



ANTI-DISCRIMINATION POLICY AND PROCEDURES

Purpose

Lincoln Education Australia (LEA) considers safety and inclusivity to be central features of a supportive learning and teaching environment in which student health and wellbeing is prioritised. Safety and inclusivity are undermined by discriminatory behaviour, and thus LEA shall eliminate all forms of discrimination from across all aspects of higher education delivered.

This *Anti-Discrimination Policy and Procedures* establishes LEA's responsibilities under Australian law. It outlines the measures LEA will implement in order to foster an environment in which diversity is valued and discrimination not tolerated. The policy and procedures also outline the avenues through which students can report discrimination, and the response that LEA will take to these reports.

POLICY

Scope

This policy applies to all members of the LEA community, including staff, students, visitors, third-party contractors, and work-integrated learning partners.

Principles

This policy is designed to ensure LEA complies with all Australian legal requirements.

No form of discrimination will be tolerated. Forms of discrimination may include, but are not limited to discrimination based on:

- Race, nationality, ethnicity, or descent
- Sex, intersex identity, gender and transgender identity, or sexual orientation, LGBTI identity
- Marital status, breastfeeding and pregnancy, parent or caretaker status,
- Religious or political beliefs,
- Employment or industrial activities,
- Age or physical traits
- Irrelevant criminal activity,
- Disability or medical or mental health issues
- Association with individuals with the attributes listed.

LEA values diversity and will ensure to the best of its ability that all students are treated fairly and equally during their time at LEA.



All students have the right to learn in a safe environment free from harassment or discrimination.

All members of the LEA community are expected to uphold these values and principles in all activities undertaken at or associated with LEA.

Discriminatory behaviour will not be tolerated and may result in disciplinary action as outlined in this policy. Serious cases may be referred to the police.

LEA acknowledges that discrimination can occur in myriad ways, and seeks to eliminate discrimination in all forms, with a focus on the following:

- Any behaviour that contravenes the Commonwealth or State legislation
- Actions that generate a negative or threatening environment for any member of the LEA community
- Actions that may negatively affect the progress and performance of any members of the LEA community
- Bias against applicants in hiring, promotion, and admissions processes that obstruct the principle of managing staff and admitting students based on merit.

PROCEDURES

Prevention

LEA will focus on three key aspects in order to promote an inclusive and respectful culture in which it is known that disrespect and discrimination will not be tolerated:

- Embedding inclusivity and respect for diversity into all operations at LEA, including learning and teaching activities, workforce planning, and admissions processes
- Establishing clear codes of behaviour to ensure that all members of the LEA community understand the behaviour expected of them
- Establishing a transparent system for handling instances of discrimination and ensuring that members of the LEA community are aware of it.

General Practices

LEA will ensure that:

- LEA policies and procedures align with all Australian anti-discrimination laws and regulations.
- All students have access to the complaints and appeals mechanism as outlined in the *Student Grievances, Complaints and Appeals Policy and Procedures*.
- The Traditional Owners of country throughout Australia are recognised for their continuing connection to land, waters and culture and are acknowledged before any addresses to student cohorts or any official LEA business before an audience and that respect is paid to their Elders past, present and emerging.
- All anti-discrimination measures are audited periodically to ensure effectiveness and compliance and identify areas for improvement.



Informed Students and Staff

LEA will ensure that:

- Clear information regarding access to LEA support services and assistance in resolution of grievances is readily available to students at all times, including prior to acceptance of an offer of enrolment.
- The *Anti-Discrimination Policy and Procedures* and all other policies relating to equity and diversity are available to all students and staff, and students and staff are informed of how to access these.
- Students are provided with timely, accurate information about personal support services that will be available to them during their study, including about legal advice and advocacy.
- Students are provided with a copy of the Student Code of Conduct on enrolment, and orientation sessions cover behaviour expected of students.
- All information is accessible to all students, including those with specific accessibility requirements.

Teaching, Learning and Support

LEA will ensure that:

- Course content is tailored where appropriate to the diversity of the student cohort, specifically where that diversity concerns gender, race/ethnicity, disability and sexual orientation.
- Cross-cultural content is utilised wherever possible.
- Projects and research involving cross-cultural activities are incorporated wherever possible and appropriate in the course learning materials.
- Student support services are adequately equipped to meet the diversity of each specific cohort.
- LEA promotes participation by Aboriginal and Torres Strait Islander peoples, and remains sensitive to Aboriginal and Torres Strait Islander knowledge and cultures.
- Specific attention is given to Aboriginal and Torres Strait Islander peoples in the areas of recruitment, admission, participation in, and completion of study.

Workforce

LEA will ensure that:

- An inclusive and equitable hiring processes and workplace culture is developed, including initiatives where appropriate that will assist those members of the workforce from non-English speaking backgrounds, those who identify as having Aboriginal and Torres Strait Islander backgrounds and those with disabilities
- Staff professional development activities raise awareness and teach strategies to manage unconscious bias and discrimination.
- Staff professional development activities train staff to be sensitive to discrimination issues and to be open to constructive feedback on their own behaviour.



- Work arrangements are agreeable with the different backgrounds of LEA's staff, including flexible arrangements such as time off for religious practices, paid parental leave, and paid domestic violence leave.

Reporting Discrimination

Any individual is encouraged to report harassment or discrimination that they are subjected to or observe. They should include as much detail as possible in the report.

Student support staff, in particular the student Counsellor, are available to provide support and advice at any point in the process.

Formal Complaint Process

Students should submit formal complaints to LEA's student services either in person or through email, and staff should submit formal complaints to their managers.

For information regarding the formal complaint process, please refer to the *Student Grievances, Complaints and Appeals Policy and Procedures*.

The formal complaint will be reviewed by a committee of three staff members, including academic and non-academic staff members, for student complaints and three managers for staff complaints. The respondent will be notified that there has been a formal discrimination complaint lodged against them.

Both parties will have one week to gather evidence in order to contest the complaint made; upon submission of their evidence, a decision will be reached by the committee within one week.

Disciplinary Measures

Staff and students found to have committed any form of discrimination may be subjected to disciplinary measures, such as:

- Written warning.
- Probationary period.
- Suspension.
- Expulsion.
- Termination of contract.

Appeals

If either the complainant or respondent is unsatisfied with the decision reached by the committee, they are each entitled to appeal. Both parties will have one week to produce further evidence that they were not able to provide during the initial review process. A subsequent decision will be reached within one week of the final evidence submissions.



The decision given by the committee after an appeal has been made is final and no further appeals may be made. If either party is unsatisfied with the verdict, they may choose to take external action. For further information regarding this procedure, please refer to the *Student Grievances, Complaints and Appeals Policy and Procedures*.

Compliance

All members of the LEA community, including staff, students, visitors, third-party contractors and work-integrated learning partners are required to comply with this policy and its procedures, and with related policies and respective procedures. Non-compliance may result in a disciplinary action.

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| File Number | LEA-GEN-COR-70010-D |
| Responsible Officer | Chief Executive Officer |
| Contact Officer | Chief Operating Officer |
| Legislative Compliance | <ul style="list-style-type: none"> • <i>Tertiary Education Quality and Standards Agency Act 2011</i> • <i>Higher Education Standards Framework (Threshold Standards) 2015</i> • <i>Commonwealth Human Rights and Equal Opportunity Commission Act 1986</i> • <i>Commonwealth Racial Discrimination Act 1975</i> • <i>Commonwealth Racial Hatred Act 1995</i> • <i>Commonwealth Disability Discrimination Act 1992</i> • <i>Commonwealth Sex Discrimination Act 1984</i> • <i>Commonwealth Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013</i> • <i>Commonwealth Age Discrimination Act 2004</i> |
| Supporting Documents | <ul style="list-style-type: none"> • <i>Student Grievances, Complaints and Appeals Form</i> |
| Related Documents | <ul style="list-style-type: none"> • <i>Student Support, Wellbeing & Safety Policy</i> • <i>Staff Wellbeing Policy</i> • <i>Student Grievances, Complaints and Appeals Policy and Procedures</i> • <i>Compliance Framework Policy</i> • <i>Information to Students Policy and Procedures</i> • <i>Student Code of Conduct</i> • <i>Staff Code of Conduct</i> |
| Superseded Documents | |
| Effective Date | 1 January 2022 |
| Next Review | 3 years from the effective date |

Definitions

Corporate Governance Board: Governing body responsible for oversight of all higher education operations, including the ongoing viability of LEA and the quality of its higher education delivery. The Corporate Governance Board guides the Management and delegates responsibility for academic matters to the Academic Board.



Discrimination: Negative treatment of an individual or group on the basis of race, sexual orientation, gender, religion, or other factors.

Review Schedule

This policy shall be reviewed by the Corporate Governance Board every three years.

| Version History | | | |
|-----------------|----------------------------|----------------|-----------------|
| Version number: | Approved by: | Approval Date: | Revision Notes: |
| 1.0 | Corporate Governance Board | 17/12/2020 | New policy |
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