

Equal Opportunity, Discrimination and Harassment Policy

(Ratified by School Council: July 2020)

PURPOSE:

Equal opportunity is a requirement under both Victorian and Commonwealth legislation. In Victoria, the main piece of legislation which makes it unlawful to discriminate is the *Equal Opportunity Act 2010* (Vic) (EO Act 2010).

Related laws in Victoria are the *Charter of Human Rights and Responsibilities Act 2006* (Vic) and the *Racial and Religious Tolerance Act 2001* (Vic).

At the Commonwealth level, there is a range of equal opportunity legislation which includes the *Racial Discrimination Act 1975*(Cth), the *Sex Discrimination Act 1984* (Cth), the *Disability Discrimination Act 1992* (Cth) and the *Age Discrimination Act 2004*(Cth).

Equal opportunity means that every person can participate freely and equally in areas of public life such as in the workplace, in education, or in accessing goods and services. Discrimination is treating, or proposing to treat, someone unfavourably or bullying them because of a personal characteristic which is protective by law. For a definition of personal characteristics refer to: http://www.education.vic.gov.au/hrweb/divequity/Pages/default_eeo.aspx.

Equal opportunity law aims to promote everyone's right to equal opportunities; eliminate, as far as possible, discrimination and sexual harassment; and provide redress for people whose rights have been breached.

All employees, students, parents, school council members, contractors and volunteers are required to act in accordance with equal opportunity, anti-discrimination, harassment and vilification legislation. We all have a responsibility to ensure department workplaces including schools are respectful, safe and inclusive and free of discrimination, harassment, vilification and otherwise unlawful and unacceptable behaviours.

Equal opportunity policy in the Department of Education and Training (DET) is not only about compliance with legal procedure, but also good management practice. The Core Values of the Department uphold the principles of respect and diversity providing fairness and equal opportunity. This helps the Department to be an attractive organisation and safe workplace for all.

Managers and principals are required to ensure that equal opportunity and anti-harassment policy, legislation and supporting diversity principles and practices are integrated into appropriate workplace plans and activities.

The Equal Opportunity Act 2010 can be downloaded from: www.legislation.vic.gov.au

GUIDELINES:

Glen Waverley Primary School is committed to a diverse workforce and ensuring that all Department workplaces are free from discrimination and harassment. As such, Glen Waverley Primary School is an equal opportunity employer.

Equal employment opportunity at Glen Waverley Primary School is about:

- freedom from discrimination and harassment
- merit selection and focussing on essential job requirements
- respect and diversity
- good people management

These core elements of Glen Waverley Primary School's equal opportunity policy recognise and value the diversity of our community, enable the attraction of the best skills from a wide talent pool and ensure that employees can realise their potential in employment within the School.

Equal employment opportunity encourages a diverse organisation and workforce reflecting the broad diversity of the learning community which Glen Waverley Primary School serves. The objective of the Equal Employment Opportunity Policy is to ensure that:

- people are treated as individuals, respected for their unique attributes
- people are not excluded, harassed or bullied through unconscious bias, stereotypes or unlawful actions that may form the basis of discrimination, harassment, vilification or victimisation
- everyone in the workplace has rights and responsibilities under equal opportunity and anti discrimination legislation
- employees have a responsibility to comply with legislation and the Department's policy. This responsibility ensures the working environment is safe, inclusive and promotes respect for others
- managers and principals have a responsibility to comply with legislation, monitor the work environment and encourage respect and diversity. It is also the responsibility of managers and principals to act promptly where concerns arise or complaints are made
- the School is committed to ensuring all of its workplaces including corporate and school locations are free of discrimination and harassment.

As part of their regular capacity building, all staff members are required to undertake a series of online training packages each year which address their rights and responsibilities.

IMPLEMENTATION:

What is acceptable behaviour?

It is an expectation that all members of the Glen Waverley Primary School Learning Community, be afforded equal and fair opportunities to access a high quality educational environment. This includes but is not limited to the following people:

- staff
- students
- families
- visitors
- community members

Aspects protected by equal opportunity laws, both State and Federal, include but are not limited to:

- employment
- education
- goods and services

What is NOT acceptable behaviour?

Denying a person/s the opportunity to access a high quality educational environment through unlawful vilification, discrimination harassment or victimisation, either direct or indirectly which encompasses but is not limited to:

- gender
- race or religion
- language
- age
- sexual preference
- political beliefs
- physical appearance
- disability

For further guidelines regarding the above refer to:

<http://www.education.vic.gov.au/hrweb/Documents/Equal-Opportunity-Discrimination-and-Harassment.pdf>

What to do if you are aware of discrimination, harassment or victimisation?

This should be reported to the School Principal and/or reported to the DET through accessing the Complaints Resolution Procedures available at:

<http://www.education.vic.gov.au/hrweb/workm/Pages/conduct.aspx>

External complaints can be made to any of the following- Regional Director, the Merit Protection Boards, the Victorian Equal Opportunity and Human Rights Commission or the Australian Human Rights Commission.

Instances of misconduct which are brought to the attention of the School will be fully investigated and appropriate actions taken as per the guidelines outlined through the DET Complaints Resolution Procedure.

Glen Waverley Primary School makes a clear commitment to investigate all complaints promptly with confidentiality and impartiality.

Glen Waverley Primary School makes a clear commitment that complainants and witnesses will not be victimised in any way.

RELATED LEGISLATION:

Policy and Guidelines

- [Equal Opportunity, Discrimination and Harassment Policy \(PDF - 292Kb\)](#)
- [Sexual harassment Policy \(PDF - 257Kb\)](#)
- [Equal Opportunity Guidelines for Victorian Government Schools \(PDF - 282Kb\)](#)

Procedures & Forms

- [Equal Opportunity Policy Checklist \(PDF - 192Kb\)](#)
- [Equal Opportunity Policy Template \(Word - 413Kb\)](#)

Legislation

- [Legislation](#)
- [Ministerial Orders](#)
- [Delegations](#)
- [Industrial Awards](#)
- [Industrial Agreements](#)

To access related resources, click on the hyperlinks below source:

http://www.education.vic.gov.au/hrweb/divequity/Pages/default_eeo.aspx

Accessed: 02/06/16

RELATED POLICIES:

Merit and Equity Policy

Duty of Care Policy

Program for Students with Disabilities Policy

Raising Concerns or Complaints Policy

Enrolment Policy

Special Religious Instruction Policy

Student Engagement and Wellbeing Policy

Staff Recruitment and Professional Learning Policy

Local Leave Policy

Volunteers and Visitors Policy

POLICY EVALUATION:

Evaluation will be conducted every two years by the Policy Review (Education) Sub Committee of the School Council.

DUE DATE FOR REVIEW:

Due for review in June 2022.