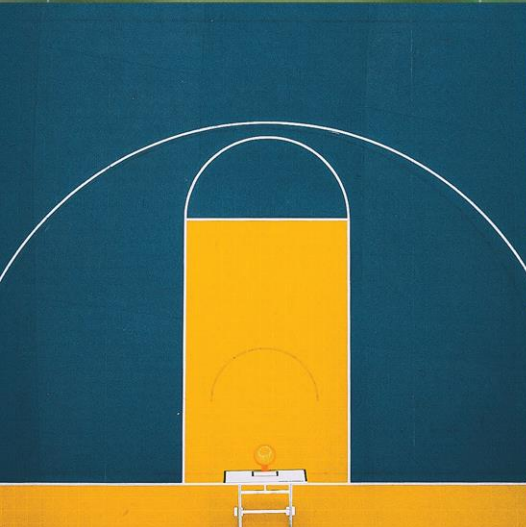
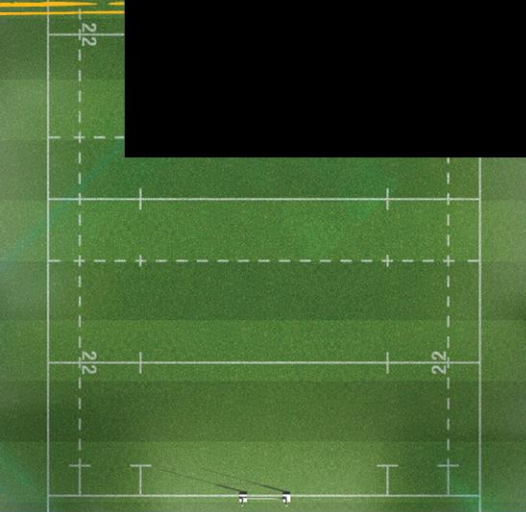


**RACISM.
IT STOPS
WITH ME**

**RACISM.
NOBODY WINS.**

**RACIAL DISCRIMINATION
POLICY TEMPLATE**



**Australian
Human Rights
Commission**

RACIAL DISCRIMINATION POLICY

BACKGROUND TO THIS TEMPLATE

This **template*** will help you create your own workplace anti-racism and racial discrimination and harassment policy. It covers topics relevant to the *Racial Discrimination Act 1975 (Cth)*.

Other Federal and state/territory laws may also apply to your workplace.

You may wish to customise, add or remove topics.

Read the instructions below to create your own document, and delete this page from your final version.

INSTRUCTIONS

1. Where you see **<Organisation name>** replace it with your business's legal trading name. The quickest way to do this is to use the Edit > Replace function.
2. Where you see **[Guidance note (delete this later)]** read and then delete the text. We have added guidance notes to help you complete the template. They are not intended to be part of your final version.
3. Once you have finished work on the template, delete this instruction page.
4. Finally, refresh the page numbers in the table of contents. Right mouse click on the Table of Contents > choose 'Update Field' > choose 'Update entire table'.
5. You may wish to print this document on a letterhead or add your logo.

NOTE: DELETE THIS PAGE ONCE YOU COMPLETE THE TEMPLATE.

*This template was developed by the AHRC and was modified with permission from the Victorian Equal Opportunity and Human Rights Commission 'Right Smart Employers'. Toolkit available at: <https://humanrights.gov.au/our-work/employers/workplace-discrimination-and-harassment-policy-template>

CONTENTS

Background to this template	2
Instructions	2
1. Scope	4
2. Aims	4
3. Staff rights and responsibilities	5
3.1. Additional responsibilities of managers and supervisors	5
4. Unacceptable conduct	6
4.1. Racial discrimination	6
4.2. Racial hatred	7
4.3. Victimisation	7
4.4. Confidentiality	7
5. Job equity at <Organisation name>	8
6. Resolving issues at <Organisation name>	8
6.1. Supporting person/s involved in a racial discrimination issue	9
7. Other relevant <Organisation name> policies	10
8. More information	10
9. Review details	10

RACIAL DISCRIMINATION POLICY

1. SCOPE

This policy applies to all the following personnel, whether they are in a paid, unpaid or voluntary capacity:

- individuals sitting on boards, committees, sub-committees or other formal structures within **<Organisation name>**
- all staff, including managers and supervisors; full-time, part-time or casual, temporary or permanent staff; job candidates; student placements, apprentices, contractors, sub-contractors and volunteers
- coaches and assistant coaches; support personnel (e.g. physiotherapists, psychologists, masseurs, dieticians and sport doctors); athletes and players; referees and other officials; and spectators.

This policy also covers:

- how **<Organisation name>** provides services to customers, suppliers, members and patrons and how it interacts with other members of the public
- all aspects of employment, recruitment and selection; conditions and benefits; training and promotion; task allocation; hours; leave arrangements; workload; equipment and transport
- on-site, off-site or after-hours work; work-related social functions; conferences – wherever and whenever staff may be as a result of their **<Organisation name>** duties
- staff treatment of other staff, of clients, and of other members of the public encountered during their **<Organisation name>** duties
- how **<Organisation name>** interacts and manages volunteer and spectator behaviour
- how **<Organisation name>** interacts and uses social media and online communications.

2. AIMS

[Guidance note (delete this later): This section could also directly quote from relevant parts of your organisation's vision, mission or values.]

<Organisation name> is committed to providing a safe, inclusive, flexible and respectful environment for staff and clients free from all forms of racism, racial discrimination and harassment.

All **<Organisation name>** staff are required to treat others with dignity, courtesy and respect.

By effectively implementing our *Workplace Racial Discrimination Policy* we **<Organisation name>** commit to providing an environment for all workplace participants that promotes respectful and positive behaviour and values.

3. STAFF RIGHTS AND RESPONSIBILITIES

All staff are entitled to:

- recruitment, selection, retention and internal progression decisions that are based on an equity framework that strives to create a culturally diverse and inclusive workplace
- a workplace free from racial discrimination and harassment
- the right to raise issues or to make an enquiry or complaint in a reasonable, respectful and confidential manner without being victimised
- reasonable flexibility in working arrangements, especially where needed to accommodate any family, cultural, kinship responsibilities or religious beliefs.

All staff must:

- follow the standards of behaviour outlined in this policy
- respect the confidentiality of the complaint resolution procedures
- treat everyone with dignity, courtesy and respect at all times
- act in accordance with the member protection policy, to be responsible and accountable for their behaviour at all times.

3.1. ADDITIONAL RESPONSIBILITIES OF MANAGERS AND SUPERVISORS

Managers and supervisors must also:

- model appropriate standards of behaviour
- take steps to educate and make staff aware of their obligations under this policy and the law
- intervene quickly and appropriately when they become aware of inappropriate behaviour
- report complaints about breaches of this policy in accordance with the relevant complaint handling policy <Guidance note: [link to your complaint handling policy](#)>
- ensure staff who raise an issue or make a complaint are not victimised
- ensure that recruitment decisions are based on an equity framework and that no discriminatory requests for information are made
- consider requests for flexible work arrangements in accordance with the employer's legal obligations.

4. UNACCEPTABLE CONDUCT

Racism, racial discrimination and harassment, racial vilification, and racial hatred, are unacceptable at <Organisation name>.

Staff (including managers) found to have engaged in such conduct might be counselled, warned or disciplined. Severe or repeated breaches can lead to formal discipline up to and including dismissal.

4.1. RACIAL DISCRIMINATION

Racial discrimination occurs when a person is treated less favourably, or not given the same opportunities, as others in a similar situation, because of their race, the country where they were born, their ethnic origin or their skin colour. The *Racial Discrimination Act 1975 (Cth)* (RDA) makes it unlawful to discriminate against a person in Australia because of their race, colour, descent, national origin or ethnic origin, or immigrant status. The RDA protects people from racial discrimination in many areas of public life, including employment, education, getting or using services, renting or buying a house or unit, and accessing public places.

Racial discrimination can occur:

Directly, when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law (see list below).

[Guidance note (delete this later): Include your own organisation specific example here] *For example, an athlete is harassed and humiliated by other athletes on social media because of their race.*

Indirectly, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law (see list below).

[Guidance note (delete this later): Include your own organisation specific example here] *For example, a club says that participants must not wear any headwear in games, as this is likely to have an unfair effect on other players from certain racial or ethnic backgrounds.*

Protected personal characteristics under Federal (racial) discrimination law include:

- race
- colour
- descent
- national origin
- ethnic background
- immigrant status
- religion.

RACIAL DISCRIMINATION POLICY

It is also against the law to treat someone unfavourably because you assume they have a personal characteristic or may have it at some time in the future, or because they have an association with someone who has, or is assumed to have, one of these characteristics.

[Guidance note (delete this later): Include your own organisation specific example here] For example, calling a player a derogatory name because their family is from a particular ethnic community.

4.2. RACIAL HATRED

Racial hatred is also unlawful under the RDA. Racial hatred involves behaviour such as saying something in public that is reasonably likely to offend, insult, humiliate or intimidate a person or group because of their race, colour, or national or ethnic origin.

4.3. VICTIMISATION

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under the law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination or victimisation.

[Guidance note (delete this later): Include your own organisation specific example here] For example, telling a player not to make a complaint as it may cost them a place on the team.

Victimisation is against the law.

It is also victimisation to threaten someone (such as a witness) who may be involved in investigating an equal opportunity concern or complaint.

Victimisation is a very serious breach of this policy and is likely (depending on the severity and circumstances) to result in formal discipline against the perpetrator.

<Organisation name> has a zero-tolerance approach to victimisation.

4.4. CONFIDENTIALITY

Confidentiality is central to the complaint handling process. Breaching confidentiality can have significant negative consequences for all those involved, and as such needs to be respected by all parties.

It is unacceptable for staff at <Organisation name> to talk with other staff members, customers, suppliers or other workplace participants about any complaint of racial discrimination.

RACIAL DISCRIMINATION POLICY

Breaching the confidentiality of a complaint investigation or inappropriately disclosing personal information is a serious breach of this policy and may lead to formal discipline.

5. JOB EQUITY AT <ORGANISATION NAME>

All recruitment, job selection and retention decisions at <Organisation name> will be based on an equity framework that recognises the value of a culturally diverse and inclusive workplace.

The equity framework should include regular assessments of potential barriers to recruitment and internal progression for people of culturally and linguistically diverse, or First Nations communities, and implementing measures to address these.

It is unacceptable and may be against the law to ask job candidates questions, or to in any other way seek information, about their personal characteristics, unless this can be shown to be directly relevant to a genuine requirement of the position.

6. RESOLVING ISSUES AT <ORGANISATION NAME>

<Organisation name> strongly encourages any staff member who believes they have been discriminated against, harassed, vilified or victimised to take appropriate action by [Guidance note (delete this later): explain how to make a complaint and provide for an initial contact person. Reference appropriate policy].

<Organisation name> also strongly encourages any staff member who may have witnessed others being discriminated against, harassed, vilified, or victimised to take appropriate action by [Guidance note (delete this later): explain how to make a complaint and provide for an initial contact person]. More information is available via the “Bystander Intervention” resource, which can be accessed at <https://humanrights.gov.au/our-work/race-discrimination/publications/guide-addressing-spectator-racism-sports-2021>.

Staff who do not feel safe or confident to take such action may seek assistance from [Guidance note (delete this later): list contacts.] for advice and support or action on their behalf.

RACIAL DISCRIMINATION POLICY

Resolving issues should follow the **<Organisation name>** complaint handling policy and should:

- centre the experiences of the target person/s
- follow a trauma-informed complaint handling process
- include employer obligations regarding support for the target of the alleged discrimination as well as the alleged perpetrator
- be transparent and clear, and ensure the target is aware of the steps that may be taken, and is regularly informed of the progress and actions as they are taken
- provide the opportunity to make a complaint without reprisal
- incorporate a review of organisational practices and structures that potentially contributed to the alleged instance of racial discrimination, harassment, vilification or victimisation
- prompt the organisation to seek advice from independent experts to meet any cultural or mental health needs throughout the complaints handling process.

6.1. SUPPORTING PERSON/S INVOLVED IN A RACIAL DISCRIMINATION ISSUE

<Organisation name> understands that person/s involved in a racial discrimination issue may require additional support during and after the complaint handling process.

<Organisation name> has developed a set of resources to provide to the person/s during the process so that they may access support. **[Guidance note (delete this later): support services should aim to be local, culturally appropriate, free and accessible. The resource “Support services for targets of racism” may be helpful to develop your <organisation name> resources].**

[Guidance note (delete this later): keep the below section if your organisation has an EAP]

<Organisation name> staff are entitled to a certain amount of free, professional counselling from our employee assistance program. To access the employee assistance program, contact **[Guidance note (delete this later): provide contact details to access this service.]**

Employee assistance program counselling is confidential, and nothing discussed with a counsellor will be communicated back to **<Organisation name>**. Employee assistance program counselling is available free to **<Organisation name>** staff regardless of whether the issue is related to a workplace problem or some other issue for the staff member.

7. OTHER RELEVANT <ORGANISATION NAME> POLICIES

Staff, especially managers and supervisors, are encouraged to read this policy in conjunction with other relevant <Organisation name> policies, including [Guidance note (delete this later): list relevant policies and provide links to them wherever possible. See below suggestions.].

- Member Protection Policy
- Codes of Conduct/Behaviour
- Complaints handling policy
- Workplace sexual harassment policy
- Flexible work arrangements policy
- Pregnancy and work procedure and policy
- Occupational health and safety policy
- Discipline procedure
- Mission, vision and values statements
- Enterprise agreements [Guidance note (delete this later): list relevant agreements.]
- Service agreement [Guidance note (delete this later): any document that outlines the rights of clients and customers to complain about the service they are receiving.]

8. MORE INFORMATION

If you have a query about this policy or need more information, please contact [Guidance note (delete this later): list contacts].

9. REVIEW DETAILS

This policy was adopted by <Organisation name> on [insert date].

This policy was last updated on [insert date].

RACISM.
NOBODY WINS.

ABN 47 996 232 602
GPO Box 5218,
Sydney NSW 2001

General enquiries
1300 369 711

National Info Service
1300 656 419
TTY 1800 620 241

Human Rights Commission
www.humanrights.gov.au

This resource has been created by the Australian Human Rights Commission, in collaboration with national, state and territory-based sporting organisations and venues. For additional resources and information about the project, please visit <https://humanrights.gov.au/our-work/race-discrimination/publications/guide-addressing-spectator-racism-sports-2021>.