



PREFACE

PMSA is the governing body of Brisbane Boys' College, Clayfield College and Somerville House schools in Brisbane and Sunshine Coast Grammar School on the Sunshine Coast.

PMSA values the preservation of a work and educational environment in which all persons are treated with dignity and respect.

PMSA believes in accepting the differences that exist among individuals, showing empathy and tolerance for those differences, and providing encouragement and support as well as opportunities for development and growth for all students and employees.

This policy has been prepared to provide a basis on which PMSA can take action to attempt to ensure that its schools have working and educational environments that are conducive to student and employee well-being in which all persons are treated fairly and equitably and free from all forms of discrimination.

One of the purposes of this policy is to promote equality of opportunity for everyone by protecting them from sexual harassment.

The more severe forms of sexual harassment will come within the PMSA Abuse Policy whereas the less severe forms will not fall within the definition of "abuse" and cannot be dealt with under that policy.

Sexual harassment happens if a person:

- a) subjects another person to an unsolicited act of physical intimacy; or
- b) makes an unsolicited demand or request (whether directly or by implication) for sexual favours from the other person; or
- c) makes a remark with sexual connotations relating to the other person; or
- d) engages in any other unwelcome conduct of a sexual nature in relation to the other person and the person engaging in the conduct described in paragraphs (a), (b), (c) or (d) does so-
- e) with the intention of offending, humiliating or intimidating the other person; or
- f) in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

PMSA acknowledges that it is entitled to discriminate in the following situations:

1. It is not required to provide special services or facilities when that would impose unjustifiable hardship on its schools.
2. Because it operates schools which are wholly or mainly for students of a particular sex or religion it may exclude applicants who are not of a particular sex or religion.



Anti-Discrimination Policy

3. Because it operates schools which are wholly or mainly for students of a particular sex or religion it may provide accommodation wholly for students of a particular sex or religion.
4. Because it operates schools established for providing education in the context of a particular religion it may exclude from employment persons other than of that particular religion.
5. It may discriminate on the basis of lawful sexual activity or gender identity because:
 - a) the work involves the care or instruction of minors; and
 - b) the discrimination is reasonably necessary for the physical, psychological or emotional protection of the minors having regard to the circumstances of the care or the person's actions; or
 - c) the person has been convicted of an offence of a sexual nature against a child or has been disqualified from working with children under an Act of State or Commonwealth.
6. Its schools may offer age-based admission schemes to educational programmes.

This policy applies to all managers, employees, students, contractors and volunteers.

PRINCIPLES

1. We will strive to ensure that all employees are able to work in an environment free from discrimination with equal opportunity for employment, training, development and advancement.
2. We will strive to ensure that all students are able to learn in an environment free from discrimination with equal opportunity for course offerings, learning and participation.
3. We commit ourselves to ensuring that processes are provided to create an awareness of the rights and responsibilities of all in relation to employment and learning opportunity, with a view to avoiding discrimination.
4. We will publish our policies and ensure that all in our schools are aware of them and of the standard of conduct expected of them.
5. We commit ourselves to ensuring that processes are provided for resolving issues of discrimination as soon as possible, if and when they arise, and in the least disruptive manner.
6. We will treat allegations of discrimination seriously, sensitively and confidentially.

PROCEDURES

1. Anybody who receives information about discrimination or who observes behaviour which indicates discrimination must inform the Principal, Business Manager or Chaplain.
2. The Principal must ultimately be informed, will investigate, and provide informal and formal options for resolution of allegations of discrimination, according to the principles of natural justice; viz. that those



Anti-Discrimination Policy

making a decision are not biased, that nobody should be condemned without first having been given prior notice of the allegations against them, and that they have a fair opportunity of being heard.

3. The Principal will determine whether or not, on the balance of probabilities, an allegation investigated is true.
4. If an allegation is determined by the Principal to be true, redress may be claimed by the victim in the form of an acknowledgment, an apology, and/or an undertaking not to re-offend.

LEGAL REPRESENTATION

This policy does not prescribe a formal legal process. Neither the Complainant nor the Respondent may have legal representation during the investigation or determination process without the written consent of the Principal.

RECORDS

PMSA and the relevant school will keep, in a confidential file, full documentation about each allegation.

AMENDMENT REGISTER

Issue No	Date of Issue	Page No	Details of and reason for amendment
01	20/05/04	All	Adopted by PMSA Council
02	31/05/04	All	Amendments adopted by PMSA Council
03	02/02/07	All	Amendments adopted by PMSA Council
04	01/01/11	All	Reformatted for inclusion on the PMSA portal