



# Equal Opportunity Policy



## **Rationale:**

Footscray West Primary School (FWPS) aims to provide a welcoming, supportive, and emotionally and physically secure learning and working environment for every member of the school community. The school recognises and promotes human rights, and values the diversity of culture, beliefs, practices, customs, physical and intellectual abilities and life experience of the whole school community.

## **Our commitment**

FWPS 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.

FWPS 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 unfavorably because of irrelevant personal characteristics such as their sex or race.

FWPS 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	*pregnancy	*marital status	*parental status	*physical features
*race	*sex	*sexual orientation	*lawful sexual activity	
*religious belief or activity		*political belief or activity		
*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 that the school provides.

## **Discrimination is unacceptable at FWPS**

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.

**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.

## **Harassment, racial and religious vilification, bullying and victimising someone is unacceptable at FWPS**

**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).

**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.

**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.

**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.

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

## **FWPS 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, in accordance with DEECD guidelines.

FWPS will take action to promote human rights both in terms of school policy and practice and within its educational activities and culture. (TRIBES)

A 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.

### **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 (teaching and learning, enrolment, student management, student services, curriculum development and delivery)
- the provision of goods and services (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).

### **Policy framework and relevant information**

FWPS's EO policy is one component of the Victorian Department of Education's broader policy framework for the promotion of safe and inclusive schools and protection of human rights.

Other relevant documentation may include:

- Managing Diversity and Inclusive Workplaces
- Equal opportunity, Discrimination and Harassment
- Complaint Resolution Procedures
- Health, Safety and WorkSafe
- Building Respectful and Safe Schools
- School codes of conduct
- School Bullying Prevention policy
- Charter of Human Rights and Responsibilities Act 2006 including any relevant Department policies

### **Rights and Responsibilities**

Under this policy, every member of FWPS 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 FWPS is accountable for implementation of this policy and may appoint an EO and Anti-Harassment Coordinator to support implementation of this policy. Names of coordinators will be displayed in the staffroom and included in the induction process.

### **Complaints procedures**

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.

FWPS 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.

### **If you are a member of staff:**

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

\* Teaching Service

\* Public Service

These guidelines are located on the Department's HR Web.

<http://www.education.vic.gov.au/hrweb/workm/Pages/conduct.aspx>

**If you are a parent or guardian:**

Please refer to DET's Parent Complaints guidelines.

<http://www.education.vic.gov.au/school/parents/complaints/Pages/default.aspx>

**If you are a student:**

You have the right to be part of a safe and inclusive school that is free of discrimination, harassment, sexual harassment, bullying, vilification and victimisation. This includes treating you unfairly, excluding you or making you feel bad.

If you believe someone is discriminating, harassing, bullying, vilifying or victimising you and it is safe for you to do so, tell the other person to stop their behaviour. Let them know that their behaviour offends you. They may not realise this. This can be discussed through the TRIBES process of 'Cares, Concerns and Compliments.'

If the behaviour doesn't stop or you are not sure what to do, report it to a trusted adult, such as a teacher, the principal or the Student Welfare Coordinator. Remember, you are not alone. If you have a problem or complaint, talking to someone, especially your parents, can help.

If the unfair treatment or harassment persists, you can call the Commission for free and confidential advice. Advice can be given over the phone or in person. If your issue is covered by Equal Opportunity law, the Complaints Officer will discuss it with you. They will then explain how the Commission can help you and the information you would need to include in a complaint should you decide to make one.

FWPS will treat all reports of misconduct fairly, confidentially and quickly. Only people directly involved in the issue or complaint will be told about it. Each complaint will be investigated to work out whether it is more likely the behaviour happened than not and, if so, how serious it is. Appropriate action to resolve the problem will be taken.

The principal, or their appointee has responsibility for investigating complaints of discrimination, harassment, bullying, vilification and victimisation.

**Consequences:** If proven, the consequences of such behaviour may include counselling, the removal of privileges, a parental interview, suspension or expulsion. The school will arrange counselling and support, where appropriate or where requested, for any student who has experienced bullying or harassment. Counselling may also be provided for a person who has bullied or harassed another.

The school may also need to discuss the incident with parents.

FWPS will monitor how the complaint was resolved and the wellbeing of those involved. Further action will be taken if the problem behaviour continues.

The school encourages all members of the school community to attempt to resolve complaints and concerns through the school if possible. It is also your right to seek help from outside the school. For example, you can contact the Department's regional office, the Ombudsman or the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) for information or advice, or to make a complaint.

**Right to appeal/review**

If you are unhappy with the decision about your complaint, you may seek a review of the decision in accordance with departmental procedures.

Full details of the Departments Equal Opportunity Policy, related documents and complaints procedure can be accessed 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)

**Evaluation:**

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