

## EQUITY AND DIVERSITY POLICY

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Related Documents	GCA International Student Support Services Policy GCA Student Welfare Policy UBSS Academic Appeals Policy UBSS Academic Progression, Monitoring and Intervention Policy UBSS Assessment Moderation Policy UBSS Course Admission Policy UBSS Course Transfer, Exit and Change of Major Policy UBSS Credit and Recognition of Prior Learning Policy UBSS Grievance and Appeals Policy (Academic) UBSS Grievance Policy (Non-Academic)
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## 1 Context

UBSS is committed to achieving equal opportunity and diversity in education and employment.

This policy provides the framework to ensure that UBSS is guided by the principles of equal opportunity, respect and inclusion and complies with the spirit and intent of federal and state legislation.

## 2 Scope

### 2.1 Rationale

All members of the UBSS community have a responsibility to contribute to the achievement of an equitable working and learning environment and this policy applies to all members of the UBSS community including staff, students, contractors, visitors or individuals engaged in official relations with UBSS.

All UBSS policies and guidelines must comply with this framework.

### 2.2 Legislative Context

- The Higher Education Support Act 2003 (Cth) (HESA)
- Tertiary Education Quality and Standards (TEQSA) Act 2011 (Cth);
- Higher Education Standards Framework (Threshold Standards) 2015;
- The Educational Services for Overseas Students Act (ESOS): 2000 The National Code
- Education Services for Overseas Students Regulations 2001;
- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007;
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Human Rights and Equal Opportunity Act 1986
- Disability Discrimination Act 1992
- Workplace Gender Equality Act 2012
- Disability Standards for Education 2005
- Fair Work Act 2009
- Age Discrimination Act 2004

### 3 Definitions

Item	Definition
<i>Adverse Action</i>	Discrimination on the basis on certain characteristics as defined under legislation.
<i>Characteristics which Federal and state legislation prohibit discrimination and harassment on</i>	<ul style="list-style-type: none"> <li>• Age</li> <li>• Breastfeeding</li> <li>• Disability</li> <li>• Family or carer's responsibilities</li> <li>• Marital or relationship status</li> <li>• Political conviction</li> <li>• Pregnancy or potential pregnancy</li> <li>• Race, colour, descent, nationality, ethnic, ethno-religious or national origin</li> <li>• Religion</li> <li>• Sex</li> <li>• Sexual orientation or preference</li> <li>• Transgender status</li> <li>• Actual or imputed characteristics of any of the attributes listed above</li> </ul> <p>Association with a person identified by reference to any of the attributes listed above.</p>
<i>Diversity</i>	Ways in which people and groups of people are both alike and different.
<i>Equal Opportunity</i>	Refers to everyone having equal access to opportunities in work and study.
<i>Equity</i>	The creation of opportunities for equal access and success in Australian higher education among historically underrepresented student populations.
<i>Unlawful behaviour</i>	Refers to unlawful discrimination, unlawful harassment, victimisation, vilification and unlawful adverse action.
<i>Unlawful Discrimination</i>	Occurs when a person, or a group of people, is treated less favourably than another person or group on the basis of characteristics as determined by Federal and state legislation. Unlawful discrimination can be direct or indirect.
<i>Unlawful Harassment</i>	When a person is made to feel intimidated, insulted or humiliated on the basis of certain characteristics as determined by Federal and state legislation.

Item	Definition
<i>Special Measures</i>	Acts which UBSS can take to enable substantive equality for individuals who belong to groups which have experienced past disadvantage, because of laws and rules, stereotypes and attitudes. Special measures aim to redress past disadvantage and improve employment outcomes and access to education for people from these groups. Anti-discrimination legislation enables UBSS to implement special measures for specific groups.
<i>Victimisation</i>	The less favourable treatment of a person or persons for their participation in making, supporting or resolving a complaint of discrimination, harassment or vilification, whether that participation was actual, intended or presumed. This includes a person or persons who have agreed to be witnesses in relation to a complaint.
<i>Vilification</i>	A public act that could incite others to hate, have serious contempt for, or severely ridicule a person or a group of people because on the basis of certain characteristics as determined by legislation.

## 4 Policy Statement

UBSS does not discriminate against people on the basis of age, race, colour, religion, ancestry, national origin, age, gender, sexual orientation, marital status, veteran status or physical or intellectual disability in the recruitment of students or the implementation of its policies, procedures and activities. Sexual harassment is prohibited.

UBSS is committed to ensuring the integration of the principles of equal opportunity for all staff and students in School policies, procedures, decisions and operations. School activities are underpinned by the principles that:

- All members of UBSS have the right to be treated fairly and equitably;
- There is equitable access to education for students and equitable access to conditions and benefits of employment for all staff;
- All members of UBSS are entitled to a work and study environment free from unlawful discrimination, harassment, vilification, bullying or other adverse and inappropriate behaviours;
- Diversity is respected and appreciated as contributing to the richness of the teaching and learning environment;
- An inclusive and flexible environment, including the implementation of special measures when required, provides the best outcomes for the varied needs of UBSS’s diverse staff and student community;
- Equal opportunity does not mean treating everyone in the same way and that to redress the past disadvantages of particular groups, special measures are needed to improve employment and educational opportunities for people from these groups. These groups include women, Aboriginal and Torres Strait Islander people, people with a disability and people from culturally and linguistically diverse backgrounds; and
- Staff and students have the right to raise complaints in good faith under UBSS's complaints procedure without fear of retaliation or victimisation.

## 5 Policy Implementation

UBSS will promote equal opportunity by:

- Endeavouring to take all reasonable steps to ensure that the working and learning environment is free from unlawful discrimination, harassment, vilification, victimisation, bullying or other adverse and inappropriate behaviours.
- Implementing inclusive policies, practices and programs in all its activities and services to take account of the needs of the diverse School community.
- Developing and implementing programs and special measures to improve access, participation, retention and success of students from under represented equity target groups.
- Developing and implementing programs and special measures to improve access and outcomes for staff from under represented equity target groups.
- Monitoring and reporting on UBSS's equal employment and diversity performance against identified School priorities and legislative requirements.
- Implementing training and awareness raising strategies to ensure that all staff and students know their rights and responsibilities.
- Providing an effective procedure for complaints based on the principles of natural justice.

## 6 Roles and Responsibilities

UBSS has a legal and a moral obligation to provide equal opportunity in employment and a workplace free from discrimination and harassment. While progress has been made in many areas, the success of the equal opportunity and diversity programs depends on the cooperation of the whole UBSS community.

All staff and students are accountable for ensuring that their own behaviours comply with the UBSS's commitments and relevant state and federal legislation.

The President and all executive, senior and supervisory staff have accountabilities for the implementation of equal opportunity, gender equity and diversity within UBSS.

## 7 Gender Equality in the Workplace

Higher education institutions are also required by the Federal Workplace Gender Equality Act 2012 to develop programs and strategies and report annually on progress towards achieving equal participation of women and men in the workplace.

Gender equality in the workplace at UBSS includes strategies to address issues of the under representation of women in senior positions, the under representation of women in non-traditional areas of employment and study for women, workplace flexibility and the gender pay equity gap.

## 8 Complaints

Any complaints about breaches of the policy will be dealt with in accordance with UBSS’s Grievance Policy.

Complaints may also be made externally to the Australian Human Rights Commission, state Anti-Discrimination Boards or to the Federal Fair Work Ombudsman or the Tertiary Education Quality and Standards Agency.

## 9 Document Change Control

Version	Change Description	Date	Author
v1	New Policy	03.04.18	Professor Ian Bofinger
V1.1	Updated the related documents section (removed retired policies)	September 2018	Jotsana Roopram
V2	Refreshed and new review date embedded	August 2019	Professor Ian Bofinger