

Equal Opportunity Policy

Policy Owner	College Director/Principal
Contact Officer:	HR Coordinator
Policy Number:	QHRPO004
Approved by:	ECC Senior Management Group
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Related Policies:	Assessment Guidelines – Disabilities and Equity Bullying, Harassment and Discrimination Policy Code of Conduct: ECC Obligations to Stakeholders Complaints and Appeals Policy Navitas Anti-Discrimination and the Prevention of Harassment, Vilification and Bullying Policy (Australia) Policy Navitas Diversity (Global) Policy Navitas Recruitment and Selection Policy Navitas Wellness, Health and Safety Policy Staff Grievance Policy Staff Wellbeing Guidelines Student Misconduct Policy Student Wellbeing, Counselling and Support Policy
Related Forms:	Entry Portfolio Application Form

1. Overview

- 1.1 ECC is committed to the principles of Equal Opportunity (EO) for its staff and students as set out in both State and Federal EO related legislation including the:
 - Racial Discrimination Act 1975
 - Human Rights Commission Act 1986
 - Equal Opportunity Act (WA) 1984
 - Sex Discrimination Act 1984
 - Human Rights Act 1986
 - Disability Discrimination Act 1992
 - Racial Hatred Act 1995
 - Workplace Gender Equity Act 2012
 - Age Discrimination Act 2004
 - Fair Work Act 2009
- 1.2 The above-mentioned legislation predominantly applies to the workplace and learning environment in areas such as recruitment, employment; career development and promotion; learning and development; pay and conditions; flexible work arrangements, advertising; provision and access to goods and services.
- 1.3 This policy will inform the development or refinement of ECC policies, practices and programs to ensure they are consistent with Equal Opportunity principles and conform to the spirit and intent of the legislation
- 1.4 This Policy complies with requirements set out in TEQSA's Higher Education Standards Framework (Threshold Standards) with respect to specific consideration given to recruitment, admission, participation and completion of Aboriginal and Torres Strait Islanders (ATSI)

2. Organisational Scope

2.1 This policy applies to all staff, students, policies and practices of ECC.

3. Definitions

3.1 **ATSI** means Aboriginal and Torres Strait Islander people

3.2 **Equal Opportunity (EO)** means the right of all persons to receive equal, unbiased and non-discriminatory consideration in the access and process dimensions of education and employment, irrespective of sex, race or any other involuntary personal characteristic

3.3 **SMG** refers to the ECC Senior Management Group.

3.4 **TEQSA** refers to the Tertiary Education Quality Standards Agency, the regulator for the Higher Education sector.

4. Policy Principles

4.1 ECC will develop and implement programs or measures that are designed to remove or diminish obstacles that have hindered groups identified by the respective legislation as being traditionally discriminated against within the workforce or the learning environment.

4.2 .ECC will ensure that its educational policies and practices support participation for ATSI peoples and others who may experience disadvantage in accessing and participating in education.

4.3 ECC will ensure that individuals have equal access to compete for employment and promotion based on principles of merit, such that human resource policies and procedures result in the selection of persons who best demonstrate the skills and qualifications and/or experience as required for a job.

4.4 ECC is required to inform and educate its staff on what behaviours are acceptable and unacceptable in the workplace or the learning environment. To this end, ECC will develop and implement policies and procedures to ensure equal opportunity principles are upheld, especially in relation to management of complaints and appeals; education opportunities, recruitment and selection; pay and promotion; and advertising.

5. Policy Content

5.1 In accordance with Australian legislation, it is unlawful to discriminate against a person or group on the grounds of:

- Race, colour, descent or national extraction, ethnic origin or social origin;
- Age (exceptions apply to allow positive discrimination in specific areas such as taxation, superannuation);
- Sex (Gender), gender history or sexual orientation;
- Physical or mental disability (exceptions apply);
- Religion;
- Marital status, pregnancy; family or carer responsibilities;
- Political opinion

5.2 The ECC Board of Directors has the ultimate legal responsibility for Equal Opportunity at ECC.

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- 5.3 The Senior Management Group (SMG) of ECC will examine and eliminate discriminatory practices which (whether intentional or not) create a discriminatory disadvantage, particularly in training, recruitment, selection, flexible work arrangements and promotion. The SMG also has a responsibility to develop procedures and opportunities within ECC to encourage fuller participation by any group experiencing disadvantage, thereby enriching the institution itself.
- 5.4 All ECC managers will support their staff to uphold principles of the legislation through training and development; through policies and procedures embodying the principles of EO; and by taking appropriate action to address or prevent any breaches under the legislation
- 5.5 ECC is committed to providing an environment in which staff and students feel they are valued, treated fairly and provided with equal access to resources and services to participate in the learning and teaching environment. ECC aims to provide a harassment-free environment that fosters good working relationships between all staff and students, but also recognises specific equity groups who may have experienced disadvantage in education and employment in the past:
- women;
 - Aboriginal and Torres Strait Islander people;
 - People with a disability; and
 - People from culturally and linguistically diverse backgrounds;
- 5.6 ECC may recognise alternative forms of entry qualifications which are targeted at improving access for ATSI peoples, mature-aged entrants, those affected by a medical condition or disability, disruption to education due to multiple relocations, bereavement or other disadvantaged circumstances. To that end, a Portfolio Entry process and face-to-face interview will apply. Such applications will be assessed by the Academic Director on a case by case basis.
- 5.7 All ECC staff are expected to adhere to the legislation referred to within this document.

6. Administrative Procedures

- 6.1 This policy available to the public on the ECC website at:
<https://www.edithcowancollege.edu.au/policies>
- 6.2 This policy will be communicated to new staff at induction. Any changes to this policy and related procedures will be communicated to staff via email.

REFERENCES:

- Australian Human Rights Commission <http://www.humanrights.gov.au/>
- Equal Opportunity Commission WA <http://www.eoc.wa.gov.au>
- Fair Work Ombudsman:
 - <https://www.fairwork.gov.au/employee-entitlements/protections-at-work/protection-from-discrimination-at-work>
 - <https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/rights-and-obligations/workplace-discrimination>
- Quick Guide to Australian Discrimination Laws: <https://www.humanrights.gov.au/employers/good-practice-good-business-factsheets/quick-guide-australian-discrimination-laws>