

Discrimination and Harassment Policy and Procedure

1. Purpose

Immaculate Education and Training is committed to providing a safe, respectful, inclusive and harassment-free learning and working environment for all students, staff, contractors and stakeholders. The organisation recognises that discrimination, harassment and bullying can negatively impact wellbeing, participation, and learning outcomes, and is committed to preventing such behaviour.

This policy establishes a structured framework for preventing, identifying and responding to discrimination, harassment and bullying, and ensures that all complaints are managed in a fair, confidential and timely manner.

This policy aims to:

- Promote a respectful, inclusive and culturally safe learning environment
- Prevent discrimination, harassment and bullying
- Provide clear and accessible reporting pathways
- Ensure complaints are handled in accordance with procedural fairness
- Protect individuals from victimisation or reprisals
- Promote appropriate standards of conduct
- Support compliance with legislative and regulatory requirements
- Ensure continuous improvement of inclusive practices

2. Legislative Framework

Immaculate Education and Training is committed to providing a safe, respectful and inclusive learning and working environment that is free from discrimination, harassment, bullying and victimisation. This policy has been developed to ensure compliance with applicable Commonwealth and State/Territory legislation and to support fair and equitable access to education and employment.

This policy is informed by, and implemented in accordance with, relevant legislation including:

- Racial Discrimination Act 1975
- Sex Discrimination Act 1984

Discrimination and Harassment Policy and Procedure

- Disability Discrimination Act 1992
- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Fair Work Act 2009 (where applicable)
- Applicable Work Health and Safety legislation
- Standards for RTOs 2025

Immaculate Education and Training also aligns its practices with the Standards for RTOs 2025, which require the organisation to foster a safe and inclusive learning environment and support the participation of all students. The organisation acknowledges its responsibility to actively promote equality, diversity and inclusion across all aspects of its operations, including training delivery, assessment, student support services and workplace practices.

3. Policy Commitment

Immaculate Education and Training is committed to fostering a safe, respectful and inclusive environment that supports diversity and promotes equal opportunity for all individuals. The organisation recognises that a positive learning and working environment enhances participation, engagement and overall outcomes for students and staff.

The organisation promotes a culture where all individuals are treated with dignity and respect, and where diversity is valued. It is committed to ensuring that learning environments are culturally safe and inclusive, including for First Nations students and individuals from diverse backgrounds.

Immaculate Education and Training takes all reasonable steps to prevent discrimination, harassment and bullying and to respond promptly and appropriately when concerns are raised. The organisation ensures that individuals are protected from victimisation or retaliation and that all complaints are handled in accordance with principles of procedural fairness and confidentiality.

4. Policy Statement

Immaculate Education and Training adopts a zero-tolerance approach to discrimination, harassment, bullying and victimisation. All students, staff and stakeholders have the right to

Discrimination and Harassment Policy and Procedure

participate in education and employment in an environment that is safe, inclusive and free from unlawful behaviour.

The organisation is committed to treating all individuals fairly and equitably and to maintaining a learning and working environment where inappropriate behaviour is not accepted. Any incidents of discrimination, harassment or bullying will be addressed promptly and in accordance with organisational policies and procedures.

Where breaches of this policy occur, appropriate action will be taken, which may include disciplinary action in accordance with organisational procedures. The organisation will also provide appropriate support to individuals affected by such behaviour and take steps to prevent recurrence.

5. Scope

This policy applies to all individuals interacting with Immaculate Education and Training, including students, prospective students, staff, trainers and assessors, contractors, third-party providers, employers, visitors and members of the public. The policy applies to all organisational activities and environments, including training delivery, assessment, student support services, work placements, events, online learning platforms and digital communication channels.

The organisation expects that all individuals will comply with this policy and contribute to maintaining a safe, respectful and inclusive environment at all times.

6. Definitions

For the purpose of this policy, the following definitions apply.

Discrimination refers to unfair or less favourable treatment of a person based on protected attributes such as race, gender, disability, age, religion, sexual orientation, marital status, pregnancy or any other characteristic protected under relevant legislation.

Direct discrimination occurs where a person is treated less favourably specifically because of a protected attribute.

Discrimination and Harassment Policy and Procedure

Indirect discrimination occurs where a rule, policy or practice that appears neutral has the effect of disadvantaging individuals with a protected attribute.

Harassment refers to unwelcome conduct that humiliates, intimidates or creates a hostile, offensive or unsafe environment for another person.

Bullying is repeated unreasonable behaviour directed towards an individual or group that creates a risk to health and safety, including psychological harm.

Victimisation occurs when a person is treated unfairly because they have made, supported or participated in a complaint or investigation.

7. Prohibited Conduct

Immaculate Education and Training does not tolerate any form of behaviour that may constitute discrimination, harassment, bullying or victimisation. All individuals are expected to conduct themselves in a respectful and professional manner at all times.

Prohibited conduct includes, but is not limited to, behaviour that is offensive, intimidating, humiliating or threatening in nature. This may include inappropriate comments or jokes, unwelcome physical contact, displaying offensive materials, sexual advances, racial or culturally insensitive behaviour, bullying or intimidation, exclusion of individuals, aggressive conduct, or any form of retaliation against a person who raises concerns.

Any behaviour that undermines the safety, dignity or wellbeing of another individual will be treated as a breach of this policy and may result in disciplinary action.

8. Principles of Procedural Fairness

All complaints under this policy will be managed in accordance with the principles of procedural fairness and natural justice. This ensures that all parties are treated fairly, decisions are made objectively, and outcomes are based on evidence.

Immaculate Education and Training is committed to ensuring that complaints are handled impartially and without bias. All parties involved will be given a reasonable opportunity to present their perspective and respond to any allegations.

Discrimination and Harassment Policy and Procedure

The organisation will ensure that relevant information is considered, confidentiality is maintained, and any conflicts of interest are appropriately managed. Complaints will be addressed within reasonable timeframes, and outcomes will be documented and communicated clearly to all relevant parties.

9. Informal Resolution

Immaculate Education and Training encourages the resolution of concerns at the earliest possible stage through informal processes where appropriate. Informal resolution aims to resolve issues quickly, maintain positive working and learning relationships, and prevent escalation of minor concerns.

Informal resolution may involve discussion between the parties, mediation facilitated by a staff member, clarification of expectations, or agreement on appropriate future conduct. Guidance may also be provided to support appropriate behaviour.

Informal resolution is generally appropriate where the matter is not serious, the complainant prefers an informal approach, and both parties are willing to participate in the process.

All informal resolutions will be documented and maintained confidentially to ensure that appropriate records are kept.

10. Formal Complaint Procedure

Where a matter cannot be resolved informally, or where the nature of the complaint is serious, a formal complaint may be lodged. The organisation will ensure that formal complaints are managed in a structured, fair and transparent manner.

The formal complaint process includes the following stages:

Step	Process Stage	Description	Responsible Person
1	Receipt of Complaint	Complaints may be submitted verbally or in writing. Where a complaint is received	Trainer / Student Support Officer / CEO

Discrimination and Harassment Policy and Procedure

Step	Process Stage	Description	Responsible Person
		verbally, it will be documented to ensure accuracy and completeness.	
2	Acknowledgement	The complaint will be formally acknowledged within two (2) working days, confirming receipt and outlining the next steps in the process.	Student Support Officer
3	Investigation	The complaint will be investigated by an impartial person. This includes gathering evidence, reviewing documentation and consulting relevant parties.	CEO
4	Respondent Notification	The respondent will be informed of the complaint and provided with an opportunity to respond to the allegations.	Student Support Officer
5	Assessment	The complaint will be assessed based on the balance of probabilities, considering all available evidence.	CEO
6	Decision	A final decision will be made based on investigation findings, ensuring procedural fairness and consistency with organisational policies.	CEO
7	Outcome Communication	The outcome of the complaint, including reasons for the decision and any actions to be taken, will be communicated in writing to all relevant parties.	Student Support Officer

Discrimination and Harassment Policy and Procedure

Step	Process Stage	Description	Responsible Person
8	Implementation	Any corrective or disciplinary actions arising from the complaint will be implemented promptly.	CEO
9	Monitoring	The situation will be monitored to ensure that the behaviour does not recur and that the outcome remains effective.	Training Manager / Student Support Officer
10	Record Management	All complaint documentation, evidence, investigation notes and outcomes will be securely recorded and maintained confidentially.	Student Support Officer
11	Continuous Improvement	Trends, outcomes and improvement opportunities identified through complaints will be recorded in the Continuous Improvement Register and reviewed during management meetings.	CEO