

DIVERSITY, INCLUSION AND BELONGING POLICY

What is the purpose of the Diversity, Inclusion and Belonging Policy?

G8 Education Limited (G8) respects, values and celebrates the diversity of its team members, children, families and other stakeholders. We are committed to supporting a diverse and inclusive workforce and recognise that our team members create and maintain our unique culture. This [Diversity, Inclusion and Belonging Policy](#) has been created to ensure fairness, equity and a sense of belonging for all team members. This Policy will assist team members in understanding their rights and responsibilities regarding workplace discrimination, harassment, bullying, and equal employment opportunities.

Who does the Diversity, Inclusion and Belonging Policy apply to?

This [Diversity, Inclusion and Belonging Policy](#) applies to all G8 Education team members (permanent, temporary or casual), contractors, volunteers, board members, or others acting for or on behalf of G8 in Australia or elsewhere (collectively **Team Members**) at all times.

Policy Statement

At G8 Education we are committed to proactively providing a respectful and safe work environment that provides equal opportunity and is free from discrimination, harassment, bullying, victimisation, or any other form of unreasonable or inappropriate workplace behaviour for all team members. We recognise that our Team Members are more productive and engaged in an environment that is free from discrimination and where diversity is both valued and celebrated.

G8 Education recognises that we have corporate, social, and moral obligations in the diverse communities in which we operate. We believe that by fostering an inclusive environment in which all team members, children and families feel respected and valued we can provide not only a safe workplace but the highest quality education for the children in our care.

To fulfill this commitment, we will:

- Comply with all relevant legislation
- Foster a respectful culture that supports diversity, encourages inclusiveness and belonging for all persons
- Develop and implement processes to ensure that decisions relating to team members are based on merit, fairness and equity
- Aim to eliminate diversity bias by ensuring that remuneration is determined fairly and consistently and set appropriate to the relative size and content of the job regardless of diversity
- Provide information, instruction, supervision and training to ensure all team members are aware of acceptable and unacceptable forms of behaviour
- Provide equal employment opportunities and ensure all team members have equitable access to recruitment, selection, promotion, training and transfer opportunities
- Provide a formal process for team members to raise concerns where they believe that the objectives of this policy have been breached
- Respond promptly to any concerns or allegations raised by team members, children or families in relation to inappropriate behaviours

Discrimination, harassment, bullying, victimisation, or any other form of unreasonable or inappropriate workplace behaviour are considered to be unacceptable forms of behaviour which are inconsistent with G8's Values.



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At G8 we have established a [Whistle-Blower Policy](#) and [Grievance Procedure](#), which combined with the Incident Notification and Investigation Policy are designed to promote a safe environment for all Team Members to raise issues and have those issues appropriately addressed. Team members are able to report potential breaches of this Policy using these avenues.

Any Team Member found to have engaged in the inappropriate behaviours described in this [Diversity, Inclusion and Belonging Policy](#) and associated Procedures may be subject to a formal investigation as described in the [Investigation Practice Manual](#) with potential for disciplinary action up to and including termination and/or commencement of legal proceedings for serious breaches. The Disciplinary Management proceedings and potential outcomes are described in the [Managing Underperformance and Discipline Procedure](#).

Responsibilities

Leaders of Self will:

- Own the Outcome and Foster Great Partnerships, by actively promoting the elimination of behaviours or actions, which we consider to be unacceptable forms of behaviour inconsistent with G8's values.
- Learn & Embed this policy which means we will think before we act. Use good judgment, and be fair and transparent in our actions and decision making.
- Foster Great Partnerships by raising issues with their 1Up manager and otherwise using the [Managing Grievances and Complaints procedure](#) to raise any issues relating to discrimination, harassment, bullying, or any other form of inappropriate workplace behaviour.
- Understand should a breach of the policy be found, as described above, mediation may be a consideration in resolving a bullying, discrimination, harassment, occupational violence, aggression, or victimisation complaint. This form of dispute resolution is appropriate only if the person making the complaint agrees.

Leaders of Leaders and Leaders of Teams, in addition to the above will:

- Engage & Inspire your team to behave in line with this Policy and respond appropriately if you become aware of any breaches of this Policy.
- Seek clarification from your leader or People and Culture to help apply this Policy and lead the right behaviours.
- Record and report to the People and Culture Team all potential serious breaches of this Policy observed by them directly or reported to them by another person.
- Communicate outcomes from any arising Investigation and/or Disciplinary proceedings to team members who have been found to have breached this Policy.
- Communicate outcomes from any matters to the aggrieved party to close out concerns or allegations as raised under this Policy.

Leaders of Organisation, in addition to the above will:

- Administer this Policy in an independent, objective, and consistent manner.
- Engage & Inspire the organisation to behave in line with this policy.
- Investigate any reported potential breaches of this Policy in line with the [Investigation Practice Manual](#).
- Facilitate consequence management for individuals found to have breached this Policy in line with the [Managing Underperformance and Discipline Procedure](#).

The People and Culture Team will:

- Review this Policy regularly in accordance with G8's Quality Improvement Framework.
- Maintain and manage this Policy.
- Provide advice and support in any instance where a potential breach of this Policy occurs.
- The Chief People Transformation Officer may in exceptional circumstances vary the conditions and application of this Policy.

Definitions

Bullying

Bullying means any repeated, Unreasonable Behaviour by an individual or a group of individuals directed towards a person or group of people that creates a risk to their mental or physical health and safety.

Unreasonable Behaviour means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine, intimidate, or threaten any other person or group of people. Bullying behaviour can include psychological, social, and physical behaviours, and bullying behaviour does not necessarily require intent.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, may amount to Bullying:

- verbal abuse, screaming, insults, swearing at a person or name-calling;
- deliberately excluding or isolating an individual or a group from workplace activities;
- unconstructive criticism and/or nit-picking;
- psychological harassment;
- intimidation or threats;
- assigning meaningless tasks unrelated to a job;
- unreasonably overloading a person with work and allowing insufficient time for completion;
- deliberately changing work rosters to inconvenience particular persons;
- spreading gossip or rumours; or
- deliberately withholding information that a person needs to adequately undertake their role.

The following types of behaviour do not amount to bullying:

- occasional differences of opinion, non-aggressive conflicts or problems in working relationships;
- allocating work and setting performance goals, standards and deadlines;
- informing a workplace participant about unsatisfactory work performance or inappropriate behaviour; or
- undertaking performance management processes and providing constructive feedback.


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Discrimination

What is Discrimination?

Anti-discrimination law provides that it is an offence to **discriminate against** someone or **harass** someone on the basis of the following attributes:

Sex or gender identity	Sexual orientation	Parental status or status as a carer
Family responsibilities	Pregnancy	Impairment or disability (physical or mental)
Race, colour or nationality	National or ethnic origin	Religious belief or activity
Age	Marital status	Political belief or activity
Gender orientation or history	Physical features	Employment activity
Breastfeeding	Industrial or union activity	Medical history or record
Gender identity	Lawful sexual activity	Criminal history or record

It is also against the law to discriminate against someone or harass someone because they have relatives, friends or associates with these attributes. Unlawful discrimination may take the form of direct or indirect discrimination.

What is Direct Discrimination?

Direct discrimination occurs where a person treats or proposes to treat another person with an attribute listed in the table above less favourably “because of” that attribute.

Examples of direct discrimination include, without limitation, the following situations:

- A recruiting manager declines to offer a job to a candidate because the candidate has a physical disability, even though that disability has no impact on the candidate’s ability to do the job;
- A recruiting manager refuses to employ a team member because they are pregnant;
- A recruiting manager refuses to promote a team member because of their sexual orientation;
- A repeated and inappropriate use of gendered language, when a reasonable alternative exists; or
- Willingly and/or repeatedly refusing to use a team member’s preferred name or pronouns, or inappropriately anglicising a team members name without consent.

What is Indirect Discrimination?

Indirect discrimination occurs when a person imposes or proposes to impose, a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons with an attribute listed in the table above, and which is not reasonable.

Examples of indirect discrimination include without limitation the following situations:

- A manager decides to give a promotion based on the longest service in the company. While the decision may treat all team members the same way (i.e. by using their length of service to determine promotional opportunity), it may discriminate against younger team members on the basis that younger team members

- are disadvantaged because of their age. It is unlikely to be reasonable if length of service is irrelevant to performing the job; or
- An advertisement for a job requires an applicant to be 180cm tall. This may disadvantage a person on the basis of their physical attributes and the requirement may not be reasonable if height is not necessary to perform the job.
- A policy that only female educators may change nappies of all children in care at our services. Whilst there may be extenuating circumstances such as religious reasons that a request for a particular gender to change nappies for an individual child may be considered- a blanket policy that excludes males from performing this work is unlikely to be seen as reasonable.

Harassment

Harassment is a type of discrimination. It means unwelcome or unwanted behaviour, based on one of the attributes in the table at 4.2 above, that is directed towards another person or group of people that is offensive, humiliating or intimidating.

Harassment does not include behaviour that a reasonable person, having regard to all the circumstances, would not have anticipated **could possibly** have caused offence, humiliation or intimidation. Harassment does not necessarily require intent. Some examples of harassment in the workplace include, but are not limited to:

- Sexual Harassment;
- Harassment based on race or religion; and
- Harassment based on sexuality.

Sexual Harassment includes unwelcome sexual advances, requests for sexual favours or any other unwelcome conduct of a sexual nature. It involves behaviour that could be expected to make a person feel offended, humiliated or intimidated.

Sexual harassment can be physical, verbal or written. It can be deliberate or unintentional and can involve a one-off incident or a series of incidents.

Sexual harassment can take many different forms, and may include without limitation:


- unwelcome physical contact such as kissing, hugging, pinching, patting, touching or brushing up against a person;
- leering or crude hand or body gestures;
- sexually explicit comments, innuendo or jokes;
- unwelcome repeated invitations for a date when the person invited has refused similar invitations before;
- requests for sex or sexual favours;
- sexually explicit emails, text messages or other electronic communication.
- the public display of nude, semi-nude or pornographic posters, photographs, calendars or screen savers at the workplace, or forwarding emails containing the same;
- sexual propositions or other suggestive requests; or
- threat of dismissal, loss of promotion for refusal of sexual favours.

Behaviour which is based on mutual attraction, friendship and respect is not sexual harassment. If the interaction is consensual, welcomed and reciprocated, it is not sexual harassment. Sexual harassment is against the law and is a breach of this policy.

Victimisation

Victimisation is subjecting someone or threatening to subject someone, to detriment because that person, or someone associated with that person:

- has lodged or intends to lodge a complaint under this policy or under equal opportunity legislation;
- in good faith, intends to allege that a person has breached this policy or equal opportunity legislation; or
- intends to be involved in proceedings under this policy or under equal opportunity legislation.

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Occupational Violence and aggression

Occupational Violence and Aggression is as any incident where a person is abused, threatened or assaulted at work or while they are carrying out work.

Occupational violence can come from anyone in the workplace including a fellow team member, a child or parent or any other person who enters our service

- physical assault – such as biting, scratching, hitting, kicking, pushing, grabbing, and throwing objects
- coughing or spitting on someone on purpose
- sexual assault or any other forms of indecent physical contact
- harassment or aggressive behaviour that creates a fear of violence, such as stalking, sexual harassment, verbal threats and abuse, yelling and swearing
- hazing or initiation practices for new or young workers
- violence from a family or domestic relationship when this occurs at the workplace, including if the person’s workplace is their home

Behaviours such as bullying, discrimination, harassment, occupational violence and aggression, sexual harassment and victimisation can create a risk to health and safety of employees, which may result in employees sustaining a physical and/or psychological injury. Such behaviours will not be tolerated by G8.

Diversity & Inclusion

Diversity means the presence of people who, individually or as a group, have different characteristics, seen and unseen, with which they were born or have acquired. These characteristics may include their gender identity, race or ethnicity, military or veteran status, LGBTQI+ status, disability status, and more.


Inclusion means the practice of making all members of an organisation feel welcome and giving them equal opportunity to connect, belong, and grow—to contribute to the organisation, advance their skill sets and careers, and feel safe, comfortable and confident being their authentic selves.

At G8 Education, we recognise that individuals can identify with a range of different gender identities, and that gender identity may or may not be associated with the sex assigned at birth and gender presentation. We provide a supportive environment to recognise an individual’s gender identity, and for team members to share (or not to share) their gender identity or trans status if they wish. We encourage team members to share their preferred pronouns, for example in email signatures and during introductions on a Teams call or in person.

Supporting Documents

The following procedures have been designed to operationalise this policy position and establish G8’s direction and support for our Team and Leaders.

- [Managing Talent Acquisition Procedure](#)
 - [Managing Restructures and Redundancy Procedure](#)
 - [Managing Underperformance and Discipline Procedure](#)
 - [Managing Grievances & Complaints Procedure](#)
 - [Managing Flexibility for Support Office Procedure](#)
 - [Managing Flexibility for Centre Network Procedure](#)
 - [Managing Leave Procedure](#)
 - [Managing Offboarding Procedure](#)
 - [Managing Team Member Onboarding and Induction Procedure](#)
 - [Managing Conflicts of Interest Procedure](#)
- Other supporting documentation includes:
- Australian Children’s Education & Care Quality Authority (ACECQA)
 - Employee Assistance Program
- Related Policies:

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- [Code of Conduct](#)
- [Talent Management Policy](#)
- [Whistle-Blower Policy](#)
- Health and Safety Policy

Legislation:

- Corporations Act 2001
- Fair work Act 2009
- Fair Work Regulations 2009
- The Equal Opportunity Act 2010
- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Australian Human Rights Commission Act 1986
- Anti-Discrimination Legislation
 - Australian Capital Territory – Discrimination Act 1991
 - New South Wales – Anti-Discrimination Act 1977
 - Northern Territory – Anti-Discrimination Act 1996
 - Queensland – Anti-Discrimination Act 1991
 - South Australia – Equal Opportunity Act 1984
 - Tasmania – Anti-Discrimination Act 1998
 - Victoria – Equal Opportunity Act 2010
 - Western Australia – Equal Opportunity Act 1984
- [Work Health and Safety Legislation](#)
 - Work health and Safety Act 2011 (ACT)
 - Work Health and Safety Regulation 2011 (ACT)
 - Work Health and Safety Act 2011 (NSW)
 - Work Health and Safety Regulation 2017 (NSW)
 - Work Health and Safety Act 2011 (QLD)
 - Work Health and Safety Regulation 2011 (QLD)
 - Work Health and Safety Act 2012 (SA)
 - Work Health and Safety Regulations 2012 (SA)
 - Occupational Health and Safety Act 2004 (Vic)
 - Occupational Health and Safety Regulations 2017 (Vic)
 - Occupational Safety and Health Act 1984 (WA)
 - Occupational Safety and Health Regulations 1996 (WA)