reasonable performance goals, standards, and deadlines this is not bullying.
- Rosters and allocated hours are given in a fair and reasonable manner.
- Being selected for promotion following a fair process.
- Being disciplined for any reason in an objective and confidential manner.

RELATED DOCUMENTS
Age Discrimination Act 2004
Australian Human Rights Commission Act 1986
Bullying & Harassment Policy
Complaints Management Policy
Disability Discrimination Act 1992
Racial Discrimination Act 1975
Sex Discrimination Act 1984
Anti-Discrimination Act 1977 (NSW)
Code of Conduct Policy
Confidentiality and Declaration Policy
Customer Service Policy
Disclosure of Information Policy
LGBTIQ+ Policy
Managing Difficult Behaviours Policy
Performance Appraisal Policy
Performance Management Policy
Personal Grievance Policy
Privacy Policy
Recruitment Policy
Staff Induction Policy
Volunteer Management Policy
Working with Children Policy

AUTHORISATION

The Board of Big Yellow Umbrella has reviewed and approved this policy.

Signature of Board Secretary:

Date of approval by the Board:

On behalf of the Big Yellow Umbrella