



**Silver Tree**  
STEINER SCHOOL

# Anti-Racism and Discrimination Policy

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2020

This procedure is applicable to: Teachers, Staff and Students

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## TABLE OF CONTENTS

ANTI-RACISM AND DISCRIMINATION POLICY .....	3
LEGISLATION .....	4
DEFINITIONS.....	4
INTERACTION WITH OTHER FORMS OF DISCRIMINATION .....	5
OBJECTIVES .....	5
DISCRIMINATION IN EMPLOYMENT .....	5
IMPLEMENTATION STRATEGIES.....	6
IDENTIFYING RACIAL DISCRIMINATION AND HARASSMENT BEHAVIOURS.....	7
CONCERNS AND COMPLAINTS.....	9
WHERE TO GO FOR HELP .....	10
REFERENCES.....	11

## **ANTI-RACISM AND DISCRIMINATION POLICY**

Silver Tree Steiner School aims to foster a culture of inclusivity, respect and acceptance of diversity. In doing so, we seek to deepen understanding and knowledge, promote student and staff wellbeing and help everyone achieve their full potential. Our School is enriched by and celebrates the diversity of our whole school community.

Silver Tree Steiner School rejects all forms of racist behaviour and is committed to the elimination of all forms of racial discrimination in its organisation, curriculum and in the learning and working environment.

Our school is committed to ensuring that individuals and groups are not disadvantaged because of their race, culture, ethnicity, national or religious background. No student, employee, parent or community member should experience racism within the learning or working environment of the school.

Eradicating expressions of racism and discrimination in learning and working environments, and challenging the attitudes that allow them to emerge, is the shared responsibility of all.

Racial discrimination and harassment are against the law.

## LEGISLATION

There is both Federal and State legislation that deals with racial discrimination. The relevant legislation is:

### Federal

- *Human Rights and Equal Opportunity Commission Act 1986*
- *Commonwealth Racial Discrimination Act 1975*
- *Racial Hatred Act 1995*
- *Workplace Relations Act 1996*

### State

- *Equal Opportunity Act WA 1984*

## DEFINITIONS

**Racial Discrimination** can occur either directly or indirectly.

Direct discrimination occurs when someone is treated less favorably because of their race, colour, descent, national origin or ethnic origin. (For example, where a school does not employ a staff member because they are an indigenous person).

Indirect discrimination occurs when a policy or a rule that treats everyone in the same way has an unfair effect on people of a particular race, colour, descent, national origin or ethnic origin. (For example, a school requirement that all students be Australian citizens. This discrimination would be found unlawful unless it can be justified.)

**Racial Harassment** occurs when a person threatens, abuses, insults or taunts another person because of their race, and that other person is disadvantaged, or has reasonable grounds for believing that they will be disadvantaged, by taking objection. Racial harassment is unlawful in the areas of education and employment.

## INTERACTION WITH OTHER FORMS OF DISCRIMINATION

Racial discrimination is often compounded by other forms of discrimination, in particular (but not exclusively) discrimination on the grounds of sex. This policy, therefore, acknowledges the significance of the possible interaction between racism and sexism and the importance of taking this into account in programs aimed at eliminating discrimination in employment and education.

### OBJECTIVES

The Silver Tree Steiner School will:

1. Implement programs to counteract the causes and redress the effects of racism in the educational context.
2. Protect the rights of students, staff and parents to achieve their full potential in an environment which encourages the affirmation of their cultural identity.
3. Provide students, staff, parents and community members with a mechanism for the lodgement and resolution of complaints.
4. Ensure that all members of the school community understand their rights and responsibilities under the *Anti-Racism and Discrimination Policy* and *Concerns & Grievances Policy*.
5. Implement anti-discriminatory employment practices.

### DISCRIMINATION IN EMPLOYMENT

Section 15 of the ***Racial Discrimination Act*** covers discrimination in employment.

1. It is unlawful for an employer or a person acting or purporting to act on behalf of an employer:
  - a. *to refuse or fail to employ a second person on work of any description which is available and for which that second person is qualified;*
  - b. *to refuse or fail to offer or afford a second person the same terms of employment, conditions of work and opportunities for training and promotion as are made available for other persons having the same qualifications and employed in the same circumstances on work of the same description; or*
  - c. *to dismiss a second person from his or her employment by reason of the race, colour or national or ethnic origin of that second person or of any relative or associate of that second person.*
2. *It is unlawful for a person concerned with procuring employment for other persons or*

*procuring employees for any employer to treat any persons seeking employment less favorably than other persons in the same circumstances by reason of the race, colour or national or ethnic origin of the person so seeking employment or of any relative or associate of that person*

3. *It is unlawful for an organization of employers or employees, or a person acting or purporting to act on behalf of such an organization, to prevent, or to seek to prevent, another person from offering for employment or from continuing in employment by reason of the race, colour or national or ethnic origin of that person or of any relative or associate of that other person*
4. *This section does not apply in respect of the employment, or an application for the employment, of a person on a ship or aircraft (not being an Australian ship or aircraft) if that person was engaged, or applied, for that employment outside Australia*
5. *Nothing in this section renders unlawful an act in relation to employment, or an application for employment, in a dwelling-house or flat occupied by the person who did the act or a person on whose behalf the act was done or by a relative of either of those persons.*

Section 18C describes offensive behaviour in a public place. While it does not cover employment specifically, it would be deemed that these are 'public places' for the purposes of the Act.

The *Equal Opportunity Act WA* covers employment discrimination in section 37. The definition is very similar to that described above. Racial harassment in employment is covered in section 49A.

### **IMPLEMENTATION STRATEGIES**

The Head of School will:

1. Allocate resources, including appropriate materials for whole school and classroom use.
2. Ensure that all staff, members of the Board of Governors, P & F, parents, students and community members are familiar with the Anti-Racism and Discrimination Policy and Grievance and Concerns Procedures and understand their rights and responsibilities in relation to them.
3. Ensure recruitment and selection procedures are compliant with the Anti-Racism and Discrimination Policy as follows:
  - a. Ensuring the interview panel is aware of the equal employment opportunities issues in the school;
  - b. Reminding the interview panel to focus on the applicant's job skills;
  - c. Checking job descriptions to remove outdated requirements not required to perform the job;

- d. If the position does require a person of a particular race, for example, to include this in the job description, selection criteria and advertisement.
4. Develop, implement and review strategies to promote the policy.
5. Assist staff in the development of strategies for addressing racism in appropriate subject areas and across the curriculum.
6. Intervene to prevent racism from occurring and to redress its effects if preventative measures are not possible.
7. Monitor the school environment for racist attitudes and behaviours.

Teachers will:

1. Ensure that curriculum content and teaching methods are consistent with and support the Anti-racism and Discrimination Policy.
2. Develop strategies in the school for increasing student understanding of racism.
3. Monitor the school environment for racist attitudes and behaviours and intervene to prevent racism from occurring in the school environment.

### **IDENTIFYING RACIAL DISCRIMINATION AND HARASSMENT BEHAVIOURS**

The following list of behaviours is not in any order of priority, nor necessarily exhaustive. The listed behaviours could be observed in those working for the school (teaching and non-teaching staff) as well as those served by it, that is students and their parents. Any of these behaviours can result in a complaint under the Anti-Racism Grievance Procedures.

#### **Physical assault and harassment**

Physical assault and harassment may include acts of intimidation or harassment such as pinching, punching, hair pulling, throwing things at others, spitting or physical gestures directed against others because of their colour, cultural background or language.

#### **Verbal abuse and threats**

Verbal abuse and threats may include verbal intimidation and harassment and threats that lead to high degrees of fear for personal safety. It may also include deliberate use of language so abusive and offensive that it provokes an aggressive response.

#### **Use of derogatory language and ridicule**

Racist, derogatory language and ridicule may include name-calling, insults, racist jokes, ridiculing or mimicking accents and cultural differences. Derogatory language may be spoken or written. Ridicule may be spoken, written or acted out.

### **Racist propaganda**

Racist propaganda may include racist graffiti, leaflets, comics and magazines, wearing racist badges and insignia, t-shirts and jewellery. Racist graffiti could appear in/on educational buildings, textbooks, folders, bags, desks, chairs and benches.

### **Incitement of others to behave in a racist manner**

Incitement of others to behave in a racist manner may include encouraging others to hate, have serious contempt for, or ridicule a person or group of people because of race, colour, nationality, ethnic or national background (Racial Vilification Amendment Act, 1989). It may also include attempts to recruit others to join racist organisations.

### **Racist comments in the course of discussions in lessons**

Racist comments in the course of discussions in lessons may include comments, myths and anecdotes that promote stereotyped beliefs about cultural groups and religious groups.

### **Refusal to cooperate with other people because of their colour, ethnicity or language**

Refusal to cooperate with other people because of their colour, ethnicity or language may include refusal to work in groups, to sit next to, to serve or to interact effectively with particularly individuals or groups. It may include treating some people in ways that discriminate against them and limit their participation or potential.

### **Indirect racism**

Indirect racism (also known as institutional systemic racism) arises from the policies, rules, procedures and culture of an institution. In schools and work sites it may include deliberate attempts to ignore or cover up the existence of racist attitudes or behaviours, use of euphemisms such as 'cultural harmony' rather than 'racism' to avoid admitting that prejudice and bias might be present and denial that current practices could be disadvantaging particular individuals or groups.

It may include insensitive application of policies and practices that no longer reflect community expectations, such as uniform policies that do not allow the wearing of headwear in areas enrolling Jewish boys or Muslim girls; or scheduling school activities at times of abstinence for particular religious groups in the school community.

### **Cyber racism**

Cyber racism is most commonly defined as racism which occurs in the cyber world. This includes racism which occurs on the internet such as racist websites, images, blogs, videos and online comments as well as racist comments, images or language in text messages, emails or on social networking sites. In the context of Australian schooling it is defined more broadly as any use of information and communication technologies to transmit racist attitudes and behaviour including the transfer of racially offensive content that is intended to cause harm or distress to another person.

Cyber racism is a form of racism. Online activities or published material that result in offensive comments in relation to a person's race, colour or national or ethnic origin, have the same effect as similar offline activities. Cyber racism may present as racial hatred or cyber bullying.

The nature of rapidly developing technologies means that areas that were once considered private spaces are now public. The increased use of internet and the development of social networking sites and maps, for example, mean that comments classified as 'racist', typically between one person and another, can now be sent to thousands of people within seconds. This has more serious consequences for the target of the racist behaviour.

### **CONCERNS AND COMPLAINTS**

Silver Tree Steiner School encourages all members of the school community to attempt to resolve complaints and concerns through the school. The school's complaints procedures are detailed in the *Concerns and Grievances Policy*.

All complaints will be treated confidentially, fairly and consistently, and resolved as quickly as possible.

Any member of the school community who raises an issue of racism or discrimination in good faith will not be victimised or otherwise unfairly treated or disadvantaged. All complaints of victimisation will be taken seriously, investigated and acted upon as quickly as possible.

Every student and staff member at Silver Tree Steiner School should feel welcome, supported and emotionally and physically secure at school. The wellbeing of all students and staff is a priority for the School. We understand that you cannot achieve your potential if someone is treating you unfairly, discriminating against you, vilifying, harassing or victimising you.

Concerns and Grievance procedures exist to provide an avenue to address unacceptable behaviour. Concerns and Grievance procedures are designed to explain what to do if you believe you have been discriminated against as explained earlier in this policy.

The School will treat all reports fairly, confidentially and quickly. Only people directly involved in the issue or complaint will be told about it. Each complaint will be investigated to work out whether it is more likely the behaviour happened than not and, if so, how serious it is. Appropriate action to resolve the problem will be taken.

The Head of School or someone else they appoint, has responsibility for investigating complaints of racism and/or discrimination. If proven, the consequences of such behaviour may include counseling, the removal of privileges, a parental interview, suspension or expulsion.

Silver Tree Steiner School will monitor how the complaint was resolved and the wellbeing of those involved. Further action will be taken if the problem behaviour continues.

Even though the School encourages all members of the school community to attempt to resolve complaints and concerns through the school if possible, it is also your right to seek help from outside the school. For example, you can contact the WA Equal Opportunity Commission.

## WHERE TO GO FOR HELP

Cyber bullying resources and support:

Reach Out.com

Website <https://about.au.reachout.com/us/>

Bullying. No way!

Website: <http://www.bullyingnoway.com.au>

Office of the eSafety Commissioner

Website: <https://www.esafety.gov.au/esafety-information>

WA Equal Opportunity Commission

Level 2, 141 St. George's Terrace, Perth

Ph: 9216 3900

Website: <http://www.eoc.wa.gov.au/>

Email: [eoc@eoc.wa.gov.au](mailto:eoc@eoc.wa.gov.au)

Will send information and talk to schools for a fee

Equal Opportunity Act 1984

Website: <https://www.slp.wa.gov.au>

Select 'Acts in force', then browse Acts by title 'E'

Human Rights and Equal Opportunity Commission Act 1986

Website: <http://www.hreoc.gov.au>

Available under the 'Human Rights' heading on the front page.

Racial Discrimination Act 1975

Website: <http://www.hreoc.gov.au>

Available under 'Racial Discrimination' heading on the front page.

Racial Hatred Act 1995

Website: <http://www.hreoc.gov.au>

Available under 'Racial Discrimination' heading on the front page.

The Racism. No Way! website has a lot of valuable information for students and teachers.

[www.racismnoway.com.au](http://www.racismnoway.com.au) Information is available in their library and classroom sections.

The Human Rights and Equal Opportunity Commission also has "Information for Teachers" covering Education Modules, Current Issues, Human Rights Resources, and a Human Rights Education Mailing List and provides a wealth of information on all forms of discrimination. [www.hreoc.gov.au](http://www.hreoc.gov.au).

Workplace Relations Act 1996

Website: <https://www.legislation.gov.au/Details/C2006C00104>.

## REFERENCES

AISWA Racial Discrimination Policy and Procedure Guidelines

Available: <https://www.ais.wa.edu.au>

Equal Opportunity Act 1984

Website: <https://www.slp.wa.gov.au>

Human Rights and Equal Opportunity Commission Act 1986

Website: <http://www.hreoc.gov.au>

Racial Discrimination Act 1975

Website: <http://www.hreoc.gov.au>

Racial Hatred Act 1995

Website: <http://www.hreoc.gov.au>

Workplace Relations Act 1996

Website: <https://www.legislation.gov.au/Details/C2006C00104>.