LEVERAGE
ACADEMY
RTO 41017

Discrimination and Harassment Policy and Procedures

Version 3.0 – March 2026

Version Control

Item	Summary of update	Version	Review date
1	New comprehensive Policy and Procedures document created to replace old, outdated policy suite.	2.0	14/08/2025
2	Further review to ensure compliance with 2025 RTO Standards. Some formatting changes.	2.1	18/02/2026
3	Review for improved ease-of-use and corrections of some minor linguistic error.	2.2	27/02/2026
4	Review for further refinement. Addition of criminal conduct to procedure.	3.0	24/03/2026

Quality area	Student Support; Governance; Accountability
2025 RTO Standards Alignment	Outcome Standards 2.1, 2.2, 4.1 Compliance Standards 20
Author	Leverage Academy
Status	Approved
Approved by	Bailey Compton
Approval Date	24/03/2026

Purpose

This policy outlines Leverage Academy (the Academy)'s commitment to providing a safe and respectful environment free from all forms of discrimination, bullying and harassment for the Academy's team members, trainers and assessors, and learners. It sets out expectations and awareness of:

- What is workplace/classroom unlawful discrimination and harassment;
- Who to refer workplace/classroom complaints of discrimination and harassment; and
- Procedures in place to address and resolve workplace/classroom complaints of discrimination and harassment.

Scope

This policy applies to all members of the Academy community in all interactions, including employees, contract workers, agents and job applicants, learners, clients and suppliers – whether in person, online, or in connection with any Academy activity.

Obligations and Expectations

Everyone at the Academy has an obligation not to discriminate against or harass any employee, learner, contractor, supplier, visitor or other stakeholder.

It is sometimes difficult to know whether other people will find a person's behaviour unacceptable, so individuals must be careful not to risk being misunderstood and thus becoming the subject of a complaint.

Academy team members must always consider their behaviour from the point of view of the person receiving it (i.e. how will my actions / words be perceived?). If a person on the receiving end of an Academy team member's behaviour makes it clear that they do not like a certain type of behaviour or discussion and/or want it to stop and it then continues, it may be discrimination or harassment.

Reprimanding or chastising a person (incl. a learner) in the presence of others may well constitute harassment, intimidation or bullying. For example, it is not good practice to highlight a learner's unfavourable results, or their language, literacy, numeracy and digital gaps in front of the class.

Policy

All learners, trainers and assessors, Academy team members, contractors, and visitors have the right to be treated fairly, with respect, and free from any conduct that is offensive, intimidating, or unfair.

Any learner affected by discrimination, harassment, bullying or sexual harassment will be offered access to learner support and wellbeing services.

The Academy recognises bullying, harassment (including sexual harassment) and hostile environments as a psychosocial hazards under Work Health & Safety.

The Academy's commitment includes:

- Providing a safe, inclusive, and supportive learning and working environment that values diversity, upholds dignity, and promotes equal opportunity for all individuals.
- Ensuring that all training, assessment, and related services are accessible to all learners and Academy team members, regardless of background, personal characteristics, or circumtances.
- Ensuring that decisions are based on merit and relevant criteria, not personal characteristics or beliefs.
- Taking proactive measures to prevent discrimination, harassment, victimisation and bullying.
- Responding promptly, fairly and confidentially to any concerns or complaints.
- Identifying, reporting, assessing and controlling psychosocial risks associated with training and assessment delivery.

Unlawful Discrimination

Unlawful discrimination occurs when a person is treated less favourably because they belong to a particular group or category of people. Discrimination can be direct or indirect and can occur in the recruitment process, during the course of employment or enrolment with the Academy, or upon termination of employment. Discrimination can also occur in the provision of goods or services.

Direct discrimination occurs where someone is treated less favourably because of their gender, sexual orientation, marital status, race, disability or age. **Indirect discrimination** occurs where everyone is treated on the same terms according to a rule, policy, or organisational directive, but the effect of which ends up being less favourable to people of one gender, sexual orientation, marital status, race, disability or age.

Federal and State anti-discrimination laws and relevant industrial relations laws variously make it unlawful to discriminate on a variety of grounds:

- Marital status, pregnancy or family carers responsibilities;
- Gender, including transgender status, or sexual orientation;
- Race, colour, nationality, national origin, ethnicity or religion;
- Disability or impairment;
- Transgender status; and
- Age.

Harassment

It can be either unlawful, or it can be in breach of the *Work Health and Safety Act 2011* to harass an individual or group. Unlawful harassment is a form of unlawful discrimination and includes sexual harassment and other types of harassment, which constitutes a breach of legislation.

For the Academy's purposes, any form of harassment is **not acceptable**. Harassment is any type of behaviour that is not desirable and not asked for, and that a reasonable person would have anticipated could:

- Humiliate someone;
- Offend someone; or

- Intimidate someone.

Harassment may occur whether or not the person who is the target of the conduct feels that a job or involvement with the Academy depends on putting up with the conduct. In some cases, one action will be enough to create unlawful harassment. In other cases, there may need to be a persistent pattern of behaviour before harassment is constituted to have occurred.

There may be a defence to a complaint of unlawful harassment, that being the individual did not intend to cause offence; however, the Academy encourages genuine, good-faith reporting and confirms that a complaint made in good faith will not attract disciplinary action even if it is not substantiated.

Sexual Harassment

Unlawful sexual harassment includes, but is not limited to:

- Pressure or demands for dates or sexual favours;
- Unnecessary familiarity: e.g. deliberately brushing against a person or constantly staring at a person;
- Unwanted physical contact, e.g. touching;
- Sexual jokes or innuendo;
- Offensive telephone calls;
- Offensive sexual gestures;
- Unwelcome comments or questions about a person's sex life; or
- Display or circulation of sexual material, including magazines, posters or pictures and messages (including email).

Other Types of Harassment and Discrimination

Other types of harassment and discrimination include but are not limited to:

- Verbal abuse or comments that put down or stereotype people because of their race, sexuality, pregnancy, disability, etc.;
- Jokes based on race, sexuality, pregnancy, disability, etc.;
- Mimicking someone's accent, or the habits of someone with a disability;
- Offensive gestures based on race, sexuality, pregnancy, disability, etc.;
- Ignoring or isolating a person or group because their race, sexuality, pregnancy, disability, etc.; or
- Display or circulation of racist or other offensive material.

Hostile Work Environment

A working / educational environment or organisational culture that is sexually permeated or hostile may also amount to unlawful sexual harassment. Examples of such a hostile work environment could include pornographic or sexually explicit calendars, posters, magazines, inappropriate use of email or internet and inappropriate screen savers.

Procedures

Any incidents of discrimination and harassment should be reported to the Academy Manager. Learners and Academy team members who feel they have been treated unfairly can lodge a complaint through the Academy's *Complaints and Appeals Policy and Procedures*.

Any individual who feels they are being discriminated or harassed should follow these steps:

- Do not ignore circumstances where you feel you are being unlawfully discriminated against or harassed, thinking it will go away. Ignoring the behaviour could be taken as tacit approval by the person causing the harassment or discrimination.
- Where you feel comfortable ask the person to stop or make it clear that you find the behaviour offensive or unwelcome. The alleged discriminator / harasser may not be aware that their behaviour is intimidating or unwelcome and may stop once they are told.
- Speak to a manager or supervisor as soon as possible after the incident or incidents have occurred. You may approach these people in the first instance to seek confidential guidance on discrimination or harassment matters.
- Whilst you may feel the need to tell a trusted friend or work colleague about the matter you should be careful. Accusations of unlawful discrimination / harassment can harm the reputation of those involved and could ultimately lead to an action for defamation. Do not allow rumours to spread.
- Ensure you keep notes or a diary, in chronological order, stating only facts and supported by evidence.

The Academy will take whatever action it considers appropriate if there has been unlawful discrimination or harassment, including disciplining or dismissing offenders. Individuals should also be aware that if they lie about a complaint, the Academy will view this as a very serious matter, and the person may face disciplinary actions.

Criminal Conduct

Where the harassment is of a criminal nature, the Academy Manager must ensure the conduct is reported to the relevant authorities including the police with the complainant's consent.

Publication

This *Discrimination and Harassment Policy and Procedures* document will also be published on the Academy's website and referenced in the Academy's *Learner Handbook*.

Policy Governance

Review

All access, equity and anti-discrimination systems and materials must be reviewed and approved by the CEO and / or Academy Manager before publication to ensure compliance with RTO standards and regulatory requirements.

On-going Monitoring and Compliance

The Academy will regularly monitor its access, equity and anti-discrimination processes to ensure ongoing compliance and will promptly address any non-compliant practices or areas of improvement identified, and document this in the *Continuous Improvement Register* accordingly.

Definitions

- **ASQA** means Australian Skills Quality Authority, the national VET regulator and the RTO's registering body.
- **Compliance Standards** refers to the Compliance Standards for National Vocational Education and Training Regulator (NVR) Registered Training Organisations (RTOs) Instrument 2025.
- **Discrimination** refers to the unfair or prejudicial treatment of individuals based on characteristics such as race, gender, age, disability, religion, or socio-economic status.
- **Harassment** refers to unwelcome, offensive, or intimidating behaviour – whether verbal, written, physical, or online – that creates a hostile, humiliating, or unsafe environment for a student, Academy team member, or other person involved with the Academy.
- **Outcome Standards** refers to the Outcome Standards for National Vocational Education and Training Regulator (NVR) Registered Training Organisations (RTOs) Instrument 2025.