



## Equal Opportunity Policy

### BACKGROUND

Equal Opportunity is both a key component of the law and a human right under the Charter of Human Rights. It is essential to the wellbeing of the whole school community and to creating a safe and inclusive school. Equal Opportunity means every member of the school community has the opportunity to learn, work and participate in an environment that is free from discrimination, harassment, bullying, vilification and victimisation. No member of the school community is treated less favourably because of irrelevant personal characteristics such as sex, race or disability; nor do such characteristics affect access to benefits and services the school provides.

### PURPOSE

To ensure that Huntingdale Primary School is:

- A school that provides equal opportunity to all employees, school councillors, students, parents, contractors and visitors.
- Compliant with Victorian Legislation-
  - *Equal Opportunity Act 2010* (Vic) (EO Act 2010)
  - *Charter of Human Rights and Responsibilities Act 2006* (Vic)
  - *Racial and Religious Tolerance Act 2001* (Vic)]
- Compliant with Commonwealth Legislation-
  - *Racial Discrimination Act 1975* (Cth)
  - *Sex Discrimination Act 1984* (Cth)
  - *Disability Discrimination Act 1992* (Cth)
  - *Age Discrimination Act 2004* (Cth).
- Compliant with DET Guidelines-
  - Equal Opportunity Guidelines for Victorian Government Schools (2011)

### GUIDELINES

- This policy works in conjunction with DET's policies and procedures found at: [http://www.education.vic.gov.au/hrweb/divequity/Pages/default\\_eeo.aspx](http://www.education.vic.gov.au/hrweb/divequity/Pages/default_eeo.aspx)
- The Principal has overall responsibility of implementation of this policy.
- This policy works in conjunction with the school's Student Engagement, Bullying and Complaints Resolution policies where Equal Opportunity principles are embedded.
- This policy will be promoted on the school website and in the school newsletter.
- The school will provide curriculum programs that support Equal Opportunity. This could include 'Creating Our Learning Community' (COLC), teaching of our school values and through inquiry units of work.
- Staff will be given opportunities to complete training in Equal Opportunity through:
  - DET online Workplace Discrimination, Harassment and Bullying Course [https://www.techniworks.com.au/Host/Colleges/DEECDVIC/front\\_frameset.asp](https://www.techniworks.com.au/Host/Colleges/DEECDVIC/front_frameset.asp)
  - The Charter of Human Rights and Responsibilities Training Module for all DEECD staff <http://www.elearn.com.au/deecd/humanrights/>
  - Merit and Equity Training

### Complaints

- All complaints will be treated confidentially, fairly and consistently, and resolved as speedily as possible. This policy works with our School Complaints Policy.



- 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 complaint or issue relates to a member of staff, refer to the Department's *Guidelines for Managing Complaints, Misconduct and Unsatisfactory Performance*.
- If a complaint or issue is raised by a parent or guardian, refer to the Department's Parent Complaints guidelines. See <http://www.education.vic.gov.au/about/contact/pcschools.htm>
- If a complaint or issue is raised by a student, refer to the Student Engagement and Bullying policies.

## Types of Discrimination

- All forms of discrimination are unacceptable at Huntingdale Primary School.
- The school acknowledges that in society some people are treated unfairly or unfavourably because of irrelevant personal characteristics such as their sex or race. This school supports the Charter of Human Rights and the Equal Opportunity Act 2010 (Vic), which says that it is against the law to discriminate against anyone, including students and school 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
  - Personal association with someone who has, or is assumed to have, one of these personal characteristics.

Discrimination may be direct or indirect – both are against the law.

### Direct discrimination

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 he has Hepatitis C, refusing to allow a Muslim student to wear the hijab as part of her school uniform or failing to hire a suitably qualified teacher because of his or her sexual orientation.



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

**Example:** Imposing a requirement that all students take notes from the whiteboard without assistance may unreasonably disadvantage a student with vision impairment.

**Harassment** is the one off or repeated behaviour (through words or actions) based on the personal characteristics listed above that are 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.

**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).

**Vilification** 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.

**Examples:** public threats of harm, encouraging others to hate someone because of their religion, racist statements made in a public meeting, racist graffiti

**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.

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



Everyone who is associated with Huntingdale Primary School has a role to play in upholding the principles of Equal Opportunity:

### **The School Leadership Team (Principal and School Council)**

The School Council and Principal should publicly model and promote EO principles and human rights practice by:

- Promoting a safe and inclusive school which encourages a human rights culture
- Affirming the diversity of the school community
- Being positive role models
- Implementing the school's EO policy
- Being aware of current Departmental and legislative requirements in relation to equal opportunity, the Charter, discrimination, harassment, bullying, vilification and victimisation
- Proactively identifying discrimination and equal opportunity trouble spots at the school
- Responding promptly and appropriately to inappropriate behaviours and clearly stating the school's policy of no discrimination, harassment, bullying, vilification or victimisation
- Taking all EO issues and complaints seriously and acting promptly to resolve them
- Involving the broader school community, including parents, in the implementation of the school's EO and broader human rights policies.
- Ensuring the school's EO policy is regularly reviewed.

### **Staff**

School staff members have the responsibility to:

- Behave fairly and respectfully at all times towards all members of the school community
- Be aware of current Departmental and legislative requirements in relation to the Charter of Human Rights, discrimination, harassment, bullying, vilification and victimisation
- Actively discourage discrimination, harassment, bullying, vilification and victimisation
- Ensure discrimination, harassment, bullying, vilification and victimisation are speedily addressed according to school policy
- Ensure they do not participate in discrimination, harassment, bullying, vilification or victimisation
- Be positive role models.

### **Teachers**

As well as the staff responsibilities already listed, teachers have the responsibility to:

- Implement the school's EO policy when developing and delivering curriculum and student services
- Help students to understand human rights and challenge discriminatory attitudes and behaviour.

### **Students**

Students have the responsibility to:

- Understand their rights and responsibilities under the school's EO policy
- Respect the right of every member of the school community to learn and work in an environment free of discrimination, harassment, bullying, vilification and victimisation and to promote human rights
- Be aware of and use the school's complaint procedure in relation to discrimination, the Charter, harassment, bullying, vilification and victimisation.



## Parents and guardians

Parents and guardians have the responsibility to:

- Understand the rights and responsibilities of the children in their care
- Understand the school's EO policy
- Respect the right of every member of the school community to learn and work in an environment free of discrimination, harassment, bullying, vilification and victimisation
- Behave according to the principles set out in the school's EO policy be a positive role model.

## ACHIEVEMENT MEASURES

Record of Equal Opportunity complaints

## CERTIFICATION

This policy was endorsed by School Council at the meeting held on 16 June 2015.

## EVALUATION

This policy will be evaluated as part of the school's 3 year cycle.

Signed.....

*Principal*

Signed.....

*School Council President*

