

## DIVERSITY AND EQUITY POLICY

<b>Approving authority</b>	Governing Board
<b>Purpose</b>	To articulate and support the ongoing commitment of the Institute to promoting and providing all 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.
<b>Responsible Officer</b>	President and CEO
<b>Next scheduled review</b>	September 2028
<b>Document Location</b>	<a href="http://www.ozford.edu.au/higher-education/policies-and-procedures/">http://www.ozford.edu.au/higher-education/policies-and-procedures/</a>
<b>Associated documents</b>	<p>Academic Assessment Policy and Procedure</p> <p>Academic Integrity Policy and Procedure</p> <p>Anti-Bullying and Harassment Policy and Procedure</p> <p>Anti-Discrimination Policy and Procedure</p> <p>Course and Unit Development, Approval and Review Policy and Procedure</p> <p>Free Intellectual Enquiry in Learning and Teaching Policy</p> <p>Human Resources Policy and Procedures (Manual)</p> <p>Learning and Teaching Policy and Procedure</p> <p>Privacy Policy and Procedure</p> <p>Sexual Assault and Sexual Harassment Policy and Procedure</p> <p>Staff Code of Conduct Policy and Procedure</p> <p>Social Media (Students) Policy and Procedure</p> <p>Social Media (Staff) Policy and Procedure</p> <p>Student Code of Conduct and Procedure</p> <p>Student Grievances and Appeals Policy and Procedure</p> <p>Student Support and Services Policy and Procedure</p> <p>Strategic Plan</p> <p>Student Safety and Wellbeing Framework</p> <p>Diversity and Equity Procedure</p>

### 1. PRINCIPLES

This policy aims to ensure that Ozford Institute of Higher Education (the “Institute”) complies with *the Higher Education Standards Framework (Threshold Standards) 2021* (HES Framework) which requires the Institute to promote and foster safety in all Institute environments. Legally, the Institute has a positive duty 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.

Ozford Institute of Higher Education (hereafter referred to as the “Institute”) is an equal opportunity workplace and learning environment for all staff and students. The Institute believes that all staff and students should be able to work and study in an environment free from discrimination, victimisation, sexual harassment, vilification, and the seeking of unnecessary information on which discrimination might be based. The Institute considers such behaviours unacceptable, and they will not be tolerated.

This policy 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 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.

## 2. SCOPE

This policy 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 i.e. 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. POLICY**

### **Prevention, Training and Awareness**

- 4.1. The Institute acknowledges that education and awareness are important aspects of prevention and commits to actively informing and training students and staff in preventing, reporting and responding to diversity and equity issues.
- 4.2. The Institute acknowledges traditional Aboriginal and Torres Strait Islander custodianship of the land at the start of events.
- 4.3. The Institute celebrates diversity and does not discriminate against people (staff or students) on the basis of age, race, colour, religion, ancestry, national origin, age, gender, sexual orientation, marital status, veteran status or physical or intellectual disability, either in the recruitment of students or the implementation of its policies, procedures and activities.
- 4.4. The Institute has a ***Student Code of Conduct Policy and Procedure*** and a ***Staff Code of Conduct Policy and Procedure*** which requires all students and staff act in a manner that promotes a safe, positive, productive and harmonious learning environment, act ethically and responsibly, and be accountable for their actions and decisions.
- 4.5. All staff are expected to contribute to the creation of an inclusive workplace and a healthy workplace culture.
- 4.6. Managers have a particular obligation to model appropriate behaviour; promote this policy; treat all complaints seriously and attend to them promptly; monitor all Institute's environments and seek expert help for complex or serious matters. Managers must ensure:
  - professional standards of behaviour apply at all times;
  - staff/students who wish to make enquiries or complaints are supported and assisted in a professional and fully informed manner;
  - all complaints are treated impartially, confidentially, seriously and sympathetically;
  - all parties are protected and given fair treatment throughout the process;
  - appropriate action is taken whenever bullying or harassment has been substantiated;
  - disciplinary action is taken when there is found to be misconduct.
- 4.7. All staff have the responsibility to comply with this policy; report incidents to their Heads of Department or Supervisors and not tolerate inappropriate behaviour.
- 4.8. The Institute integrates the principles of access and equity into the Institute's policies and procedures for all students and staff;

- 4.9. The Institute ensures that teaching and learning are designed to accommodate student diversity, including the under-representation and/or disadvantage experienced by identified groups, and create equivalent opportunities for academic success regardless of students' backgrounds.
- 4.10. The Institute acknowledges that to redress the past disadvantages of particular groups, special measures are needed to improve educational opportunities and success for people from these specific groups. Specific consideration will be taken in the recruitment, admission, learning participation and completion of Aboriginal and Torres Strait Islander peoples.
- 4.11. The Institute acknowledges that international students studying in Australia require support as they are diverse learners and have some specific support needs that need to be addressed to ensure that they have equal opportunity to academic success.
- 4.12. The participation, progress, and completion by identified student subgroups are monitored and the findings are used to inform the Institute's policies and improvement of teaching, learning and support strategies for those subgroups. The Institute has developed and implemented systems to monitor and use data on the:
- participation
  - progress
  - completion of identified student subgroups.

## **Incident Report**

- 4.13. The Institute encourages everyone to seek advice and support when they feel they have been treated unfairly, or when they have experienced or witnessed concerning behaviour. The Institute has policies and procedures for the effective resolution of complaints, including how to make a report about concerning behaviour.

## **Response and Support**

- 4.14. The Institute treats any breach of its policies, procedures and schedules seriously; it encourages reporting of concerns about non-compliance. The Institute will hold people to account for unlawful behaviour in a fair, consistent, and timely manner.
- 4.15. The Institute will provide confidential assistance to staff or students in the form of wellbeing support and professional counselling.
- 4.16. If a case is referred to the Victoria Police or the Equal Opportunity Commission (EOC) or to the Australian Human Rights Commission (AHRC), then the Institute will not take any action that will compromise the police investigation or EOC/AHRC complaint resolution process. While accountability for prosecuting criminal acts rests with the local police where the offence occurred, the Institute can take internal action where there is a breach of its rules, by-laws, policies and procedures for activities and circumstances related to the Institute matters.

- 4.17. A failure to comply with the Institute's policies may result in action that includes disciplinary and other action up to and including potential termination of enrolment for students, termination of employment for staff or the cessation of engagements for contracted services.

## Reporting and Monitoring

- 4.18. The Institute ensures that all incident data is kept confidentially, and incident data is reported to the Executive Management Team, the Academic Board and Governing Board every 6 months to monitor the prevalence of misconduct in connection with the Institute.
- 4.19. Confidentiality and information privacy will be upheld, in accordance with legislative requirements and the Institute's ***Privacy Policy and Procedure***.
- 4.20. Any suggested improvement required to enhance campus safety will be discussed and implemented as appropriate.

## 5. QUALITY ASSURANCE

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

- 5.1. internally endorsed by the Executive Management Team on development or review, prior to approval by Governing Board, or the Academic Board or other delegated authority;
- 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 policy is welcomed by the listed Responsible officer(s) of the Institute.

## 7. ACKNOWLEDGEMENT

This policy has been developed with reference to the following:

- Monash University, Equity, Diversity and Anti-discrimination Policy, 2023 ([Equity, Diversity and Anti-discrimination Policy \(monash.edu\)](https://www.monash.edu/eqdiv/anti-discrimination-policy))
- Australian Institute of Higher Education, Diversity and Equity Policy; 2020 ([ACAHE20-Diversity-and-Equity-Policy-2020.1.pdf \(aih.edu.au\)](https://www.aih.edu.au/acahe20-diversity-and-equity-policy-2020.1.pdf))
- University of Melbourne, Diversity and inclusion strategy and policy, 2021 ([Diversity and inclusion strategy and policy \(unimelb.edu.au\)](https://www.unimelb.edu.au/diversity-and-inclusion-strategy-and-policy))

- 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
1.0	December 2013	Initial issue	GB
2.0 (Revised)	August 2018	Reflecting the requirements of the HESF standards and changes in academic leadership structure	GB
3.0	December 2021	Internal review	GB
4.0	July 2023	Internal Review	GB
4.1	September 2023	Internal review – minor formatting changes and add external referencing	EMT
4.2	September 2025	Internal Review – Organisational changes and minor edits for clarity	GB/AB
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 (Clth) Victorian Legislation Equal Opportunity Act 2010 Racial and Religious Tolerance Act 2001 (VIC) Spent Convictions Act 2021		

Notes:

GB = Governing Board

AB = Academic Board

EMT = Executive Management Team