

DIVERSITY AND EQUITY PROCEDURE

Approving authority	Executive Management Team
Purpose	It is the procedure of the Institute to ensure that current and prospective students and staff with conditions of access to and participation in higher education based on equal opportunity, cultural diversity and academic freedom.
Responsible Officer	President and CEO
Next scheduled review	August 2028
Document Location	http://www.ozford.edu.au/higher-education/policies-and-procedures/
Associated documents	Diversity and Equity Policy Academic Assessment Policy and Procedure Academic Integrity Policy and Procedure Anti-Bullying and Harassment Policy and Procedure Anti-Discrimination Policy and Procedure Course and Unit Development, Approval and Review Policy and Procedure Free Intellectual Enquiry in Learning and Teaching Policy Human Resources Policy and Procedures (Manual) Learning and Teaching Policy and Procedure Privacy Policy and Procedure Sexual Assault and Sexual Harassment Policy and Procedure Staff Code of Conduct Policy and Procedure Social Media (Students) Policy and Procedure Social Media (Staff) Policy and Procedure Student Code of Conduct and Procedure Student Grievances and Appeals Policy and Procedure Student Support and Services Policy and Procedure Strategic Plan Student Safety and Wellbeing Framework

1. PRINCIPLES

Ozford Institute of Higher Education (hereafter referred to as the “Institute”) is an equal opportunity workplace and learning environment for all staff and students.

This procedure demonstrates the Institute’s commitment to promoting equal opportunity in employment, education, service delivery, provision of accommodation in accordance with universal principles of equity, fairness and social justice and in accordance with anti-discrimination laws.

Students, staff and the associated workforce are encouraged to bring their capabilities, approaches, experiences and ideas, which reflect our diverse and inclusive community and world. The Institute’s environment should be free of unlawful of discrimination, harassment or bullying, where all students, staff and others participating in our community are treated with dignity, courtesy and respect. The Institute’s Diversity and Equity policy and procedure has been designed to ensure that all students

and staff are provided with equal opportunities to reach their potential, irrespective of gender or stereotypical expectations.

The Institute will take all reasonable steps to prevent or minimise irrespective of gender or stereotypical expectations.

To create the professional and supportive environment, the Institute **prohibits** all forms of unlawful discrimination, harassment (including sexual harassment), vilification and victimisation. Any such behaviour **will not be tolerated**.

2. SCOPE

This procedure applies to all Institute staff, voluntary position holders, students, volunteers, visitors and members of advisory and governing bodies, across the Institute, and at all times whilst engaged in Institute business or otherwise representing the Institute. The scope encompasses affiliates, contractors and consultants, appointed or engaged by the Institute, to perform functions and/or recognised for their contribution to the Institute.

It applies to all Institute-related interactions. It applies while on or off campus, at Institute-related functions (including social functions and celebrations), while on trips and attending conferences.

3. DEFINITIONS

Equal opportunity

Equal opportunity means creating an environment where unfair treatment and problem behaviour is unlikely to happen ie. take reasonable and proportionate measures to eliminate that discrimination, sexual harassment or victimisation as far as possible. It does not assume everyone is the same and it does not mean treating everyone the same. In some circumstances, treating everyone the same is unfair and against the law.

Gender equity

A set of actions, attitudes, and assumptions that provide opportunities and create expectations about individuals. Gender is never separate from race, ethnicity, language, disability, income, or other diversities that define us as human beings. It offers a framework for education in which all students:

- can be engaged, reflective learners, regardless of the subject;
- can be educated in a safe and supportive environment enabling each student to achieve their potential;
- are prepared for future education, jobs, careers, and civic participation;
- set and meet high expectations for themselves and others;
- develop as respectful, inclusive, and productive individuals, friends, family members, workers, and citizens;
- receive equitable treatment and achieve equitable outcomes in school.

All students and staff deserve, and have a right, to be provided with equal opportunities to succeed in all aspects of education or employment. Gender is not a determinant of a student's capacity to learn,

or an employee's capacity to work, but often influences opportunities. It is unlawful to discriminate against a person on the basis of gender.

Harassment

Harassment is a type of discrimination and can take many forms. It may involve inappropriate actions, behaviour, comments or physical contact that is objectionable or cause offence.

Harassment is unwelcome conduct that might reasonably cause a person to be offended, humiliated or intimidated because they have a protected attribute. Harassment can also happen if someone is working in an environment permeated by conduct or activities that make it hostile or intimidating. The behaviour can be overt or subtle, verbal, non-verbal or physical.

Harassment may be seen to have occurred if the behaviour makes the victim feel:

- offended and humiliated;
- intimidated or frightened; or
- uncomfortable at work.

Special measures

Acts which the Institute can take to enable substantive equality for individuals who belong to specific groups which have experienced past disadvantage, because of laws and rules, stereotypes and attitudes. Special measures aim to redress past disadvantage and improve employment outcomes and access to education for people from these groups. Anti-discrimination legislation enables the Institute to implement special measures for specific groups.

Specific groups

These groups refer to those historically disadvantaged or underrepresented student population in Higher Education, other groups protected in Equal Opportunity and anti-discrimination legislation, and those covered by the Higher Education participation and Partnership Program. They include Aboriginal and Torres Strait Islander people, people from low Socio-economic status (SES) backgrounds, people with disability, people from remote, rural or isolated areas, people who are the first in their family to attend a university or other higher education institution, people from non-English speaking backgrounds, and women, especially in areas of study where they have been under-represented, such as engineering.

Unlawful Discrimination

Treating or proposing to treat an individual unfavourably because they have an attribute protected by law. Discrimination can be direct or indirect:

- Direct discrimination can occur when a person or group is treated less favourably than another person or group in a similar situation, because of a protected attribute;
- Indirect discrimination involves imposing a requirement, condition or practice that operates to disadvantage a person with a protected attribute, and it is not reasonable.

Victimisation

Subjecting a person to negative treatment because they have:

- asserted their rights under equal opportunity law
- made a complaint under equal opportunity law
- helped someone else make such a complaint; and refused to do something because it would be discrimination, sexual harassment or victimisation.

Vilification

Any form of conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of a person or group of people because of their race or religion. Such conduct can be a single event or series of events over a period. It may include the use of internet, Facebook, Twitter and e-mail to publish or transmit statements.

4. PROCEDURE

Prevention, Training and Awareness

- 4.1. The Institute has a ***Risk Management Framework*** that identifies and assesses risk factors for discrimination, sexual harassment and victimisation, including by seeking direct feedback from staff and clients. The risk assessments identify the likelihood of different forms of discrimination, sexual harassment and victimisation occurring and the potential harm that would flow to staff and clients if the risk were realised. The **Diversity Equity Policy** and **Procedure** have been designed to address these risks.
- 4.2. The Institute's procedures have been designed to eliminate discrimination, sexual harassment and victimisation as far as possible. This means that, instead of simply reacting to complaints of discrimination or sexual harassment, the Institute is proactive about discrimination and take steps to prevent it from occurring.
 - The Institute's ***Staff Code of Conduct Policy and Procedure and Student Code of Conduct Policy and Procedure*** state that all students and staff are expected, to show respect towards all persons. The Institute prohibits all forms of unlawful discrimination, harassment (including sexual harassment), vilification and victimisation. Any such behaviour is not tolerated.
 - The Institute's ***Admissions, Course and Unit design, Academic Assessment, Accreditation and Student Support and Services Policies and Procedures*** promote diversity and equity.
 - The Institute makes reasonable adjustments to its academic and support systems and processes or provides additional support, such as English language support, where required by students.
- 4.3. The Institute's ***Diversity and Equity Policy*** and this Procedure are made accessible on the Institute's website or Moodle portal.
- 4.4. The Institute conducts regular awareness training.

- 4.5. All staff are informed about and are expected to understand their rights and responsibilities including that they are expected to support the Institute in communicating policies and procedures and expectations of appropriate behaviour.
- 4.6. Heads of Department and Supervisors have responsibility to:
- model appropriate behaviour
 - take reasonably practicable steps to ensure that their workplace and learning environment both on-campus and online, is free from Discrimination, Bullying, Victimisation and Harassment;
 - promote the Institute's policies and procedures
 - provide training or advice to staff or students to eliminate Discrimination, Bullying, Victimisation and Harassment and develop cross-cultural awareness and sensitivity among professional and academic staff and students;
 - encourage due recognition to the history and experiences of the Aboriginal and Torres Strait Islander Peoples of Australia and other ethnic groups;
 - inform staff or students who experience Discrimination, Bullying and Harassment of their rights and provide them with the appropriate policy and procedures to resolve their concerns;
 - ensure that staff or students who make a Complaint are not victimised for doing so and respect their privacy and confidentiality at all times;
 - maintain a confidential database of complaints.

Responding to Incidents

- 4.7. The starting point to resolving a complaint is to talk with an Institute staff member. For staff this can be their Head of Department or Supervisor and for students, the Student Services Team can offer support. The complainant will be encouraged to advise their concerns, explain what has happened and how it has affected them.
- 4.8. If a complainant feels confident and wants to deal with the situation themselves, the complainant will be encouraged to use self-help techniques. However, it is not necessary that the complainant tries to resolve a complaint this way.
- 4.9. This option involves the complainant approaching the person responsible for the discriminatory or sexually harassing behaviour. The person should be advised what the complainant is unhappy about, why the complainant is unhappy about it, and what the complainant would like to happen. Having a support person is encouraged as it can be helpful to this process. The Institute's Student Services Team can assist with this.
- 4.10. Staff or students who do not feel safe or confident to take such action themselves may seek assistance from the Head of Student Services (currently the Student Services Coordinator) or the Academic Dean.
- 4.11. The Institute treats all complaints about diversity or equity issues seriously.

- 4.12. The Institute staff member may be able to take immediate action or may provide a range of options of the actions that can be taken. In some cases, the staff member may be able to speak to the person and see if the situation can be resolved simply as an informal complaint matter.
- 4.13. Some matters are not resolved so easily, especially if the person being complained about denies or disputes the allegations, or the issues are complex. In these cases, the Institute's formal complaints process will be followed.
- 4.14. For Staff, the process set out in the *Human Resources Policy and Procedure Manual* is followed.
- 4.15. For Students, the process set out in the *Student Grievances and Appeals Policy and Procedure* is followed.
- 4.16. All complaints will be handled confidentially and impartially, investigated promptly and recommendations implemented.

External complaints bodies

- 4.17. The Victorian Equal Opportunity and Human Rights Commission offers information and a dispute resolution service that is free and confidential. The Victorian Equal Opportunity and Human Rights Commission assists people to resolve complaints of discrimination, sexual harassment, racial and religious vilification, and victimisation. The Victorian Equal Opportunity and Human Rights Commission's contact details can be accessed on the website:
Website: <https://www.humanrights.vic.gov.au/>
- 4.18. The Australian Human Rights Commission investigates and conciliates complaints about discrimination and breaches of human rights. Complaints are made online using the form or via email. The Australian Human Rights Commission's contact details can be accessed on the website:
Website: <https://humanrights.gov.au>

Reporting and monitoring of incidents

- 4.19. The Institute's Academic Team monitor the participation, progress, and completion by identified student subgroups. The findings are used to inform the Institute's policies and improvement of teaching, learning and support strategies for those subgroups.
- 4.20. The Institute reports on all student complaints and the participation, progress and completion of identified student subgroups to the Academic Board.

- 4.21. The Institute keeps all records of all incidents involving students in the student management system and any incidents involving staff in staff files.
- 4.22. All incidents will be reported to the Audit and Risk Committee and the Governing Board. The Audit and Risk Committee and the Governing Board have a standing agenda item for each meeting to confirm whether or not there have been any incidents.
- 4.23. The data about any potential or actual incidents or concerns will be collated and an anonymous report will be prepared and presented to the Governing board as a minimum, every 6 months to monitor the prevalence of Sexual Misconduct in connection with the Institute. Confidentiality and information privacy will be upheld, in accordance to the legislative requirements and the Institute ***Privacy Policy and Procedure***.
- 4.24. Any improvements required to enhance the campus safety will be discussed and implemented as appropriate.
- 4.25. The Institute is open and transparent with staff, students and stakeholders on trends and lessons relating to measures to eliminate discrimination, sexual harassment and victimisation.

5. QUALITY ASSURANCE

To ensure that this procedure is fit for purpose and meets the requirements of the TEQSA Compliance Frameworks the procedure will be:

- 5.1. internally approved by the Executive Management Team on development or review
- 5.2. externally reviewed as part of any independent review of the TEQSA Compliance Frameworks approved by the Governing Board;
- 5.3. internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier).
- 5.4. referenced to the applicable TEQSA Compliance Frameworks requirement(s) and/or other legislation/regulation.

6. FEEDBACK

Feedback or comments on this procedure is welcomed by the listed Responsible officers of the Institute.

7. ACKNOWLEDGEMENT

This procedure has been developed with reference to the following:

- Monash University, Equity, Diversity and Anti-discrimination Policy, 2023 ([Equity, Diversity and Anti-discrimination Policy \(monash.edu\)](#))
- Australian Institute of Higher Education, Diversity and Equity Policy; 2020 ([ACAHE20-Diversity-and-Equity-Policy-2020.1.pdf \(aih.edu.au\)](#))
- University of Melbourne, Diversity and inclusion strategy and policy, 2021 ([Diversity and inclusion strategy and policy \(unimelb.edu.au\)](#))
- University of Tasmania, Behaviour Policy, 2021 ([Policies - Governance Instruments Framework | University of Tasmania \(utas.edu.au\)](#))
- Australian Human Rights Commission, Information and resources ([Employers \(humanrights.gov.au\)](#))
- Fair Work Commission, Information and Resources ([Issues we help with | Fair Work Commission \(fwc.gov.au\)](#))
- Victorian Equal Opportunity and Human Rights Commission, Information and resources (<https://www.humanrights.vic.gov.au/for-organisations/>)
- the Ozford College of Business policy of the same name and purpose.

8. VERSION CONTROL

Version	Date approved	Description	Approved by
3.0	September 2018	Initial Issue	EMT
3.1	November 2021	Scheduled review - minor editorial amendment	EMT
4.0	June 2023	Internal Review	EMT
4.1	September 2023	Internal Review – minor formatting changes and add external referencing	EMT
4.2	August 2025	Internal Review – Organisational changes and minor edits for clarity	EMT
Related legislation/ regulation/standard	Tertiary Education Quality and Standards Act 2011 Higher Education Standards Framework (Threshold Standards) 2021 Racial Discrimination Act 1975 (Cth) Sex Discrimination Act 1984 (Cth) Disability Discrimination Act 1992 (Cth) Disability Standards for Education 2005 (Cth) Australian Human Rights Commission Act 1986 (Cth) Workplace Gender Equality Act 2012 (Cth) Age Discrimination Act 2004 (Cth) Fair Work Act 2009 (Cth) Victorian Legislation Equal Opportunity Act 2010 Racial and Religious Tolerance Act 2001 (VIC) Spent Convictions Act 2021		

Note:

EMT = Executive Management Team