



Marian College

Myrtleford

Equal Opportunity and Discrimination Policy

Beliefs and Commitments

Marian College is committed to providing a safe and educationally supportive environment that values and encourages participation by all students and workers, including those with disabilities. Equal Employment Opportunity (EEO) is a positive way of ensuring that people are treated fairly and not disadvantaged on the basis of irrelevant characteristics. State and Federal laws go further and set out the types of discrimination which are unlawful in the workplace. They are designed to stop a person being treated unfavourably because of a personal characteristic. They cover the following areas and are protected by the law:

Age	Physical features
Breastfeeding	Political opinion
Family or Carer responsibilities	Pregnancy
Irrelevant criminal records	Race
Marital status	Religion
Medical history	Sex
Membership of any lawful organisations	Sexual preference
Nationality	Social origin
Parental status	Trade union or employer association activity
Physical or mental disability	

Unlawful discrimination also covers the situation where a person is assumed to possess personal characteristics which are in the categories listed above, or are assumed to possess those characteristics sometime in the future (for example pregnancy). There are certain exemptions to unlawful discrimination that apply to religious bodies and religious schools

Direct and Indirect Unlawful Discrimination

Unlawful discrimination can occur

Directly when a person or group is treated less favourably because of a personal characteristic protected by law for example a worker is refused a promotion because they are 'too old' etc.

Indirectly when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law for example providing training opportunities only to full-time staff, thereby excluding employees who are working part-time due to their carer responsibilities.

What is not Unlawful Discrimination?

It is not unlawful to discriminate against a person on the basis of their being in one of the protected categories provided it is based on a reasonable requirement of the job or operation.

Equal Opportunity and Anti-Discrimination Strategies

Marian College is committed to providing a safe working environment for staff and students which is fair and free from discrimination, harassment and bullying. All students, workers, and other people with whom we come into contact as part of our work, will be treated professionally, fairly, and with respect. Marian College does not tolerate discrimination, harassment and victimisation of any type including disability discrimination.

This is achieved by

- informing all staff and students that disability discrimination is not acceptable
- providing information and training concerning non-discriminatory methods of teaching including online disability modules by all staff
- Ensuring that all members of the College community are aware of the Marian College Code of Conduct
- ensuring staff and students are aware of appropriate actions to be taken if harassment or victimisation occurs
- establishing strategies and programs to prevent harassment and victimisation of persons with a disability
- ensuring strategies and programs extend to not only students but also to their parents/carers/guardians, who may experience discrimination as a result of their support role to a person with a disability, or who may have a disability themselves.

Learning and Teaching

Marian College is committed to ensuring that all students are able to participate as fully as possible in all aspects of school life. It is our policy that

- students with disabilities can participate in education and training without discrimination
- students with disabilities have opportunities to access the College curriculum and achieve educational outcomes in the same manner as students without disabilities
- reasonable adjustments will be made where necessary, to ensure students with disabilities are able to participate in all activities available to students without disabilities
- individualised programs will be developed for students with disabilities in consultation with parents/carers/guardians and relevant experts
- all processes are accessible and transparent

- disability discrimination prevention strategies are reviewed on an annual basis against best practice.

Leadership

Marian College leaders are responsible for ensuring that all staff and students are treated fairly and with respect, and in particular

- Model appropriate standards of behaviour
- Take steps to educate and make staff and students aware of their obligations under this policy and the law
- Intervene quickly and appropriately when they become aware of inappropriate behaviour
- Act fairly to resolve issues and enforce the Marian College of Code of Conduct, VIT Code of Conduct and AITSL standards
- In the event of a report, making sure relevant parties are heard
- Help staff and students resolve complaints informally
- Refer formal complaints about breaches of this policy for investigation
- Ensure staff and students who raise an issue or make a complaint are not victimised.

Employment

Decisions regarding

- Advertising, job descriptions, and selection procedures
- Conditions of employment and pay
- Training opportunities
- Rostering and allocating of work
- Performance management and termination procedures
- Promotion opportunities

will be done on the basis of merit and the inherent requirements of the job and reasonable operational requirements. Employees will not be disadvantaged because of irrelevant personal characteristics, or assumed irrelevant personal characteristics.

Discipline for Breach of Policy

Where a staff member breaches this policy Marian College will take disciplinary action, including in the case of serious breaches, summary dismissal. Engaging in unlawful discrimination or harassment may result in legal action being taken against the perpetrator and Marian College.

Student breaches may require disciplinary action at the Principal's discretion including suspension and expulsion in the cases of persistent breaches, or in cases of severe incidents. When considering expulsion, the Principal will notify The Canonical Administrator and the Director of Catholic Education. The Director of Catholic Education will then appoint a nominee to consult with the Principal, review the student's support mechanisms and explore additional options for the student.

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