

QAF033 Equity and Diversity Policy

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1. Purpose

The Institute is committed to the principles of equal opportunity and diversity in education and employment.

This policy provides the framework to guide the Institute and is designed to comply with the spirit and intent of these principles and federal and state anti-discrimination legislation. This policy is intended to compliment the Group Policy on Equity and Diversity, the *ECA Diversity Policy*.

This commitment also reflects the intent of the Higher Education Standards Framework (Threshold Standards) 2021 (HESF Domain 2 Learning Environment), specifically:

- Standard 2.2: Diversity and Equity
- Standard 2.3: Wellbeing and Safety

2. Scope

All members of the Institute community have a responsibility to contribute to a learning and working environment that is free from unlawful discrimination and harassment. This includes using digital platforms for Institute purposes.

The scope of this policy includes all members of the Institute community engaged in official relations with the Institute. This extends to classes, functions or events sanctioned or organised by the Institute.

All Institute policies, processes and guidelines must comply with this framework.

3. Legislation

There is a range of federal and state legislation that prohibits discrimination and harassment on the basis of the following attributes or conduct (also known as “protected attributes”):

- Age
- Breastfeeding
- Disability
- Family or carer's responsibilities
- Marital or relationship status
- Political conviction
- Pregnancy or potential pregnancy
- Race, colour, descent, nationality, ethnic, ethno-religious or national origin
- Religion
- Gender
- Sexual orientation or preference
- Transgender status
- Actual or imputed characteristics of any of the attributes listed above
- Association with a person identified by reference to any of the attributes listed above.

4. Policy Statement

The Institute values diversity of knowledge, experiences and backgrounds and does not discriminate against people based on their protected attributes. The Institute recognises that an inclusive culture and providing

appropriate support for a diversity of students (from domestic and international backgrounds) is important for a high quality learning, teaching and working environment.

Sexual harassment is prohibited.

The Institute is committed to implementing the principles of equal opportunity for all members of the Institute community in Institute policies, procedures, decisions and operations. Accordingly, Institute activities are underpinned by the principles that:

- All members of the Institute community have the right to be treated fairly and equitably.
- There is equitable access to education for students and equitable access to conditions and benefits of employment for all staff.
- All members of the Institute community are entitled to a work and study environment free from unlawful discrimination, harassment, vilification, bullying or other adverse and inappropriate behaviours.
- Diversity is respected and appreciated as contributing to the richness of the Institute's teaching and learning, and scholarly environments.
- An inclusive and flexible environment, including implementing special measures when required, provides the best outcomes for the varied needs of the Institute's diverse community.
- Equal opportunity does not mean treating everyone in the same way. In order to redress the past disadvantages of particular groups, special measures may be needed to improve employment and educational opportunities for people from these groups. These groups include women, Aboriginal and Torres Strait Islander people, people with a disability and people from culturally and linguistically diverse backgrounds.
- All members of the Institute community and the public have the right to make a complaint in good faith, through the Institute's complaints procedure, and without fear of retaliation or victimisation, about a possible breach of this policy.

5. Promotion of Equal Opportunity

The Institute will promote equal opportunity by:

- Endeavouring to take all reasonable steps to ensure that the working and learning environment is free from unlawful discrimination, harassment, vilification, victimisation, bullying or other adverse and inappropriate behaviours.
- Implementing inclusive policies, practices and programs across its activities and services, taking into account the needs of the diverse Institute community. This includes using non-discriminatory and inclusive language and approaches in digital and other publications, and learning materials and activities.
- Monitoring and reporting on the Institute's equal employment and diversity performance against identified Institute priorities and legislative requirements.
- Monitoring and reporting on sexual assault and sexual harassment, and incorporating references to legislative requirements.
- Providing training and awareness raising strategies to ensure that all staff and students know their rights and responsibilities.
- Providing an effective procedure for complaints based on the principles of natural justice.

The Institute may develop and implement programs and special measures to improve access, participation, retention and success of students from one or more under-represented equity target groups (such as Indigenous) or to enhance the diversity of its student cohorts.

Strategies that may be adopted include scholarship by merits, alternative ways to enter the Institute's

courses and additional support during their studies.

6. LGBTIQ+ Inclusion

The Institute recognises and supports LGBTIQ+ inclusion. The Institute is committed to ensuring that members of LGBTIQ+ community have equal access and opportunities to access the programs and services that the Institute offers and be treated fairly at the Institute workplaces, without discrimination, harassment or vilification.

7. Students with a Disability

The Institute supports an inclusive learning and work environment for students and staff with a disability by providing reasonable adjustments to support the person with disability to participate in their education or employment on the same basis as a person without a disability, noting that:

- all reasonable adjustments for students must maintain academic standards and integrity; and
- people with disabilities are best placed to understand their needs, and therefore students and staff seeking reasonable adjustments share the responsibility for working with the Institute in identifying and implementing appropriate solutions.

Reasonable adjustments made by the Institute for students with a disability may:

- assist the student apply for admission or enrolment;
- participate in the course;
- undertake assessments in a manner that is appropriate to student's conditions and needs; and
- be able to use facilities or services independently as far as practicable.

Students with a disability seeking a reasonable adjustment are encouraged to discuss their circumstances as early as possible in the recruitment process. Contact for support: 1300 00 4354 or info@heli.edu.au

Staff with a disability seeking a reasonable adjustment should contact their manager or Human Resources.

The Institute will ensure that information about academic preparation requirements and English language proficiency needed to participate in each course is clearly available to prospective students, thereby ensuring that admissions are based on fair, transparent and merit-based processes.

8. Gender Equality in the Workplace

The Institute, as a higher education institution, is required by the Workplace Gender Equality Act 2012 (Cth) (WEGA) to develop programs and strategies and report annually on progress towards achieving equal participation of women and men in the workplace.

9. Complaints

Any complaints by students about breaches of this policy will be dealt with in accordance with *Grievance and Appeals Policy and Procedure*.

Complaints may also be made externally to the Australian Human Rights Commission, the Fair Work Commission, the Tertiary Education Quality and Standards Agency, or the relevant state Anti-Discrimination Boards.

Australian Human Rights Commission (<https://www.humanrights.gov.au>)

See website for information about making a complaint.

Enquiries: 1300 656 419

Complaints lodged via online form

Respect@Work Information Service (sex discrimination matters):

- 1300 656 419 or
- respect@humanrights.gov.au

Tertiary Education Quality and Standards Agency (<https://www.teqsa.gov.au>)

See website for information about raising a complaint.

Complaints lodged via online form.

Fair Work Commission (<https://www.fwc.gov.au>) (staff only)

Issues the FWC may deal with include unfair dismissal, bullying and sexual harassment.

See website for more information about raising a complaint.

NSW Anti-Discrimination Board (<https://www.antidiscrimination.nsw.gov.au>)

Enquiries: 1800 670 812 or 02 9268 5544

Email: complaintsadb@justice.nsw.gov.au

Or via online form

Queensland Human Rights Commission (<https://www.qhrc.qld.gov.au>)

Enquiries: 1300 130 670

Email: enquiries@qhrc.qld.gov.au

Or via online form

Victorian Equal Opportunity & Human Rights Commission (<https://www.humanrights.vic.gov.au>)

Enquiries: 1300 292 153

Email: complaints@veohrc.vic.gov.au

Or via online form

10. Roles and Responsibilities

The Institute –Board of Directors

The Institute, in creating an environment that is free from all forms of discrimination, bullying, and harassment, will embed the principles of equity, diversity and inclusion in its long-term vision, and in its strategies and day-to-day operations.

The Governing Board will foster a Institute environment that is free from all forms of discrimination, bullying, harassment and conflicts. This includes regularly monitoring relevant data, identifying shortfalls and seeking improvement from Institute Executive when required.

The Institute’s mission and values shall be upheld by the Governing Board in review and approval of Institute policies and practices.

Institute Executive

The Institute expects the senior leadership team led by the Principal Executive Officer to actively promote the principles of equity, diversity and inclusion in all Institute activities and operations. The Principal and all executives, managers and supervisory staff have accountabilities for the implementation of equal opportunity, gender equity and diversity within the Institute. This includes:

- Monitoring and reporting to the Governing Board and external agencies as required (for example, WGEA).
- Responding to allegations quickly and fairly for all parties involved in a matter.

Institute Staff and Students

All staff and students are accountable for ensuring that their own behaviours comply with the principles set out in this policy, related documents, and relevant state and federal legislation. Staff, in particular, are expected to model respectful and inclusive behaviours throughout their dealings with one another and with students.

11. Reporting Equity and Diversity in the Workplace

Equity and Diversity in the workplace at the Institute includes strategies to address the below, the CEO will present to the Board of Directors annually on:

- issues of under-representation in senior positions;
- the under representation of women in non-traditional areas of studies/ employment;
- workplace flexibility;
- the gender pay- gap and action plans to address the gap;
- CEO, head of business and casual manager remuneration;
- sexual harassment, and harassment on the grounds of sex or discrimination;
- LGBTIQ+ inclusion;
- Students/staff with a Disability inclusion.

12. Definitions

Term	Definition
<i>Adverse action</i>	Discrimination on the basis on certain characteristics as defined under legislation.
<i>Disability</i>	Is defined broadly under Commonwealth and state legislation. It includes any physical, sensory, neurological, intellectual, psychiatric or learning disability, physical disfigurement, the presence in the body of disease/illness-causing organisms and total or partial loss of part of the body or a bodily function. It also includes temporary, permanent, past, future or presumed disability, and chronic health conditions.
<i>Diversity</i>	Is about what makes each person unique. It is also able recognising, respecting and valuing differences based on ethnicity, gender, age, race, religion, disability and sexual orientation, and other individual characteristics and experiences.

	[Adapted from <i>What do we mean by diversity and inclusion?</i> www.vic.gov.au accessed 8/6/2023]
<i>Equal Opportunity</i>	Refers to everyone being able to participate freely and equally in areas of public life including work and study, without disadvantage or less favourable treatment due to their unique attributes. [Adapted from <i>What do we mean by diversity and inclusion?</i> www.vic.gov.au accessed 8/6/2023]
<i>Equity</i>	The creation of opportunities for equal access and success in Australian higher education among historically underrepresented (domestic) student populations, by providing students with the supports they need to participate – by removing barriers, redressing disadvantage and creating a level playing fields. The Australian government recognises the following equity groups in the context of higher education, being students that: <ul style="list-style-type: none"> - Are from non-English speaking backgrounds (NESB); - Have a disability; - Are women in non-traditional areas; - Identify as indigenous; - Are from low SES (socioeconomic status) locations; and - Are from regional and remote locations.
<i>Reasonable adjustment</i>	Means a measure or action that is necessary, achievable and reasonable to enable the person with disability (student or staff member) participate in their education or employment on the same basis as a person without a disability. An organisation may refuse to make an adjustment if it will cause unjustifiable hardship. An adjustment is reasonable when it balances the interests of all parties affected and does not cause unjustifiable hardship. The change may be temporary or permanent.
<i>Special measures</i>	Acts which the Institute can take to enable substantive equality for individuals who belong to 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.
<i>Unlawful behaviour</i>	Refers to unlawful discrimination, unlawful harassment, victimisation, vilification and unlawful adverse action.
<i>Unlawful discrimination</i>	Occurs when a person, or a group of people, is treated less favourably than another person or group based on characteristics as determined by Federal and state legislation (protected attributes). Unlawful discrimination can be direct or indirect.
<i>Unlawful harassment</i>	When a person is made to feel intimidated, insulted or humiliated based on certain characteristics (protected attributes) as determined by Federal and state legislation. It occurs where a reasonable person would have expected that the behaviour would be considered offensive, humiliating or intimidating.
<i>Victimisation</i>	The less favourable treatment of a person or persons for their participation in making, supporting or resolving a complaint of discrimination, harassment or vilification, whether that participation was actual, intended or presumed. This includes a person or persons who have agreed to be witnesses in relation to a complaint.

<i>Vilification</i>	A public act that could incite others to hate, have serious contempt for, or severely ridicule a person or a group of people because based on certain characteristics as determined by legislation.
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13. Related Documents

- HELI Governance Charter
- HELI Privacy Policy
- HELI Student Code of Conduct and Disciplinary Procedures
- HELI Code of Ethical Practice
- HELI Student Selection and Admissions Policy and Procedure
- Student Grievance Handling Policy and Procedure
- HELI Student Academic Integrity Policy and Procedure
- HELI Assessment Policy and Procedure
- HELI Sexual Assault and Sexual Harassment Policy and Procedure
- HELI HR Manual
- ECA Diversity Policy

14. Relevant Legislation

- Sex Discrimination Act 1984 (Cth)
 - Racial Discrimination Act 1975 (Cth)
 - Human Rights and Equal Opportunity Act 1986 (Cth)
 - Disability Discrimination Act 1992 (Cth)
 - Workplace Gender Equality Act 2012 (Cth)
 - WGEA reforms: A roadmap to closing the gender pay gap
 - Disability Standards for Education 2005 (Cth)
 - Fair Work Act 2009 (Cth)
 - Age Discrimination Act 2004 (Cth)
 - Higher Education Support Act 2003 (Cth)
 - Tertiary Education Quality and Standards Agency (TEQSA) Act 2011 (Cth)
 - Higher Education Standards Framework (Threshold Standards) 2021 (Cth)
 - Education Services for Overseas Students (ESOS) Act 2000 (Cth) and the National Code of Practice Providers of Education and Training to Overseas Students 2018 (National Code 2018)
 - Australian Qualifications Framework
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- Anti-Discrimination Act 1991 (Qld)
 - Equal Opportunity Act 2010 (Vic)
 - Anti-Discrimination Act 1977 (NSW)

15. Version Control

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Document Owner	CEO, Higher Education
Approved By	Board of Directors

Version	Summary of Changes	Approval Date	Review Date
1.0	Changes to incorrect nomenclature Add section 3.4 – grievances	Executive Management Committee: 8 October 2016	Complete
1.1	Changes to incorrect nomenclature Add section 3.4 – grievances	CEO: 8 October 2016	Complete
2.0	Scheduled review	Executive Management Committee: 4 September 2018	Complete
2.1	Scheduled review	Executive Management Committee: 18 August 2020	Complete
3.0	Harmonised and updated Policy	Board of Directors: 23 June 2023	23 June 2025