



Yarraville West Primary School

Equal Opportunity Policy

RATIONALE

Yarraville West Primary School (YWPS) aims to provide a welcoming, supportive, and emotionally and physically secure learning and working environment for every member of the school community. We recognise and promote human rights, and value the diversity of culture, beliefs, practices, customs, physical and intellectual abilities and life experience of the whole school community.

Our inclusive school culture fosters acceptance and respect for diversity. In this way, 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.

All employees, students, parents, school council members, contractors and volunteers are required to act in accordance with equal opportunity, anti discrimination, harassment and vilification legislation. This is why discrimination, harassment, vilification, bullying and victimisation will not be tolerated at YWPS under any circumstances.

This policy identifies and gives specific examples of behaviour that is unacceptable, the actions the school will take to prevent such behaviour or stop it should it occur, and the courses of action available to members of our community who may be the target of any such behaviour. The principal, school council, and junior school council support this policy, and the human rights principles and practice of equal opportunity, inclusion and respect for diversity that it articulates.

GOALS

YWPS 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 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 status
- 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 YWPS provides.

This policy comes under the Department's broader policy framework for the promotion of safe and inclusive schools and protection of human rights, under the Charter of Human Rights and Responsibilities Act 2006. Other relevant Departmental policies include Managing Diversity and Inclusive Workplaces; Equal Opportunity, Discrimination and Harassment; Complaint Resolution Procedures; Health, Safety and WorkSafe; and Building Respectful and Safe Schools. This policy also works in conjunction with other YWPS policies, including its Dignity and Respect; Anti-bullying; School Tone; and Parent Complaint policies.

IMPLEMENTATION

Who does this policy cover?

Under this policy, every member of YWPS 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.

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

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

The principal of YWPS is accountable for implementation of this policy and may appoint or nominate an EO or Anti-Harassment Co-ordinator to support its implementation.

What does this policy cover?

All members of our school community need to understand the kinds of behaviour that are unacceptable and explicitly dealt with under this policy. These are:

Discrimination (either direct or indirect), harassment, sexual harassment, racial or religious vilification, bullying or victimization are all unacceptable at YWPS, and 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.

Examples: refusing to enroll 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.

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

Harassment is behaviour (through words or actions) based on the personal characteristics listed above that are unwanted, unasked for, unreturned and likely to make school an unfriendly or uncomfortable place. These include humiliation (putting someone down), seriously and deliberately embarrassing someone, 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 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.

Examples: public threats of harm, encouraging others to hate someone because of their religion, racist statements made in a public meeting, racist graffiti.

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. Bullying is explicitly dealt with in the YWPS Anti-bullying policy.

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

How is this policy implemented?

YWPS promotes human rights in both terms policy and practice and within its educational activities and culture. This is based on a human rights based approach which means the school's decisions and actions are assessed within the framework of the Charter of Human Rights. YWPS encourages and promotes wider school discussion and student learning on the key Charter themes of Freedom, Respect, Equality and Dignity.

YWPS will take action to prevent discrimination, harassment, vilification, bullying and victimisation and to promote a safe and inclusive school. If any such behaviour occurs, the school will take immediate and appropriate action to address and resolve EO issues and complaints.

We ensure that classes learn together. We avoid any activities that would exclude or require the withdrawal of students from their normal class because of that child's personal characteristics, such as a disability/impairment or their religious belief.

YWPS has a range of policies, procedures and programs that support the goals of this Policy. Some of the key programs are:

- Great School, Great Kids Program (Respect, Responsibility and Resilience)
- 3-step telling rule;
- Great Kids, Great Sports Program;
- Buddy Program;
- Friendship Groups;
- Harmony Day;
- NAIDOC Week.

What do you do if there is a problem?

Existing complaints procedures provide an avenue to address unacceptable behaviour. Complaints procedures 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 YWPS or goods, services or sport provided by YWPS.

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.

YWPS encourages all members of the school community to attempt to resolve complaints and concerns through the school.

The principal (or someone else they appoint) has responsibility for investigating complaints of discrimination, harassment, bullying, vilification and victimisation.

If you are a member of staff:

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

If you are a parent or guardian:

Please refer to YWPS Parent Complaints policy and procedures and DEECD's Parent Complaints guidelines.

If you are a student:

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.

If the behaviour doesn't stop or you are not sure what to do, report it to your parents, a teacher, the principal, the Student Welfare Coordinator, or another adult so they can help you. Remember, you are not alone. If you have a problem or complaint, talking to someone, especially your parents can help. If you do not want to talk to anyone about it, you can find more information at organizations such as the Kids Help Line (telephone 1800 55 1800).

What will happen if you make a complaint?

The principal (or someone else they appoint) will investigate your complaint. All complaints will be treated confidentially, fairly and consistently, and resolved as speedily as possible. 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. Actions may include counseling, the removal of privileges, a parental interview, suspension or, in extreme circumstances, expulsion. YWPS will arrange counseling and support, where appropriate or where requested, for any

student who has experienced bullying or harassment. Counseling may also be provided for a person who has bullied or harassed another.

The school may also need to discuss the incident with parents. YWPS will monitor how the complaint was resolved and the wellbeing of those involved. Further action will be taken if the problem behaviour continues.

If you are unhappy with the decision about your complaint, you may seek a review of the decision in accordance with departmental procedures. It is also your right to seek help from outside the school. For example, you can contact the Department's regional office, the Fair Work Ombudsman or the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) for information or advice, or to make a complaint.

CONTACTS

- School Office (Phone 9314 7714)
- Western Metropolitan Regional Office (Phone 9291 6500)
- DEECD Parents Complaints Procedures (<http://www.education.vic.gov.au/about/contact/pcmoreinformation.htm>)
- VEOHRC (Phone 1300 292 153 or 03 9032 3583, weekdays 9am–5pm; or email enquiries@veohrc.vic.gov.au)
- Kids Help Line (Phone 1800 55 1800, <http://www.kidshelp.com.au>)