



Equal Opportunity

Rationale:

- The Victorian Equal Opportunity Act (2010) makes it unlawful to discriminate against a person on the basis of the following attributes: - age, disability, industrial activity, lawful sexual activity, sexual orientation, gender identity, marital, parental or carer status, physical features, political beliefs or activity, pregnancy, race, religious belief or activity, sex, personal association (with a person who is identified by reference to any of the above attributes) or breastfeeding.

Aims:

- Every member of our school community will have the opportunity to learn, work and participate in an environment that is free from discrimination, harassment, bullying, vilification and victimisation.

Implementation: - Our school values diversity and provides equal opportunity (EO) for all.

- All members of our school community have a responsibility to uphold EO principles.
- Our leadership team will promote and model a safe and inclusive school environment which encourages equality and diversity, and responds firmly and impartially to instances of discrimination, harassment, bullying, vilification or victimisation.
- Staff members have a responsibility to not be involved in, and actively discourage instances of discrimination, harassment, bullying, vilification and victimisation.
- Teachers have a responsibility to ensure the curriculum, its delivery and access for students to the curriculum are consistent with the principles of EO, and to help students to understand their human rights and challenge discriminatory attitudes and behaviour.
- Students have a responsibility to understand their rights and responsibilities under the school's EO policy, and to respect the rights of others.
- In addition, a staff member will be appointed as the Equal Opportunity coordinator at our school, and will be provided with professional development and resources appropriate to the role.
- The EO coordinator's role will include monitoring EO across the school, promoting EO awareness amongst staff, students and the wider community, reviewing and updating EO policy and procedures, identifying training needs of themselves and staff, providing impartial and confidential EO information to individuals, and assisting individuals to explore their options to address EO issues or resolve complaints.
- Equal opportunity will be a standard inclusion in the staff information manual and staff code of conduct, student diaries and student codes of conduct, and in parent information booklets available at times of enrolment.
- The school's policies and practices will be regularly reviewed to ensure consistency with the Victorian Equal Opportunity Act (2010).
- The Racial and Religious Tolerance Act prohibits amongst other things, practices such as racist graffiti, speeches or posters in public places, engaging in racist or religious vilification in public places, or making offensive racist comments in publications including the internet or email.



- Any complaints or concerns can be directed to Equal Opportunity representative, the principal, Regional Director, Merit Protection Boards, or Equal Opportunity Commission.
- All complaints will be investigated promptly, sensitively, confidentially, and with impartiality. All complaints will be managed in a manner consistent with the principles of natural justice and the participants involved in complaints will be provided with information regarding avenues for appeal should they consider the findings to be inappropriate.

Berwick Chase Primary School will take action to prevent discrimination, harassment, vilification, bullying and victimisation and to promote a safe and inclusive school. The school will:

- Take immediate and appropriate action to address and resolve EO issues and complaints.
- Take action to promote human rights both in terms of school policy and practice and within its educational activities and culture.
- Human rights based approach means taking steps to assess the school's decisions and actions within the framework of the Charter and also taking proactive steps to encourage and promote wider school discussion and student learning on the key Charter themes of Freedom, Respect, Equality and Dignity.

Rights and Responsibilities

- Under this policy, every member of the Berwick Chase Primary School has the right to learn and work in a safe and inclusive environment free of discrimination, harassment, bullying, vilification and victimisation. Along with this right comes the responsibility to respect and promote human rights and responsibilities by behaving according to this policy.
- The Principal of Berwick Chase Primary School is accountable for implementation of this policy.
- The Principal of Berwick Chase Primary School may appoint an EO and Anti-Harassment Co-ordinator to support implementation of this policy.

Complaints procedures

- Berwick Chase Primary School encourages all members of the school community to attempt to resolve complaints and concerns through the school. 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.
- Every student and staff member at Berwick Chase Primary School should feel welcome, supported, emotionally and physically secure at school. The wellbeing of all students and staff is a priority. We understand that an individual cannot achieve their potential if someone is treating them unfairly, discriminating against them, vilifying, harassing or victimising them.
- Complaints procedures exist to provide an avenue to address unacceptable behaviour. Complaints procedures are designed to explain what to do if it is believed an individual has been discriminated against, harassed, sexually harassed, bullied, vilified or victimised.

Staff: Please refer to the Department's Guidelines for Managing Complaints, Unsatisfactory Performance and Misconduct.

Parents: Please refer to DET's [Parent Complaints](#) guidelines.

Students: Report it to a trusted adult, such as a teacher, the year level co-ordinator, the Principal or the Assistant Principal.



If an individual is unhappy with the decision about their complaint, they may seek a review of the decision in accordance with departmental procedures.

Definitions

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

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 (e.g. 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 (e.g. Imposing a requirement that all students take notes from the whiteboard without assistance may unreasonably disadvantage a student with a vision impairment).

Harassment: Harassment is behaviour (through words or actions) based on personal characteristics 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) (e.g. name calling, stereotyping jokes and offensive comments).

Sexual harassment: 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 (e.g. 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 (e.g. public threats of harm, encouraging others to hate someone because of their religion, racist statements made in a public meeting, racist graffiti).

Bullying: 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 (e.g. 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: treating someone unfairly or otherwise disadvantaging them because they have made an EO complaint or might do so in the future.

Evaluation:

This policy will be reviewed by the Equal Opportunity coordinator and interested staff members as part of the school's three-year review cycle or earlier should EO concerns in the workplace require redress.

This Policy was ratified at School Council on Monday 27th July, 2015