

EQUAL OPPORTUNITY

WAHGUNYAH PRIMARY SCHOOL POLICY

Introduction

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

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

Aims

Wahgunyah Primary school 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 Wahgunyah Primary school under any circumstances. Wahgunyah Primary school is committed to ensuring that the working environment is free from discrimination, harassment, bullying, vilification and victimisation.

Guidelines for implementations

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 Equal Opportunity Act 1995 (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
- 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 Wahgunyah Primary school provides. On behalf of the whole school community, the principal, the school council president, the parent association and the student representative council support this policy and the principles and practice of equal opportunity, inclusion and respect for diversity that it articulates. Discrimination is unacceptable at Wahgunyah Primary school. Discrimination may be direct or indirect – both are unlawful.

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 enrol 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 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 Wahgunyah Primary school. 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 Wahgunyah Primary school. 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 Wahgunyah Primary school. 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, subjecting someone to homophobic abuse, 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 Wahgunyah Primary school. Victimisation means treating someone unfairly or otherwise disadvantaging them because they have made an EO complaint or might do so in the future.

Wahgunyah Primary school will take action to prevent discrimination, harassment, vilification, bullying and victimisation and to promote a safe and inclusive school. Wahgunyah Primary school 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).

Policy framework and relevant information

Wahgunyah Primary school's EO policy is one component of the Victorian Department of Education and Early Childhood Development's broader policy framework for the promotion of safe and inclusive schools.

Other relevant documentation may include:

- DEECD's Diversity and Equity policies
- DEECD's Sexual Harassment Policy and Procedures
- Employee complaint resolution procedures
- DEECD Occupational Health and Safety policies
- Safe Schools are Effective Schools
- School codes of conduct
- School anti-bullying policy

Rights and Responsibilities

Under this policy, every member of the Wahgunyah Primary school 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 of Wahgunyah Primary school is accountable for implementation of this policy.

The principal of Wahgunyah Primary school may appoint an EO and Anti-Harassment Coordinator to support implementation of this policy. This policy will be reviewed regularly by the principal, teachers and school support staff and be ratified by the school council.

Complaints procedures

The Wahgunyah Primary school 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 Wahgunyah Primary school should feel welcome, supported and emotionally and physically secure at school. The wellbeing of all students and staff is a priority for Wahgunyah Primary school. We understand that you cannot achieve your potential if someone is treating you unfairly, discriminating against you, vilifying, harassing or victimizing 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 Wahgunyah Primary school, or goods, services or sport provided by Wahgunyah Primary school.

If you are a member of staff

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

- Teachers*
- Principals*
- School Services Staff; and*
- VPS staff*

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

If you are a parent or guardian

Please refer to DEECD's *Parent Complaints* guidelines.

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 making you feel bad because of your:

- sex
- race
- sexual orientation
- physical features
- religious belief or activity
- carer status
- disability/impairment
- gender identity
- lawful sexual activity
- political belief or activity
- pregnancy
- personal association with someone who has, or is assumed to have, one of these personal characteristics.

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 a trusted adult, such as a teacher, the principal or the Wellbeing Coordinator. Remember, you are not alone. If you have a problem or complaint, talking to someone, especially your parents, can help. (If you are not able to talk to anyone you know about it, you can find more information on the internet or contact the Kids Help Line, telephone 1800 55 1800).

Wahgunyah Primary school 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 someone else they appoint) 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. Wahgunyah Primary 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. Wahgunyah Primary school will monitor how the complaint was resolved and the wellbeing of those involved. Further action will be taken if the problem behaviour continues. Wahgunyah Primary 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 Equal Opportunity Commission Victoria 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.

Where to obtain help and advice

- Principal, Wellbeing Coordinator, School Council
- DET Benalla Regional Office –
- Equal Opportunity Commission of Victoria
- Parent support contacts
- Conduct & Ethics Branch Phone: 03 9637 2594 or 9637 2595 Email: conduct.ethics@edumail.vic.gov.au
- <http://www.eduweb.vic.gov.au/hrweb/workm/perform/conduct.htm>
- <http://www.education.vic.gov.au/hrweb/divequity/eo/legislat.htm>
- <http://www.humanrightscommission.vic.gov.au>
- <http://www.education.vic.gov.au/studentlearning/programs/multicultural/tchplorgs.htm>
- <http://www.education.vic.gov.au/healthwellbeing/wellbeing/policy.htm>

Evaluation

School Council will review this policy every three years and whenever legislative changes require policy modification.

This policy was last ratified by School Council in....

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