

Student Equity, Diversity and Fair Treatment Policy



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Related documents	<p><i>Admission and Enrolment Policy and Procedures</i> <i>Student Code of Conduct Policy</i> <i>Student Grievance and Resolution Policy and Procedures</i> <i>Student Handbooks</i> <i>Sexual Assault and Sexual Harassment Policy - Students</i> <i>Age Discrimination Act 2004</i> <i>Anti-Discrimination Act 1991</i> <i>Australian Human Rights Commission Act 1986</i> <i>Disability Discrimination Act 1992</i> <i>Disability Standards for Education (2005)</i> <i>Equal Opportunities (Commonwealth Authorities) Act 1987</i> <i>Fair Work Act 2009</i> <i>Higher Education Standards Framework (2015)</i> <i>Human Rights and Equal Opportunity Commission Act 1986</i> <i>Racial Discrimination Act 1975</i> <i>Racial Hatred Act 1995</i> <i>Sex Discrimination Act 1984</i> <i>World Health Organisation Healthy Workplaces</i> <i>Gender Equality Act 2012 (Cth) (the Act)</i> <i>Commonwealth Disability Discrimination Act (1992)</i> <i>Disability Standards for Education (2005)</i> <i>Higher Education Standards Framework (Threshold Standards) 2015</i> <i>Tertiary Education Quality and Standards Agency Act 2015 (TEQSA Act)</i> <i>*as amended from time to time</i></p>

1. Purpose

The purpose of the Student Equity and Diversity and Fair Treatment Policy is to articulate Analytics Institute of Australia (AIA) commitment to promote and support an environment which values and affirms equal opportunity, diversity and inclusivity in accordance with universal principles of equity, fairness and social justice, whilst ensuring that the AIA complies with its legal responsibilities in accordance with relevant legislation.

The AIA is committed to:

- maintaining practices which attract and support students from a diverse range of backgrounds including those who may have encountered disadvantages
- embedding practices in course design and support to ensure students from diverse backgrounds are enabled to succeed in their studies
- an approach for making reasonable adjustments to accommodate student disadvantage, and
- active consideration of the recruitment of Aboriginal and Torres Strait Island students.

2. Scope

- a. This policy applies to all enrolled students in any course studying in any campus of AIA.
- b. This Policy is not limited to the campus or the hours when classes are delivered. It extends to all functions and places that are related to teaching and learning. For example, lunchtime, campus events, conferences, religious celebrations, and functions.
- c. This Policy does not form part of the AIA's contract with students.

3. Definitions

Bullying occurs where an individual or group of individuals repeatedly behaves unreasonably towards a person or group of persons and that behaviour creates a risk to health and safety

Discrimination occurs when a person or a group of people are treated less favourably than another person or group because of race, colour, national or ethnic origin; gender or marital status; disability; religion or political beliefs; sexual preference; or some other central characteristic. Discrimination may occur when a person is denied the opportunity to participate freely and fully in normal day-to-day activities, for example being harassed in the workplace or being denied entry to public places and other facilities.

Domestic and Family Violence behaviour includes, but is not limited to, physical or sexual violence, emotional or psychological abuse, financial abuse or any behaviour that is threatening or coercive or in any other way controls or dominates an individual which causes safety or well-being concerns for that individual.

Harassment occurs when a person is made to feel intimidated, insulted or humiliated because of their race, colour, national or ethnic origin; sex; disability; sexual preference; or some other characteristic specified under anti-discrimination or human rights legislation. Harassment may include behaviour, comments or images which a reasonable person would consider to be offensive, humiliating, intimidating, or threatening.

Sexual Harassment is any unwanted or unwelcome sexual behaviour which makes a person feel offended, humiliated, or intimidated. Sexual Harassment can take many different forms. It can be obvious or indirect, physical, or verbal, repeated or one-off. Sexual harassment does not have to be directed at a particular individual, and is not gender specific. Sexual Harassment may include:

- i. staring or leering;
- ii. unnecessary familiarity, such as deliberately brushing up against a person, or unwelcome touching;
- iii. suggestive comments or jokes;
- iv. insults or taunts of a sexual nature;
- v. intrusive questions or statements about a person's private life;

- vi. displaying posters, magazines or screen-savers of a sexual nature;
- vii. sending sexually explicit emails or text messages;
- viii. inappropriate advances on social networking sites;
- ix. accessing sexually explicit internet sites;
- x. requests for sex or repeated unwanted requests to go out on dates;
- xi. behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Victimisation includes any unfavourable treatment, or threats of unfavourable treatment against a person as a result of their actual or intended involvement in a complaint under the Anti-Discrimination Act 1991 or under any of these procedures. The involvement might include making a complaint, supplying information and producing documents to someone making a complaint or appearing as a witness in a proceeding under the Act. Unfavourable treatment may include adverse changes to their work environment, denial of access to resources, work opportunities or training, ignoring the person or lower assessment of their work. Victimisation is an offence under the Anti-Discrimination Act 1991.

Vilification is the public incitement of hatred, serious contempt or severe ridicule of a person on the basis of the race, religion, sexuality or gender identify of a person or members of a group. It can take several forms including hate-speech, graffiti, websites and the distribution of propaganda or other forms of offensive literature. Vilification includes threatening physical harm to a person or their property or inciting others to threaten physical harm to a person or to their property. Vilification is an offence against the Anti-Discrimination Act 1991.

Workplace Bullying and Harassment, under the Fair Work Act 2009, occurs where an individual or group of individuals repeatedly behaves unreasonably towards an employee or group of employees at work, and that behaviour creates a risk to health and safety. Within this definition:

- i. repeated behaviour refers to the persistent nature of the behaviour and can range in behaviours over time.
- ii. unreasonable behaviour is behaviour that a reasonable person, having regard to the circumstances, may see as unreasonable. This may include but is not limited to behaviour that is victimising, humiliating, intimidating, or threatening.
- iii. a risk to health and safety means the possibility of danger to health and safety and is not confined to actual danger to health and safety.

Disability in relation to a person is defined by the Disability Discrimination Act 1992 as:

- i. total or partial loss of the person's bodily or mental functions
- ii. total or partial loss of a part of the body

- iii. the presence in the body of organisms causing disease or illness
- iv. the presence in the body of organisms capable of causing disease or illness
- iv. the malfunction, malformation or disfigurement of a part of a person's body
- v. a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction
- vi. a disorder, illness or disease that affects a person's thought processes, perceptions of reality, emotions or judgement or that results in disturbed behaviour

The definition refers to a disability that presently exists, previously existed but no longer exists, or may exist in the future. A disability is defined by the Disability Discrimination Act 1992 to include:

- physical
- intellectual
- psychiatric
- sensory
- neurological
- learning disabilities
- physical disfigurement

3. Policy Principles

- a. The AIA is actively committed to promoting the principles of equal opportunity and strives to support its students to achieve their full potential in a learning environment which is fair, inclusive, diverse and supports students' health and wellbeing.
- b. The AIA will strive to enhance the representation of under-represented diversity groups in its student cohorts through supportive strategies and programs which recognize the needs of these individuals and provides proactive responses to enable students with personal responsibilities to integrate them with the demands of their studies.
- c. The AIA is actively committed to the prevention of discrimination, bullying, harassment, victimization and vilification in the study environment, and will take all reasonable steps and actions to ensure that students are treated fairly, and with dignity and respect, whilst studying at the AIA.
- d. AIA adheres to the principles set out under the Commonwealth Disability Discrimination Act (1992) and the Disability Standards for Education (2005) and Higher Education Standards Framework (2015) to ensure a commitment to equity and diversity.
- e. In support of these commitments, the AIA will endeavor to:
 - foster a culture which values and responds to the rich diversity of its community

- provide an inclusive and flexible environment for students by identifying and removing any remaining systemic barriers to equitable access to learning activities so that all students have the opportunity to fully participate in AIA life
- ensure that students are aware of their rights and their responsibilities
- use non-discriminatory, inclusive language and practices
- develop proactive plans and programs to increase access and promote success in learning for designated under-represented groups to overcome disadvantage
- ensure that all students have fair access to benefits and services in an equitable manner, including assistance to reasonably accommodate a person's disability
- educate the AIA community on the goals and philosophy of equal opportunity, equity and social justice including provision of training and professional development opportunities
- develop and promote processes that support the systematic implementation, monitoring, reporting and management of equal opportunity and eliminate unlawful direct and indirect discrimination and harassment, and workplace bullying
- provide effective mechanisms to resolve complaints of unlawful discrimination, bullying, harassment, vilification and victimization
- create a culture of support for students affected directly and indirectly by domestic and family violence.

All students should understand and apply the principles of equal opportunity, equity and social justice. The AIA will take reasonably practicable steps to ensure that the learning environment is safe, inclusive and free from discrimination, bullying and harassment.

The AIA will ensure students are provided with relevant information during orientation and within the Student Handbook.

Equity and Diversity Groups

- Diversity involves recognizing the value of individual differences in educational settings. Diversity in this context for the AIA includes age, cultural background, disability, ethnicity, family responsibilities, gender, language, religious belief, and sexual orientation. Diversity also refers to the other ways in which people are different, such as educational level, life experience, work experience, socioeconomic background, personality, and marital status.
- Equity relates to fair treatment. The AIA's objective is to ensure that people from all groups in society have the opportunity to participate successfully in postsecondary education. Target groups include, but are not limited to, Aboriginal and Torres Strait Islander peoples, people with disabilities, women in areas where they are currently under-represented, people of diverse sexual orientation, sex or gender identity (e.g. LGBTI), and people from culturally and linguistically diverse backgrounds.
- The AIA is committed to providing policies and procedures which facilitate social inclusion by recognizing and addressing the character and needs of the people in the regions in which it operates.

Gender equality

The AIA aims to fulfil its obligations under the Gender Equality Act 2012 (Cth) (the Act) by making all reasonable efforts to eliminate discrimination and promote gender equality.

Equal Opportunity, Harassment and Discrimination

Equal opportunity is about ensuring that everyone has equal access to, and opportunity to take part in, areas of public life such as education.

The AIA is committed to taking all reasonable steps to prevent and eradicate unlawful discrimination, bullying and harassment against individuals in the learning environment.

Health and Wellbeing

The AIA aims to create a learning and teaching culture and environment that values, supports and promotes programs and strategies that improve the physical and mental health and wellbeing of its students.

Domestic and Family Violence

The AIA aims to create a learning environment that allows students to safely seek support to address issues arising from direct and indirect domestic and family violence.

The AIA recognizes that some students may face situations of domestic and family violence that may have an impact on their attendance and ability to learn.

4. Rights and Responsibilities

All students should:

- understand and comply with this Policy;
- ensure they do not engage in any unlawful conduct towards fellow students or others with whom they come into contact while studying
- ensure they do not aid, abet or encourage other persons to engage in unlawful conduct;
- follow the complaints procedure if they experience any unlawful conduct
- report any unlawful conduct they see occurring to others in accordance with the complaint's procedure, and
- maintain confidentiality if they are involved in the complaint's procedure.

5. Breach of this Policy

All students are always required to comply with this Policy. If the Policy is breached a student may be subject to disciplinary action. In serious cases this may include suspension or exclusion from study.

If a person makes an unfounded complaint or a false complaint in bad faith (e.g. making up a complaint to get someone else into trouble or makes a complaint where there is no foundation for the complaint), that person may be disciplined and may be exposed to a defamation claim.

6. Procedures

The following procedures reflect the scope of AIA's services and procedures which encompass the principles set out in this Policy:

- a. **Student recruitment and admission** processes are bias-free and nondiscriminatory. Admission to courses and programs is based on the applicant achieving transparent and published entry criteria and the availability of places.
- b. **Special Admission** – in certain instances, applicants who do not meet the admission criteria may be considered for admission based on extenuating circumstances. These applications will be considered on a case by case basis.
- c. **Alternative Entry Schemes** – admission criteria and processes will consider equity and diversity considerations through the provision of alternative entry admission schemes with specific reference to Part A Section 2.2 of the Higher Education Standards Framework (Threshold Standards) 2015.
- d. AIA may approve admissions schemes for purposes such as:
 - encouraging and assisting indigenous Australian students to enroll into studies or
 - providing access to the educationally or socially disadvantaged, or
 - addressing the under-representation of designated groups.
- e. **Reasonable Adjustment** – students are eligible for reasonable adjustments if they have a disability (aligned to the Disability Standards) as set out by the Department of Education and Training, or other relevant certified medical conditions. In these circumstances, the AIA will make reasonable adjustments to ensure that students are able to participate in learning, teaching and assessment on an equivalent basis to other students.
- f. This could include investigation, development and approval of alternative exam conditions, the use of adaptive technology or other tailored support through an individualized Access Plan as approved by the AIA's Registrar in consultation with the AIA Student Administration, student and other relevant stakeholders.
- g. In addition, AIA will monitor students' academic progress and provide appropriate learning support to students admitted under any scheme which is based on equity and diversity.
- h. **Right to appeal** – students have the right to appeal an assessment or recognition decision. Grievances and appeals will be addressed in accordance with the Student Grievance and Resolution Policy and Procedures.
- i. **Access to information** – AIA will ensure that all its students have access to the information and support needed to prevent and, should it occur, deal with discrimination, bullying, victimization, and vilification. These procedures are set out in this Policy and the Sexual Assault and Sexual Harassment Policy - Students.

7. Complaint handling procedure

If a student feels that they have been subject to any form of unlawful conduct contrary to this Policy, they should not ignore it but should register their grievance as detailed in the Student Grievance and Resolution Policy and Procedures.

8. Questions

If a student is unsure about any matter covered by this Policy, they should seek the assistance of the Registrar.

Version history

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