

Equal Opportunity Policy

Overview

Altona Green Primary School is committed to the principle of equal opportunity in education, employment and welfare for staff and students of the school. We will continue to develop equal opportunity practices and programs compatible with our overall goals and responsibilities.

This commitment is consistent with the principles of justice, equity and the pursuit of excellence that should apply in a school and conforms with the spirit and intent of equal opportunity and anti-discrimination legislation. The policy is designed to support the principle that staff are selected or promoted according to merit.

Altona Green Primary School accepts that it has a responsibility to create an educational and employment environment free of discrimination. It will ensure that its structures and practices are free from direct or indirect discrimination based on age, gender, marital status, carer status, pregnancy, parenthood, physical features, sexuality, sexual orientation, social and economic circumstances, race, disability, religious and political beliefs, and activities, industrial activity and personal association with a person who could be discriminated against. Notwithstanding the above there are special circumstances (e.g. certain disadvantaged groups) where the school will adopt policies which may discriminate between classes or groups of individuals.

Altona Green Primary School recognises that it has a responsibility to develop programs in education and employment which redress, where appropriate, the effects of past discriminatory practices within the community, and that it has a responsibility to take positive steps to overcome inequality of opportunity.

References

- Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)
- Affirmative Action (Equal Employment Opportunity for Women) Act 1986
- Sex Discrimination Act 1984 (Commonwealth)
- Racial Discrimination Act 1975 Commonwealth)
- Disability Discrimination Act 1992
- Equal Opportunity Act 1995 (Vic)

Policy

Broad Guidelines:

- In its responsibility for all members of the school community, the Altona Green Primary School aims to:
 - ensure that there is no discrimination against any group of students or staff, in access to school facilities;
 - establish and maintain mechanisms within the school to deal with complaints concerning discrimination and sexual harassment;
 - educate the school community on the general goals and philosophy of equal opportunity together with the rationale for policies and practices which are adopted;
 - provide the school community with information about the school's condemnation of sexual harassment and to provide advice and support for those who have been harassed,
 - ensure that all school policies, procedures and official documentation and publications accord with equal opportunity principles and are amended as necessary to accord with these principles;

Education

- In its responsibility for education, Altona Green Primary School aims to:
 - continue, develop and extend programs for the admission of disadvantaged groups;
 - take positive steps to provide support for members of disadvantaged groups once they are admitted to the school;
 - encourage the increased participation of women in all aspects of school life.
 - provide an environment where all programs and policies are accessible to both women and men;
 - maintain and develop programs to accommodate disadvantaged or disabled students, adjusting where necessary the learning environment or procedures;
 - ensure that school courses develop an awareness and acceptance of the principles of equal opportunity in order to encourage students and all members of the school community to eliminate inequality of opportunity in society;
 - encourage staff to acknowledge that gender and ethnicity enter into the construction of knowledge and to take account of this in the process of curriculum planning;

Employment

- In employment, Altona Green Primary School aims to:
 - integrate the principles of equal opportunity and practical examples of their application into all training programs for staff with management responsibility;
 - encourage, wherever possible, disadvantaged individuals to participate in training and staff development programs, in order to broaden skills and equip them adequately for positions of responsibility;
 - maintain and develop programs to accommodate disadvantaged or disabled staff, adjusting where necessary the work environment and procedures.

Procedures

- **Policy Implementation**
 - Responsibility for implementing the policy on equal opportunity will rest with the Principal and School Council;
 - The School will appoint an Equal Opportunity Officer, whose duties include facilitation of the implementation of the school's policy and provide the Principal and School Council with advice on matters of Equal Opportunity.
 - In establishing procedures aimed at implementing equal opportunity policy, there will be wide consultation with staff and students and their representative organisations.
 - The costs of implementing the policy on equal opportunity will be covered by the school in its annual budget.
 - The equal opportunity policy statement will be circulated to all staff and to School Council.
- **Discrimination Complaints**
- **Overview**
 - The Discrimination Complaints procedures are based on the following principles:
 - Complaints of discrimination or discriminatory harassment will be dealt with quickly to achieve early resolution.
 - According to the nature of each individual complaint the most suitable complaints process (external or internal to the school) will be used.
 - The principles of procedural fairness apply at all stages in the handling of complaints including impartiality and good faith.
 - Every effort will be made to maintain harmonious working relationships during and after the handling of any complaint of discrimination or discriminatory harassment.
 - Every effort will be made to maintain confidentiality with respect to complaints.

Policy

- Altona Green Primary School is committed to the principle of equal opportunity in education, employment and welfare for staff and students of the school.
- Altona Green Primary School aims to ensure that its structures, practices, policies and guidelines free from direct or indirect discrimination on all relevant legislative grounds.
- Altona Green Primary School will not tolerate discrimination (as defined in the Victorian Equal Opportunity Act (1995) against any staff member or student in relation to access to school facilities and services. Its policies and guidelines aim to ensure that discrimination does not occur.
- The Principal and School Council have a particular responsibility to ensure that the workplace is free from discrimination and discriminatory harassment, and that relevant policies and guidelines with regard to the resolution of complaints are followed.
- Staff and students of Altona Green Primary School will be informed of the processes and procedures relating to the handling of complaints of discrimination.
- A complaint must be made as soon as possible but not later than twelve months after the alleged discrimination occurred unless good and sufficient reason for consideration after this time can be established.
- These procedures are designed to resolve complaints within the school. However staff and students are advised that they have the right to make a complaint under the relevant state or federal anti-discrimination legislation.
- There may be alternative complaint processes available to a complainant, according to the nature of each individual complaint. Such options will need to be fully considered upon receipt of the complaint by consultation between the complainant, the person handling the complaint and other relevant sources of advice within the school and Department of Education.
- Any complaint must initially be dealt with by those staff members with designated responsibility for complaint resolution with provision for resolution at higher levels of authority if necessary.
- The school will take appropriate action in respect of each complaint.
- To the extent possible, consistently with the proper and fair investigation and determination of a complaint, a person or persons handling or involved in a complaint must respect the confidentiality of information supplied in relation to the complaint, and must proceed on the assumption, unless the contrary appears, that any information supplied in relation to a complaint is, and is intended to remain, confidential.

- Persons handling complaints should cease handling a complaint if there is a possibility of bias or conflict of interest. Complaints should be handled fairly and impartially and the complainant and the respondent should be given the opportunity to present their cases.
- Victimisation of a staff member or student who makes a complaint under these procedures will be treated with the utmost seriousness by the Altona Green Primary School

Definitions

- **Discrimination**
 - Discrimination means direct or indirect discrimination on the basis of one or more of the following attributes specified in the Victorian Equal Opportunity Act (1995):
 - age;
 - physical, psychiatric or intellectual disability or impairment;
 - industrial activity;
 - lawful sexual activity/sexual orientation;
 - marital status;
 - physical features;
 - political beliefs and activity;
 - pregnancy;
 - race;
 - religious belief and activity;
 - sex;
 - status as parent or carer;
 - personal association with a person who is identified by reference to any of the above attributes.
 - In determining whether a person discriminates it is irrelevant whether or not that person is aware of the discrimination, or whether or not it is intentional.
 - Direct discrimination means treating or proposing to treat another person less favourably on the basis of an attribute that person may possess. This is subject to applicable exceptions and exclusions in the above legislation.
 - Indirect discrimination occurs when a rule, practice or policy appears to be neutral, but in effect has a disproportionate impact on a particular group. It arises with practices which are fair in form and intention but discriminatory in impact and outcome.
- **Discriminatory Harassment**
 - Discriminatory Harassment means any form of discrimination on the basis of the attributes referred to in definitions above and is behaviour which takes place in circumstances in which a reasonable person, having regard to all circumstances, would have been offended, humiliated or intimidated.

- In determining whether a person unlawfully harasses it is irrelevant whether or not that person is aware of the harassment, or whether or not it is intentional.
- Although sexual harassment fits within the definition of discriminatory harassment it will continue to be dealt with under the school's Sexual Harassment Policy and Procedures.

Complaint

- A complaint must concern perceived discrimination or discriminatory harassment by or against an individual.
- A complaint may be made by a staff member or student against a staff member, or student. Where a complainant is unable to lodge a complaint personally another person may act on the complainant's behalf provided that person's authority to act and good reason for so doing are verified by the Equal Opportunity Officer.
- A complaint must be made to a staff member of the school designated to handle these complaints procedures.

Complainant, Respondent

- 'Complainant' refers to a staff member or student who alleges discrimination or discriminatory harassment and who then makes a complaint.
- 'Respondent' refers to a staff member or student against whom a complaint is made.

Staff and Students

- 'Staff' means any person who is an employee of the school at the time the discrimination or discriminatory harassment is alleged to have occurred.
- 'Student' means any person who is enrolled as a student at Altona Green Primary School at the time the discrimination or discriminatory harassment is alleged to have occurred.
- These procedures are applicable to staff and students engaged in activities reasonably connected with their role at the school; such activities may extend beyond the school precinct..

Procedures

- Procedures are a series of organised steps or stages which are followed once a complaint is made.

Procedures

- The complaints procedures will be handled according to the current school-based Issues Resolution Policy in progression, unless the nature of the complaint or the wishes of the complainant determine otherwise. Each stage aims at resolution, so progress to a further stage only occurs if resolution has not been achieved and the complainant wishes to proceed.

- **Persons to Handle the Complaints Procedure**
- Equal Opportunity Officer
- Principal or delegate

- **Guidelines for those with a Complaint**
- Staff with a complaint of discrimination or discriminatory harassment must make an appointment for informal advice with the Equal Opportunity Officer.
- The EO officer will lead the complainant through the stages of the procedures, and will provide the complainant with appropriate information and support
- Staff or students with a complaint of discrimination or discriminatory harassment while being encouraged to use the school procedures, have the right to seek advice from the Victorian Equal Opportunity Commission or the Commonwealth Human Rights and Equal Opportunity Commission at any stage.

- **Other Avenues for Complaint**
- Whether or not staff members or students initially use the resolution of complaints procedures that exist within the school, they may choose to proceed to take complaints of discrimination or discriminatory harassment to the Commonwealth Human Rights and Equal Opportunity Commission or Victorian Equal Opportunity Commission. In such cases the school will offer cooperation with the Commission.
- Complainants should be informed that whilst seeking redress through internal resolution procedures they continue to have recourse to outside avenues of complaint, and that these avenues may be subject to time limits. Should an external complaint be pursued, school procedures would be suspended or terminated.

Evaluation:

This policy will be reviewed as part of the school's review cycle.

Reviewed by School Council: 2010