

Diversity and Equal Opportunity Policy

1. Introduction

Djerriwarrh Community College (the College) is an independent specialist senior secondary school based in Melton. We deliver the Victorian Pathway Certificate (VPC) and VCE Vocational Major Certificate (VM) for students aged 15-19 years. We provide a safe and inclusive learning environment for young people who may have been disengaged or are at risk of disengaging from education. The College is committed to supporting students to reach their individual personal, social and educational potential.

2. Purpose

This policy outlines the practices and principles that enable the College to demonstrate its commitment to undertake a policy of diversity and equal opportunity in employment and service provision, consistent with the College's strategic vision, workplace diversity plan and relevant legislation.

3. Scope

This policy applies to the whole College community including staff, students, parents/guardians, school council members, contractors, volunteers and other stakeholders connected with all College activities including:

- Education (teaching and learning, enrolment, student management, student services, curriculum development and delivery, etc.)
- The provision of goods and services (advocacy services, welfare services, information forums, access to facilities, vocational and work experience placements and parent teacher interviews etc.)
- Employment (recruitment, allocation of duties, employment conditions, access to benefits such as training, promotion and leave, etc.)

The policy applies to all College staff, students, school community members and school council members while in the workplace or off site, at work-related functions (including social functions and celebrations), while on excursions and attending work related activities such as training.

4. Definitions

Discrimination	Discrimination means treating someone unfairly because of a personal characteristic protected by law, and causing them to be disadvantaged as a result. Unlawful discrimination can occur when someone, or a group of people, is treated less favourably than another person or group because of a specified attribute. Discrimination may be direct or indirect.
Diversity	The practice or quality of including or involving people from a range of different social and ethnic backgrounds and of different genders, sexual orientations, Diversity is also about recognising, respecting and valuing differences based on ethnicity, gender, age, race, religion, disability and sexual orientation.
Equal Employment Opportunity	Employment includes the principle of selection and promotion of staff on merit, which precludes irrelevant personal attributes. Fair and transparent processes are applied in assessing the capacity of a person to perform the inherent requirements of a position, having regard to the person's knowledge, skills, qualifications and experience and their potential for future development.
Equal Opportunity	Equal opportunity means that the College staff and other stakeholders experience fairness, impartiality and equal access to opportunities, services and programs developed and delivered by the College.
Gender identity	A person's deeply held sense of their gender which may be different from their sex assigned at birth. Includes but is not limited to cisgender, transgender, non-binary, and gender-diverse identities.
Parent/Guardian	Includes parents, guardians, step-parents and/or carers as listed in the Enrolment Application Form.
Principal	The Principal of the College, or the Principal's authorised representative
Sexual harassment	Is any form of unwelcome sexual attention that might offend, humiliate or intimidate the other person and may be experienced by women or men. It includes uninvited touching or physical contact; leering at a person or at parts of their body; talking about your sex life or asking about another person's sex life; sexual jokes or propositions; sexually offensive communications (phone, email, SMS or other social media.)
Staff	Includes employed staff, volunteers and contractors
Student	The Student named in the Enrolment Application Form
Victimisation	Is treating someone unfairly or otherwise disadvantaging them because they have made a complaint or might do so in the future. It is against the law to victimise a person for making a complaint about bullying, discrimination, harassment or sexual harassment, or racial and religious vilification.

Vilification	<p>Is behaviour (through words or actions) that incites hatred, serious contempt or ridicule of another person or group of people because of their race or religious belief, such as:</p> <ul style="list-style-type: none">• Public threats of harm• Encouraging others to hate someone because of their religion• Racist statements made in a public meeting• Racist graffiti
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5. Responsibilities

The Principal of the College is accountable for implementation of this policy.

All College staff, students, school community members and school council members contribute to the creation of a discrimination free and inclusive workplace and a healthy workplace culture.

Every student and staff member at the College should feel welcome, supported and emotionally and physically secure at school. The wellbeing of all students and staff is a priority for the College. We understand that you cannot achieve your potential if someone is treating you unfairly, discriminating against you, vilifying, harassing or victimising you.

All College staff have a particular obligation to model appropriate behaviour; promote this policy; treat all complaints seriously and attend to them promptly; monitor the work environment and seek expert help for complex or serious matters.

All staff have the responsibility to comply with this policy; report incidents to the Principal and not to participate in discriminatory or harassing behaviour.

6. Communication

This Diversity and Equal Opportunity Policy is available in the College staff drive and the school management system, Compass.

7. Policy

The College aims to provide a welcoming, supportive, and emotionally and physically secure learning and working environment for every member of the school community.

The College recognises and values the diversity of culture, beliefs, practices, customs, physical and intellectual abilities and life experience of the whole school community.

The college aims to foster acceptance and respect for gender diversity. This means recognising and respecting students and staff members' preferred names and pronouns, helping to ensure they feel affirmed in their gender identity.

The College is an equal opportunity workplace and learning environment for staff and students.

The College aims to create an inclusive school culture that fosters acceptance and respect for diversity. In doing so, we seek to deepen understanding and knowledge, promote student and staff wellbeing and help everyone achieve their full potential. This school is enriched by and celebrates the diversity of our whole school community.

The College believes that all staff and students should be able to work and study in an environment free from discrimination, victimisation, sexual harassment, vilification and the seeking of unnecessary information on which discrimination might be based. We consider these behaviours unacceptable and they will not be tolerated.

The College will take action to prevent discrimination, harassment, vilification, bullying and victimisation and to promote a safe and inclusive school.

7.1 Discrimination

Discrimination in any form is unacceptable. All at the College have a responsibility to provide working and teaching and learning environments that are free from discrimination in all forms, including those based on race, ethnicity, gender, ability, disability, sexuality and religion.

This College supports the *Equal Opportunity Act 2010 (Vic)*. The Act states that it is unlawful to discriminate against anyone, including school students and staff, because of their actual or assumed:

- age
- breastfeeding
- carer status
- disability/impairment
- gender identity
- industrial activity
- lawful sexual activity
- marital status
- parental status
- physical features
- political belief or activity
- pregnancy
- race
- religious belief or activity
- sex
- sexual orientation
- an expunged homosexual conviction
- personal association with someone who has, or is assumed to have, one of these personal characteristics.

No member of the school community will be treated less favourably because they possess any of these personal characteristics nor will such characteristics affect access to benefits and services the College provides.

Discrimination may be direct or indirect – both are unlawful.

Direct discrimination means treating someone unfairly or less favourably because of one of the personal characteristics listed above or because of their association with someone identified with one of those characteristics.

Examples: refusing to enrol a student because they have Hepatitis C, refusing to use a person's preferred name or pronouns despite having been informed of their preference, or failing to hire a suitably qualified teacher because of their sexual orientation.

Indirect discrimination happens when a rule, policy or requirement unnecessarily or unreasonably disadvantages a group of people because of a protected personal characteristic they share.

Examples: Imposing an unreasonable requirement that all students take notes from the whiteboard without assistance may unreasonably disadvantage a student with a vision impairment. Referring to all students by their legal names may disadvantage a student who has a preferred name that better represents their gender identity.

7.2 Harassment

Harassment in any form is unacceptable at the College.

Harassment is behaviour (through words or actions) that is unwanted, unasked for, unreturned and likely to make school an unfriendly or uncomfortable place by:

- humiliating (putting someone down)
- seriously embarrassing
- offending (hurting someone's feelings) or
- intimidating (threatening someone so they behave in a certain way).

Examples: name calling, stereotyping jokes and offensive comments, deliberate misgendering.

Sexual harassment is an unwelcome sexual advance, request for sex or any other sexual behaviour that a reasonable person would know or expect would offend, humiliate, seriously embarrass or humiliate another.

Examples: unwanted touching, unwelcome sexual innuendo or jokes, displaying sexually explicit material (posters, emails, internet sites).

Sexual harassment is against the law wherever and whenever it occurs. The College will not tolerate sexual harassment. Refer to the Workplace Bullying and Harassment Prevention Policy.

7.3 Vilification

Racial and religious vilification is unacceptable at the College.

Vilification is behaviour (through words or actions) that incites hatred, contempt or ridicule of another person because of their race or religious belief.

Examples: public threats of harm, insults, ridicule.

7.4 Bullying

Bullying is unreasonable behaviour that is intimidating, threatening or humiliating and repeated over time or occurring as part of a pattern of behaviour. Bullying can be physical, verbal or indirect, and creates an unfriendly, threatening or offensive environment.

Examples: taking or damaging other people's property, excluding or isolating someone, subjecting someone to homophobic abuse, deliberately withholding information so as to affect their work performance, threatening not to renew an employment contract.

Bullying is unacceptable at the College. Refer to the Bullying Prevention Policy and Workplace Bullying and Harassment Prevention Policy.

7.5 Victimisation

Victimisation means treating someone unfairly or otherwise disadvantaging them because they have made an EO complaint or might do so in the future.

Victimising someone who makes an Equal Opportunity complaint is unacceptable at the College.

8. Responding to incidents

The College will take immediate and appropriate action to address and resolve Equal Opportunity issues and complaints.

The College encourages all members of the school community to attempt to resolve complaints and concerns through the College.

All complaints will be treated confidentially, fairly and consistently, and resolved as speedily as possible.

Any member of the school community who raises an issue of discrimination, harassment, bullying or vilification in good faith will not be victimised or otherwise unfairly treated or disadvantaged. All complaints of victimisation will be taken seriously, investigated and acted upon as quickly as possible.

If a member of the college community believes that someone is discriminating, harassing, bullying, vilifying or victimising them and it is safe for them to do so, they should tell the other person to stop their behaviour. A person may not realise that they are offending another person by their behaviour.

Staff, students, volunteers and other members of the college community should contact the Principal to discuss if they have witnessed any breach of this Policy or want to make a complaint. The College has in place a Complaints Policy which is available on the College's website or at reception.

The Principal is responsible for maintaining up to date records of the investigation of and responses to any form of discriminatory behaviour.

9. Support and guidance

The College understands the importance of monitoring and following up on the progress of staff or students who have been involved in or affected by discriminatory behaviour, harassment, bullying or vilification. Where appropriate, College staff will also endeavour to provide parents/guardians with updates on the management of discriminatory incidents.

Any College community member who has experienced discriminatory behaviour, harassment, bullying or vilification may also seek support from the following services.

1800 Respect	1800 737 732	www.1800respect.org.au
Australian Human Rights Commission	1300 656 419	humanrights.gov.au/
beyondblue	1300 224 636	www.beyondblue.org.au/
Centres Against Sexual Assault (CASA)	1800 806 292	www.sacl.com.au
Fair Work Commission	1300 799 675	www.fwc.gov.au/
Headspace	1800 650 890	headspace.org.au/
Kid's Help Line	1800 551 800	kidshelpline.com.au/
Lifeline	13 11 14	www.lifeline.org.au/
Office of the eSafety Commissioner	1800 880 176	www.esafety.gov.au
QLife	1800 184 527	www.qlife.org.au
Victorian Equal Opportunity and Human Rights Commission	1300 292 153	humanrightscommission.vic.gov.au
WorkSafe Victoria	1800 136 089	worksafe.vic.gov.au

Associated policies and procedures	Bullying Prevention Policy Complaints Policy Duty of Care Policy Health and Safety Policy Information Communication Technology User Policy Student Behaviour Management Policy Student Wellbeing and Engagement Policy Staff Code of Conduct Policy Privacy Policy Restrictive Intervention and Seclusion Policy and Procedure
Other associated documents Internal	Student /Parent Handbook Student Code of Conduct Parent/Guardian Code of Conduct Acceptable Use of the Internet Agreement

Relevant legislation	<i>The Disability Discrimination Act 1992</i> <i>Australian Human Rights Commission Act 1986</i> <i>Sex Discrimination Act 1984</i> <i>Racial Discrimination Act 1975</i> <i>Workplace Relations Act 1996</i> <i>The Racial Hatred Act 1995</i> <i>Education and Training Reform Act 2006</i> <i>Education and Training Reform Regulations 2017</i> <i>Privacy Act 1988</i> <i>Privacy and Data Protection Act 2014 (Vic)</i> <i>Charter of Human Rights and Responsibilities Act 2006 (Vic)</i> <i>Health Records Act 2001 (Vic)</i> <i>Information Privacy Act 2000 (Vic)</i> <i>Worker Screening Act 2020 (Vic)</i>
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10. Issuance and approval

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