

Aitken College

EQUAL OPPORTUNITY POLICY

Author	Date	Revised	Copies to..
KMF	2014		Principal Deputy Principal HOS

Introduction

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

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

Our commitment

Aitken 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.

That is why discrimination, harassment, vilification, bullying and victimisation will not be tolerated at Aitken College under any circumstances.

Aitken College is committed to ensuring that the working environment is free from discrimination, harassment, bullying, vilification and victimisation.

This 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 Victorian Equal Opportunity Act 2010, which says that it is against the law to discriminate against anyone, 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.

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 Aitken College provides.

The whole school community is encouraged to support this policy and the principles and practice of equal opportunity, inclusion and respect for diversity that it articulates.

Discrimination is unacceptable at Aitken College

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.

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.

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

Harassment is unacceptable at Aitken College

Harassment is behaviour (through words or actions) based on the personal characteristics listed above 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.

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).

Racial and religious vilification is unacceptable at Aitken 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.

Bullying is unacceptable at Aitken College

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; sustained harassment, name calling, gestures or threats; hitting, kicking or touching; internet or electronic harassment; deliberately withholding information so as to affect their work performance; threatening not to renew an employment contract.

Victimising someone who makes an EO complaint is unacceptable at Aitken College

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

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

Aitken College will take immediate and appropriate action to address and resolve EO issues and complaints.

Who and what this policy covers

This policy covers the whole school community, including staff, students, parents, school council members, contractors and volunteers.

This policy applies to:

- education (e.g. teaching and learning, enrolment, student management, student services, curriculum development and delivery)
- the provision of goods and services (e.g. extracurricular activities, camps, parent–teacher interviews, access to facilities)
- school sport
- employment at the school (recruitment, allocation of duties, employment conditions, access to benefits such as training, promotion and leave).

Rights and Responsibilities

Under this policy, every member of the Aitken College 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 the rights of others by behaving according to this policy.

The Principal and delegated officers of Aitken College are accountable for implementation of this policy and its regular review.

Education and Communication

Legal precedents indicate that the onus rests with the employer to take all reasonable steps to prevent discrimination, harassment, victimization and bullying through education.

All new staff will attend education sessions regarding equal opportunity as arranged by the Deputy Principal. From time to time, refresher courses will be provided, and all staff (teaching and non-teaching) have an obligation to ensure that their knowledge of College policy and procedures regarding equal opportunity is accurate and current.

Homeroom teachers will be asked to deliver relevant education to students from time to time. Support and information will be provided by the Heads of Schools.

Diaries issued to students will contain information about relevant College policy and procedures.

Complaints procedures

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

Complaints procedures exist to provide an avenue to address unacceptable behaviour. Complaints procedures are designed to explain what to do if you believe you have been discriminated against, harassed, sexually harassed, bullied, vilified or victimised as explained earlier in this policy and your complaint is about your education or employment at Aitken College, or goods, services or sport provided by Aitken College.

Any member of the College community is encouraged to approach a Contact Officer (CO) for assistance and support. The names of trained and appointed COs can be obtained from any member of staff.

If you believe you are being harassed, offended, bullied or victimised in any way, or you witness such behaviour, the following are options for acting on your concern:

- Contact an CO for information and support (Do not tell any person who does not need to know).
- If preferred contact another trusted person for advice and support.
- If you are a student, talk to your homeroom teacher, Head of House, Head of School or any other trusted adult.

Confidentiality be respected and maintained at all times in any case of alleged harassment.

1. Role of CO: Informal Complaint

Complainant approaches CO to discuss concern. The CO will:

- (a) assist the complainant to clarify if the behaviour actually constitutes harassment;
- (b) discuss ways in which the complainant might resolve the matter;
- (c) explain to the complainant their statutory rights to take the matter to the EOC or to the police;
- (d) explain to the complainant the processes involved with the College's procedures for resolution of the complaint.
- (e) explain and emphasise the confidentiality provisions in the above policy.
- (f) keep a record of the interview and lodge it with the Principal's Office, no names identified.

2. Role of Investigating Officer: Formal Complaint

If the complainant, after the above consultation, decides to proceed with a formal complaint, then the matter is referred to the Investigating Officer (Deputy Principal or nominee). The Investigating Officer dealing with the complaint will:

- (a) have the details of the complaint in writing, dated and signed by the complainant;
- (b) provide the person against whom the complaint is lodged with a copy of the details of the complaint;
- (c) offer to assist with conciliation of the matter;
- (d) keep a record of the interview and lodge it with the Principal's Office, names identified.

The Investigating Officer acts as a conciliator between the parties. The Investigating Officer is neutral in the sense that their focus is on reconciliation of a dispute and not siding with one party against another. They must maintain confidentiality throughout the advisory and conciliation process.

3. Resolution Mechanism

- (i) Conciliation or Restorative Practice may involve:
 - opportunity for each party to have an equal right to have their perspective heard. It provides an opportunity to ensure offensive behaviour stops and more constructive workplace behaviours are agreed and put in place.
 - some people are genuinely unaware their behaviour has caused offence, humiliation or intimidation. A conciliatory outcome may provide for an apology to be given and received and a safe, respectful working/ learning environment restored.
- (ii) Discipline may involve:
 - For students; detention, behaviour contract, suspension or termination of enrolment.
 - For staff; suspension from duties, termination of employment.
 - For parents; termination of enrolment.
- (iii) A person has the right to lodge a complaint with the Equal Opportunity Commission or Federal Human Rights & Equal Opportunity Commission at any time.
- (iv) Outcomes may also include measures to ensure both complainant and respondent receive individual and personal counselling to ensure their safety and well being.

Where to obtain help and advice

- Heads of Schools, Deputy Principal
- Contact Officers
- Victorian Equal Opportunity and Human Rights Commission

AITKEN COLLEGE

EQUAL OPPORTUNITY CONTACT INTERVIEW RECORD

Informal Complaint Formal Complaint: Complainant's name:.....

Complaint against:

Date of Contact Interview: / /

Duration: minutes

Venue: in person telephone e-mail other

Complainant: male female unknown

CO checklist Reviewed: fully partially not

1. Issues (what is the inquiry or complaint about?).....

.....
.....
.....
.....

Does the complainant believe their treatment was due to race, sex, age or any other protected attribute?

Yes (which one?) No

2. Outcomes (what outcome/s does the complainant want?)

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3. Options (what options were discussed with the complainant? (check as many as apply)

Self-management Informal internal Formal internal External None

Other:

Details (Outline details of the options the complainant has decided on):

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.....

Follow-up? Yes Date set: / / No

Signed: Contact Officer Date: / /

TO BE LODGED WITH PRINCIPAL'S OFFICE

Resolution Mechanism

