



**NEW ERA
INSTITUTE**

CRICOS No.: 03509B • National Provider no.: 41543

Discrimination and Harassment Policy

2026 V1.1 - Includes controls for racial,
cultural and religious vilification, including
antisemitism





Discrimination and Harassment Policy

1. Purpose

New Era Institute Pty Ltd is committed to providing a safe, inclusive and respectful learning and working environment that is free from discrimination, harassment, bullying, victimisation, racial vilification and religious or faith-based vilification, including antisemitism.

The purpose of this policy is to:

- protect students and staff from conduct that may offend, humiliate, intimidate, exclude, vilify or create a hostile learning or working environment;
- set clear behaviour expectations for all Institute-related activities, including online environments and work placements;
- identify, prevent and respond to potential racial, cultural and religious vilification, including antisemitism and other faith-based discrimination;
- ensure complaints and incidents are managed fairly, promptly, confidentially and with procedural fairness;
- ensure affected students are advised of support services and escalation options; and
- support compliance with the Standards for Registered Training Organisations (RTOs) 2025, the ESOS framework, the National Code 2018 and relevant anti-discrimination legislation.

2. Scope

This policy applies to:

- all students, including overseas students and students under 18 years of age where applicable;
- all staff, trainers, assessors, contractors, agents, volunteers, visitors, third parties and work placement or industry hosts;
- all Institute activities, including recruitment, marketing, enrolment, orientation, training and assessment, student support, online learning, campus activities, excursions, events, work placements and industry settings; and
- conduct connected to New Era Institute, including conduct occurring online, by email, through social media, messaging applications or learning platforms where the conduct affects a student, staff member or the learning environment.

3. Legislative and Regulatory Framework

This policy is informed by and supports compliance with:

- Standards for Registered Training Organisations (RTOs) 2025, including Outcome Standards 2.5, 2.6, 2.7, 2.8, 4.3 and 4.4;
- Education Services for Overseas Students Act 2000 and National Code of Practice for Providers of Education and Training to Overseas Students 2018;



- Racial Discrimination Act 1975 (Cth), including racial hatred provisions;
- Australian Human Rights Commission Act 1986 (Cth);
- Anti-Discrimination Act 1977 (NSW), including racial and religious vilification provisions;
- Fair Work Act 2009 (Cth), Work Health and Safety Act 2011 (NSW), Sex Discrimination Act 1984 (Cth), Disability Discrimination Act 1992 (Cth) and Age Discrimination Act 2004 (Cth); and
- any other Commonwealth, State or Territory anti-discrimination, child safety, privacy or safety obligations relevant to Institute operations.

4. Definitions

Discrimination: Unfavourable treatment of a person because of a protected attribute, including race, colour, nationality, ethnic or national origin, culture, religion, religious belief or activity, sex, gender, sexual orientation, marital or family status, pregnancy, disability, age, political belief or any other attribute protected by law.

Harassment: Unwelcome behaviour that offends, humiliates, intimidates or creates a hostile environment for another person.

Sexual harassment: Any unwelcome sexual advance, request for sexual favours or conduct of a sexual nature that makes a person feel offended, humiliated or intimidated.

Bullying: Repeated unreasonable behaviour that creates a risk to health and safety.

Victimisation: Unfavourable treatment of a person because they made, intend to make, supported or participated in a complaint or incident report under this policy.

Racial vilification: A public act that could incite hatred, serious contempt or severe ridicule towards a person or group because of race, colour, nationality, descent, ethnic or national origin.

Religious or faith-based vilification: A public act that could incite hatred, serious contempt or severe ridicule towards a person or group because of religious belief, religious affiliation, religious activity, or because the person does not hold or practise a religion.

Antisemitism: Hostility, prejudice, discrimination, harassment or vilification directed at Jewish people, Jewish communities, Jewish identity, culture, religion, ethnicity or institutions. Examples may include verbal abuse, stereotypes, exclusion, threats, Nazi-related symbols or imagery used to intimidate or harass, online abuse, or conduct that creates a hostile learning environment.

Public act: A communication, publication, display, sign, symbol, image, clothing, online post, social media content, distribution of information or behaviour that can be seen or heard by the public or by members of the learning or working community.

Cultural safety: An environment where students and staff feel respected, included and able to participate without discrimination, racism, vilification or avoidable cultural harm.

Incident: An event or behaviour that may breach this policy, whether or not a formal complaint has been made.



5. Policy Statement

New Era Institute does not tolerate discrimination, harassment, bullying, victimisation, racial vilification, religious or faith-based vilification, antisemitism, Islamophobia, racism or other conduct that compromises a safe, inclusive and respectful learning environment.

All individuals have the right to participate in education, training, assessment, student support, work placement and work activities in an environment that is respectful, inclusive and safe.

Respectful discussion of social, cultural, historical, political or religious matters may occur in appropriate training or workplace contexts. However, discussion must not target, threaten, demean, exclude, stereotype, intimidate or vilify a person or group based on race, culture, ethnicity, religion or any protected attribute.

Any substantiated breach of this policy may result in disciplinary action, removal from class or work placement, termination of access to Institute systems or services, referral to external authorities, or other action consistent with Institute policies and applicable law.

6. Controls to Protect Students from Racial, Cultural and Religious Vilification

New Era Institute will take the following practical steps to protect students from potential vilification regarding race and religion, including antisemitism:

- state clear expectations in the Student Code of Conduct, Staff Code of Conduct, orientation materials, and other relevant documents;
- include race, religion, faith-based discrimination, antisemitism and other vilification risks in staff induction, trainer briefings and student orientation;
- monitor learning environments, online platforms, campus activities and work placement environments for behaviour that may create exclusion, hostility, intimidation or safety risks;
- promptly remove or restrict access to offensive, threatening or vilifying material where it is displayed or shared through Institute-controlled channels or premises;
- provide reasonable flexibility for cultural or religious obligations where practicable and consistent with training product requirements and assessment integrity;
- ensure students are aware of how to report concerns and access Student Services, wellbeing support and external complaint pathways;
- require contractors, education agents, host employers and third parties to maintain respectful and inclusive environments for students;
- review complaints, feedback, incidents and near misses to identify trends, systemic risks and required improvements; and
- record actions taken and outcomes in the incident register, complaints register and continuous improvement register.



7. Rights and Responsibilities

7.1 New Era Institute will

- promote a culture of respect, inclusion and cultural safety;
- maintain clear reporting, complaint, appeal and incident response processes;
- act on reported or observed incidents as soon as practicable, proportionate to risk;
- protect complainants, respondents, witnesses and support persons from victimisation;
- provide appropriate wellbeing support, referral information and reasonable adjustments where required;
- maintain accurate, confidential and secure records; and
- use complaint, incident and feedback data to inform continuous improvement.

7.2 Staff, trainers, assessors, students and others must

- treat others with dignity, courtesy and respect;
- not engage in discriminatory, harassing, bullying, victimising or vilifying behaviour;
- not share, display or distribute material that may vilify or intimidate another person or group based on race, religion, culture or protected attribute;
- report observed or experienced conduct that may breach this policy;
- cooperate with reasonable directions, safety measures and investigations; and
- maintain confidentiality and not retaliate against any person involved in a complaint or incident.

8. Reporting and Managing Complaints and Incidents

Any person who experiences or witnesses discrimination, harassment, bullying, victimisation, racial vilification or religious/faith-based vilification is encouraged to report the matter as soon as possible. Reports may be made verbally or in writing to:

- Student Services;
- a trainer or assessor;
- the Compliance Manager or delegated senior staff member; or
- the Chief Executive Officer (CEO).

New Era Institute will manage complaints and incidents as follows:

- acknowledge the matter as soon as practicable and normally within five (5) business days;
- conduct an initial risk assessment to determine immediate safety, wellbeing and support needs;
- where appropriate, take interim measures such as separating parties, adjusting class attendance, changing placement arrangements, restricting online access, or removing offensive material;



- provide procedural fairness to all parties, including a clear explanation of the allegation, opportunity to respond, impartial consideration and documented reasons for decisions;
- investigate proportionately and confidentially, as far as practicable;
- communicate outcomes and any relevant actions to the parties, while protecting privacy and confidentiality; and
- record the complaint, evidence reviewed, decisions, actions, referrals, outcome, appeal information and any continuous improvement action.

9. Immediate Safety, Serious Incidents and External Authorities

Where alleged behaviour may constitute a criminal offence, involve threats or incitement of violence, create an immediate safety risk, involve a student under 18, or indicate serious welfare risk, New Era Institute will escalate the matter immediately to the CEO or delegate and take action consistent with duty of care obligations.

Actions may include:

- contacting emergency services or NSW Police where there is an immediate threat, violence or threatened violence;
- providing a safe space, support person, wellbeing referral or critical incident response;
- preserving evidence such as screenshots, emails, messages, images, CCTV records or witness statements;
- removing, blocking or restricting access to offensive or threatening material within Institute-controlled systems or premises;
- notifying parents/guardians for students under 18 where appropriate and lawful;
- reassessing the safety of work placement or third-party environments; and
- referring affected people to Anti-Discrimination NSW, the Australian Human Rights Commission, the Overseas Students Ombudsman or other appropriate external bodies where relevant.

10. Student Support and Wellbeing Response

When a student is affected by conduct covered by this policy, Student Services will assess and document support needs and offer reasonable support options. Support may include:

- confidential discussion with Student Services or another appropriate staff member;
- referral to external counselling, crisis, multicultural, religious/community or wellbeing services;
- reasonable adjustments or temporary changes to class, assessment or placement arrangements where appropriate;
- assistance to make a complaint or appeal, including support to access external review options;
- support person arrangements for meetings; and



- follow-up contact to confirm whether further support or risk controls are required.

11. Work Placements, Third Parties, Agents and Online Environments

New Era Institute will take reasonable steps to ensure this policy is applied in environments where students participate in Institute-related activities, including work placements, third-party delivery sites, online learning platforms and communications managed or used for Institute purposes.

- work placement hosts and third parties must provide a safe and respectful environment and must report relevant incidents to New Era Institute;
- students must not be required to continue in a placement or activity where there is an unmanaged risk to safety, wellbeing or participation;
- agents, contractors and third parties are expected to comply with this policy and may have agreements reviewed, suspended or terminated for serious or repeated breaches;
- online conduct connected to New Era Institute may be managed under this policy even where the conduct occurs outside campus hours or through non-Institute platforms, if it affects students, staff or the learning environment.

12. Protection from Victimisation

New Era Institute will not tolerate victimisation, reprisals or retaliation against any person who makes, supports, witnesses, responds to or participates in a complaint or incident under this policy.

Any substantiated victimisation will be treated as serious misconduct and may result in disciplinary action.

13. Appeals and External Review

A student who is dissatisfied with the outcome of a complaint or a decision made under this policy may access New Era Institute's Complaints and Appeals Policy and Procedure.

This policy does not remove the right of any person, including overseas students, to seek advice, complaint handling or external review through relevant State or Commonwealth bodies, including Anti-Discrimination NSW, the Australian Human Rights Commission, the Overseas Students Ombudsman, NSW Police or other lawful avenues.

14. Records Management and Confidentiality

Records of complaints, incidents, investigations, risk assessments, support offered, referrals, outcomes and actions taken under this policy will be:

- stored securely and confidentially;
- accessed only by authorised personnel with a legitimate role in managing the matter;
- retained for a minimum of seven (7) years, or longer where required by regulatory, insurance, child safety, legal or contractual obligations;
- recorded in the complaints register, incident register, student support record and/or continuous improvement register as applicable; and
- used to identify trends, systemic risks, staff training needs and policy/procedure improvements.



15. Staff Awareness and Student Communication

New Era Institute will communicate this policy and its expectations through staff induction, trainer/assessor meetings, student orientation, Student Handbook updates, relevant website information, third-party briefings and management meeting outcomes.

Staff responsible for student contact must be able to explain how students can report discrimination, harassment or vilification concerns, how students can access support services, and when matters must be escalated to the CEO or delegate.

16. Continuous Improvement

New Era Institute will use reports, complaints, incident records, student feedback, staff feedback, regulatory guidance and management review to evaluate whether current controls are effective. Continuous improvement actions may include policy updates, staff training, student communication, changes to work placement monitoring, student support improvements, third-party agreement updates or changes to incident response processes.

17. Policy Review

This policy will be reviewed at least every two (2) years and earlier where required due to legislative or regulatory change, ASQA/ESOS guidance, complaint or incident trends, critical incidents, audit findings or management review.

Appendix A - Regulatory Mapping Matrix

Regulatory instrument	Clause/Standard	Policy controls and expected evidence
Standards for RTOs 2025	Outcome Standard 2.5 - Diversity and inclusion	Safe, inclusive and culturally safe learning environment; explicit race/religion vilification controls; student and staff codes; orientation and induction records; incident/complaint records; feedback review.
Standards for RTOs 2025	Outcome Standard 2.6 - Wellbeing	Wellbeing needs considered and support/referrals provided; support options communicated; safety and wellbeing triage; support records; escalation and referral evidence.
Standards for RTOs 2025	Outcome Standards 2.7 and 2.8 - Feedback, complaints and appeals	Complaint and appeal pathways; procedural fairness; timeframes; outcome records; external review information; complaints register and CI actions.
Standards for RTOs 2025	Outcome Standard 4.3 - Risk management	Racism, religious vilification, online conduct, work placement and third-party risks identified, managed and reviewed; risk register updates and management review records.
Standards for RTOs 2025	Outcome Standard 4.4 - Continuous improvement	Policy review and complaint/incident trend analysis; CI register; management meeting minutes; evidence that actions are implemented and reviewed.
National Code 2018	Standard 6 - Overseas student support services	Overseas students advised of support, complaint and welfare options; culturally appropriate referrals; support records and orientation materials.
National Code 2018	Standard 10 - Complaints and appeals	Fair, accessible complaints and appeals process; written outcomes; external review information; records retained.



Racial Discrimination Act
1975 / AHRC guidance

Racial discrimination and
racial hatred protections

Policy prohibits race and ethnicity-based discrimination,
harassment and vilification, including antisemitism where
race/ethnicity/religion intersect.

Anti-Discrimination Act
1977 (NSW) / Anti-
Discrimination NSW
guidance

Racial and religious
vilification

Policy defines and prohibits public acts that could incite
hatred, serious contempt or severe ridicule; police escalation
for threats/incitement of violence.

End of policy.