



# Equal Opportunity Policy

BANYULE PRIMARY SCHOOL

3.7

## **Rationale:**

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

## **Aims:**

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

## **Implementation:**

1. 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 our school provides.
2. On behalf of the whole school community, the principal and the school council president support this policy, and the human rights principles and practice of equal opportunity, inclusion and respect for diversity that it articulates.

3. Discrimination is unacceptable at Banyule Primary School. 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.

4. Harassment is unacceptable at Banyule Primary School.

**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 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.

5. Racial and religious vilification is unacceptable at Banyule Primary School.

**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

6. Bullying is unacceptable at Banyule 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.

7. Victimising someone who makes an EO complaint is unacceptable at Banyule 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.

8. Banyule Primary School will take action to prevent discrimination, harassment, vilification, bullying and victimisation and to promote a safe and inclusive school.

9. Banyule Primary School will take immediate and appropriate action to address and resolve EO issues and complaints.

10. Banyule Primary School will take action to promote human rights both in terms of school policy and practice and within its educational activities and culture.

11. 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 themes of Freedom, Respect, Equality and Dignity.

12. This policy covers the whole school community, including staff, students, parents, school council members, contractors and volunteers.
13. 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).
14. Banyule Primary School EO policy is one component of the Department’s broader policy framework for the promotion of safe and inclusive schools and protection of human rights. Other policies can be accessed in the *School Policy and Advisory Guide*.
15. Under this policy, every member of the 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 and promote human rights and responsibilities by behaving according to this policy.
16. The principal is accountable for implementation of this policy and may appoint an EO and Anti-Harassment Co-ordinator to support implementation of this policy.
17. All members of the school community are encouraged to attempt to resolve complaints and concerns through the school. 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.
18. All complaints will be treated confidentially, fairly and consistently, and resolved as speedily as possible. The principal (or someone else they appoint) has responsibility for investigating complaints of discrimination, harassment, bullying, vilification and victimisation.
19. 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.
20. Every student and staff member at Banyule Primary School should feel welcome, supported and emotionally and physically secure at school. The wellbeing of all students and staff is a priority. We understand that you cannot achieve your potential if someone is treating you unfairly, discriminating against you, vilifying, harassing or victimising you.
21. 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 Banyule Primary School or goods, services or sport provided by Banyule Primary School.

If you are a member of staff: Refer to the Department's [Guidelines for Managing Complaints, Unsatisfactory Performance and Misconduct](#) guidelines.

If you are a parent or guardian: Refer to DET's [Parent Complaints](#) guidelines.

22. If the unfair treatment or harassment persists, you can call the Commission for free and confidential advice. 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.
23. If proven, the consequences of such behaviour may include counselling, the removal of privileges; a parental interview, suspension or expulsion. Banyule 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.
24. The school may also need to discuss the incident with parents.
25. The school will monitor how the complaint was resolved and the wellbeing of those involved. Further action will be taken if the problem behaviour continues.
26. If you are unhappy with the decision about your complaint, you may seek a review of the decision in accordance with departmental procedures.

**Evaluation:**

This policy will be reviewed as part of the school's three year policy review cycle or immediately upon changes to Education Department policy or procedures.

This policy was last ratified by School Council in

**May 2017**