

# Human Resources

## Equal Opportunity Guidelines for Victorian Government Schools



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## ABOUT THESE GUIDELINES

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These guidelines can help you create a safe and inclusive school and workplace. They have been designed with your core responsibilities and time constraints in mind.

Use these guidelines to support best practice and to assist you to meet your legal responsibilities in relation to equal opportunity (EO) by:

- developing and/or implementing appropriate policy and procedures
- taking a public leadership role to make the whole school community aware of their rights and responsibilities.

You will find other useful tools and resources on that may further assist you, such as:

- an [EO Policy Checklist](#) to help you assess or develop a policy that reflects the unique needs of your school
- an [EO Policy Template](#) that you can adapt and use in your school
- the Department's complaints procedures for staff ([Guidelines for Managing Complaints, Misconduct and Unsatisfactory Performance](#)) and parents ([Parents Complaints](#)).

## WHAT IS EO

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EO, as both a key component of the law and now as a human right under the Charter of Human Rights, is essential to the wellbeing of the whole school community and to creating a safe and inclusive school. EO means every member of the school community has the opportunity to learn, work and participate in an environment that is free from discrimination, harassment, bullying, vilification and victimization. No member of the school community is treated less favourably because of irrelevant personal characteristics such as sex, race or disability; nor do such characteristics affect access to benefits and services your school provides.

## WHY EO IS IMPORTANT

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EO is essential to the wellbeing of the school community and key to the creation of a safe and inclusive school. No one can work or study to their potential if they are being discriminated against, harassed, vilified or victimised.

Promoting equality and diversity enriches school culture through knowledge and information exchange, offering insights and understanding that can bring out the best in every member of the school community. As centres of learning, schools are well placed to model this kind of exchange, and promote a human rights culture.

A high school with more than 800 students in rural Victoria has taken a strong proactive position towards its diverse student population. Wellbeing is a very high priority in the school and there is a significant investment in programs, personnel and professional development in aspects of student wellbeing. Ethnic conflict is minimal, with groups of students mixing well in sport and at break times. Harmony Days emphasise acceptance and tolerance. Prominently displayed at the school is a large mural, designed and produced by Victorian Certificate of Applied Learning students, which expresses the theme of “we are one but we are many”, fused with the school’s crest. An on site facility for hearing impaired students has also contributed to an acceptance of diversity at the school.

EO is a requirement under [federal and state anti discrimination legislation](#) and, as principal, you are legally responsible for its implementation at your school. Failure to act if equal opportunity complaints or issues arise will mean you have not met your legal responsibilities and may also result in legal liability.

## HOW DOES EO APPLY TO VICTORIAN GOVERNMENT SCHOOLS

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In Victorian Government schools, EO legislation applies to education, goods and service provision, employment and sport. Sometimes this may cover partnerships with local sporting associations and community groups. Make sure the school’s partners are aware of your EO policy.

As principal, EO is your responsibility. The School Council and the State of Victoria also share legal responsibility and liability in respect of EO at your school.

By following these guidelines and using other tools available on this site, you can take the necessary steps to ensure your school is creating a safe and inclusive learning and working environment by meeting its EO responsibilities.

## RIGHTS AND RESPONSIBILITIES

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### The leading edge

The role of school leadership (School Council and principal) is to publicly model and promote EO principles and human rights practice by:

- promoting a safe and inclusive school which encourages a human rights culture
- affirming the diversity of the school community
- being a positive role model
- implementing the school’s EO policy
- being aware of current Departmental and legislative requirements in relation to equal opportunity, the Charter, discrimination, harassment, bullying, vilification and victimisation
- proactively identifying discrimination and equal opportunity trouble spots at the school

- responding promptly and appropriately to inappropriate behaviours and clearly stating your school's policy of no discrimination, harassment, bullying, vilification or victimisation
- taking all EO issues and complaints seriously and acting promptly to resolve them
- involving the broader school community, including parents, in the implementation of the school's EO and broader human rights policies.
- ensuring the school's EO policy is regularly reviewed.

## **Staff**

School staff members have the responsibility to:

- behave fairly and respectfully at all times towards all members of the school community
- be aware of current Departmental and legislative requirements in relation to the Charter of Human Rights, discrimination, harassment, bullying, vilification and victimisation
- actively discourage discrimination, harassment, bullying, vilification and victimisation
- ensure discrimination, harassment, bullying, vilification and victimisation are speedily addressed according to school policy
- ensure they do not participate in discrimination, harassment, bullying, vilification or victimisation
- be positive role models.

## **Teachers**

As well as the staff responsibilities already listed, teachers have the responsibility to:

- implement the school's EO policy when developing and delivering curriculum and student services
- help students to understand human rights and challenge discriminatory attitudes and behaviour.

## **Students**

Students have the responsibility to:

- understand their rights and responsibilities under the school's EO policy
- respect the right of every member of the school community to learn and work in an environment free of discrimination, harassment, bullying, vilification and victimisation and to promote human rights
- be aware of and use the school's complaint procedure in relation to discrimination, the Charter, harassment, bullying, vilification and victimisation.

## Parents and guardians

Parents and guardians have the responsibility to:

- understand the rights and responsibilities of the children in their care
- understand the school's EO policy
- respect the right of every member of the school community to learn and work in an environment free of discrimination, harassment, bullying, vilification and victimisation
- behave according to the principles set out in the school's EO policy
- be a positive role model.

## EO Coordinator

Although EO is the responsibility of school leadership, it can be advantageous to appoint an EO Coordinator to support policy implementation and review.

## TIPS FOR IMPLEMENTING EO

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### Assess your school's EO implementation

By answering the following questions you can assess whether there is further work you need to do to meet your responsibilities in relation to EO and create a safe and inclusive school. Aim for this assessment to be a consultative process that involves the whole school community, including School Council, staff, parents and, where appropriate, students.

Does your school have an EO policy?

You can use the [EO Policy Checklist](#) to assess your school's EO policy or develop one. You can also download a [sample policy](#). Please adapt the sample and use it to reflect and meet the unique needs of your school community. Where appropriate, the school's EO policy should be adapted for students' use.

1. Does your school have a procedure for resolving EO related issues, problems and complaints by students? Refer to the [sample EO policy](#) for further information.
2. Have you consulted with the whole school community (staff, parents and students where appropriate) as part of the development of the school's EO policy?
3. Have you taken action to make it clear to the whole school community that the school leadership fully endorses EO and that discrimination, harassment, bullying, vilification and victimization and other unfair, detrimental or inappropriate behaviour will not be tolerated at your school under any circumstances?

4. Have you taken action to make sure that the school's EO policy is accessible to all members of the school community, including the School Council, staff, contractors, volunteers, students and parents/guardians and that they have read and understood it?
5. Have you taken action to make sure the whole school community understands what is and isn't acceptable behaviour at school?
6. Have you taken action to make it clear to the whole school community that all concerns or complaints about discrimination, harassment, bullying, vilification and victimisation will be treated fairly, confidentially, promptly and as consistently as possible?
7. Have you taken action to make it clear to the school community where and how they can raise an EO issue or complaint?
8. Have you taken action to make it clear to the whole school community that a person who raises an EO issue or complaint will not be victimised or otherwise unfairly treated or disadvantaged for raising that issue?
9. Do you give all members of the school community regular information and, if required, access to training about EO?
10. Does someone at your school coordinate EO and, if so, are all members of the school community aware who that person is and what their role is?
11. Do you review your school's EO policy regularly?
12. Has your school considered the implications of the Charter of Human Rights to its policies, practices and culture

No matter how many questions you answered, simply taking the time to review EO implementation at your school is a positive step. You can use the [EO Policy Checklist](#) on this site to further develop EO implementation at your school.

At a primary school in Melbourne's northern suburbs, positive relationships, social values and an engaging curriculum form the basis for behaviour management. At weekly assembly, the school song reinforces messages about the school's values and goals. New staff members attend a three day training program in January that introduces the school's values—which include cooperation and teamwork, respect, loyalty, support and consideration for others—and direction. Positive behaviour is rewarded through a "special effort raffle", where teachers place a marble in a jar in recognition of positive social skills observed in the classroom, towards a whole class reward. The You Can Do It! program is part of the school's program. Peer relationships are fostered through cooperative learning and cross age sport. Students have been taught to use the ICI approach (Ignore, Confront, and then Inform) in bullying situations.

## **EO Coordinator**

Although EO is the responsibility of school leadership, it can be advantageous to appoint an EO Coordinator.

The scope of the EO Coordinator's role will depend upon the unique needs of your school community but may include:

- monitoring EO and identifying potential equal opportunity issues within the school
- promoting awareness of the school's EO policy and its relevance and application to the school
- monitoring and auditing implementation of the school's EO policy
- consulting with school leadership and the whole school community regarding EO implementation
- developing an EO implementation plan
- identifying training needs and coordinating training
- bringing EO policy to the attention of new staff, students and parents as part of their induction to the school
- including EO strategies in your school's annual report and strategic plan
- providing impartial and confidential information to individual members of the school community
- assisting individuals to access the school's EO policy and impartially assisting them to explore their options to address issues or resolve complaints.

## **Consultation and communication**

Effective consultation and communication with the school community are critical to successful EO implementation and the creation of a safe and inclusive school.

Methods include:

- developing your school's EO policy in consultation with the school community—staff, students, parents and the school consultative committee and ensuring it is endorsed accordingly
- informing all members of school community about your school's EO policy and commitment to EO implementation
- including EO in staff training and professional development
- telling all new staff and students (and, where applicable, their parents) about your school's EO policy shortly after their commencement at the school
- promoting the Department of Education and Early Childhood Development 'Workplace Discrimination and Harassment Online Training Program' to all staff



- periodic reminders about EO principles and standards of practice at staff meetings
- inclusion of EO information in the staff handbook
- reflecting your school’s EO policy across the development and delivery of the school curriculum.
- sharing information promoting EO with parents/guardians in the school newsletter and enrolment kit
- participation in parent association meetings, induction and open days
- making EO a standard inclusion in the students’ code of conduct, classroom rules and student diary, reminders at assemblies, integration into curriculum and, where appropriate, making sure the school’s EO policy is readily accessible to students in a suitably adapted form
- arranging a school community event to launch or re launch your school’s EO policy.

A girls’ high school in Melbourne’s west with about 350 students from diverse backgrounds has taken a whole school approach to building a culture based on the active promotion of positive relationships. Tolerance is directly taught and the school has no racial problems. Students trained in leadership skills lead House teams. The Student Representative Council comprises students from Year 7–12. Members of the Student Representative Council have the chance to look at statistics on bullying and take this information back to the school assembly. The school trains self selected Year 11 students in Supportive Friends, a peer support program. In Year 7, Pastoral Care sessions cover bullying and getting along with others. There is a focus on resilience. Year 10 students spend two periods a week studying work related issues such as bullying and sexual harassment. Signs in every room and a note in the students’ diaries offer reminders of the importance of respect. A “no put down” rule is in place, and students have practice in intensive listening.

### **Resolve EO issues appropriately**

If a complaint or issue relates to a member of staff, refer to the Department’s [Guidelines for Managing Complaints, Misconduct and Unsatisfactory Performance](#).

If a complaint or issue is raised by a parent or guardian, refer to the Department’s [Parent Complaints](#) guidelines.

If a complaint or issue is raised by a student, refer to your school’s procedures for students. A sample complaint procedure for students is included in a [EO Policy Template](#) for Victorian Government schools.

Complaints made to the Victorian Equal Opportunity and Human Rights Commission require a written statement that needs to be formally lodged. Review the various steps in [making a complaint](#).

If EO issues arise, ensure they are resolved according to the following general principles of natural justice:

### **Fairness and impartiality**

Make sure both sides have the chance to tell their story and to have representation if they want or need it. The person handling the complaint should not make any assumptions or take any action until they have gathered and considered all the available information. A person about whom a complaint is made will generally be entitled to know details of any claim made against them.

### **Strict confidentiality**

Ensure that appropriate confidentiality is properly observed in relation to the management of any complaint and that every effort is made to respect the confidentiality rights of the person(s) involved. If it is necessary to inform other people who are involved in the investigation or management of the issue, it should be done as discreetly as possible. Proper steps should be taken at every stage to secure documentation, and everyone involved in the issue should be advised of the importance of maintaining confidentiality. The use of email or faxes may require special arrangements to ensure confidentiality is not breached.

### **Sensitive complaint handling**

Ensure complaints are taken seriously, all sides of the story are heard and every effort is made to assist resolution of the complaint.

### **Speedy complaint handling and resolution**

Complaints should be acknowledged and resolved in a prompt and timely fashion

### **Complaints must be proved before punitive action can be taken**

Punitive action should be taken only if the available information suggests the incident raised is more likely to have happened than not.

### **Right to appeal/review**

If an individual is unhappy with the decision about their complaint, they should be advised that they may seek a review of the decision in accordance with Departmental procedures.

### **Monitor and review EO implementation**

Effective EO implementation is an ongoing process and responsibility. Some of the ways you can review, evaluate and continuously improve EO implementation include:

- periodic surveys/questionnaires to identify and monitor issues
- training
- provision for implementation and monitoring of the policy in your school's strategic plan and annual report.

## Tools

- [EO Policy Checklist](#)
- [EO Policy Template](#)
- [Charter of Human Rights](#)

## Training resources

- [DEECD online Workplace Discrimination, Harassment and Bullying Course](https://www.techniworks.com.au/Host/Colleges/DEECDVIC/front_frameset.asp)  
([https://www.techniworks.com.au/Host/Colleges/DEECDVIC/front\\_frameset.asp](https://www.techniworks.com.au/Host/Colleges/DEECDVIC/front_frameset.asp))
- [The Charter of Human Rights and Responsibilities Training Module for all DEECD staff](http://www.elearn.com.au/deecd/humanrights/)  
(<http://www.elearn.com.au/deecd/humanrights/>)
- [Victorian Equal Opportunity and Human Rights Commission Workshops calendar](#)

Further Assistance

## FURTHER ASSISTANCE

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Principals, managers and school based employees seeking advice or assistance contact Schools HR Services on 1800 641 943.

Managers and employees in non-school locations can obtain advice, assistance or further information by contacting their [Corporate HR Services Consultant. \(Word - 285Kb\)](#).