

CHS Equity and Diversity Policy and Procedures

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1. Purpose

CHS is committed to the principles of equal opportunity and diversity in education and employment. This policy provides the framework to ensure that CHS is guided by the principles of equal opportunity, respect and inclusion. This policy is designed to comply with the spirit and intent of the Federal and State legislations.

2. Scope

All members of the CHS community have a responsibility to contribute to the achievement of an equitable working and learning environment. This policy applies to all members of the CHS, including staff, students, contractors, visitors or individuals engaged in official relations with CHS.

3. Definitions

Term	Definition
<i>Adverse action</i>	Discrimination on the basis on certain characteristics as defined under legislation.
<i>Diversity</i>	Ways in which people and groups of people are both alike and different.
<i>Equal opportunity</i>	Refers to everyone having equal access to opportunities in work and study.
<i>Equity</i>	The creation of opportunities for equal access and success in Australian higher education among historically underrepresented student populations.
<i>Special measures</i>	Acts which CHS 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 CHS 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. 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 as determined by Federal and state legislation.
<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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Federal and State legislations prohibit discrimination and harassment on the basis of the following attributes or conduct:

- 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
- Origin/Low Socioeconomic background
- 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 Statements

CHS does not discriminate against people based on age, race, colour, religion, ancestry, national origin, age, gender, sexual orientation, marital status, veteran status or physical or intellectual disability in the recruitment of students or staff or the implementation of its policies, procedures and activities. Sexual harassment is prohibited.

CHS is committed to ensuring the integration of the principles of equal opportunity for all staff and students in College policies, procedures, decisions and operations. College activities are underpinned by the principles that:

- All members of the College 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 College 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 teaching and learning environment;
- An inclusive and flexible environment, including the implementation of special measures when required, provides the best outcomes for the varied needs of the College's diverse staff and student community;
- Equal opportunity does not mean treating everyone in the same way and in order to redress the past disadvantages of particular groups, special measures are 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; and
- Staff and students have the right to raise complaints in good faith under CHS's complaints procedure without fear of retaliation or victimisation.

4.1 CHS 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 in all its activities and services, to take account of the needs of the diverse College community.
- Developing and implementing programs and special measures to improve access, participation, retention and success of students from under represented equity target groups.
- Developing and implementing programs and special measures to improve access and outcomes for staff from under represented equity target groups.
- Monitoring and reporting on the College's equal employment and diversity performance against identified College priorities and legislative requirements.
- Implementing 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.

4.2 Gender Equality in the Workplace

Higher education institutions are also required by the Federal Workplace Gender Equality Act 2012 to develop programs and strategies and report annually on progress towards achieving equal participation of women and men in the workplace.

Gender equality in the workplace at CHS includes strategies to address issues of the under representation of women in senior positions, the under representation of women in non-traditional areas of employment and study for women, workplace flexibility and the gender pay gap.

4.3 LGBTIQ+Inclusion

The College recognises and supports the LGBTIQ+Inclusion community. CHS is committed to ensuring that members of LGBTIQ community have equal access and opportunity to access the programs and services that the College offers or be treated fairly at the College workplaces.

4.4 Low Socioeconomic Background

In line with the Universal Declaration of Human Rights (UDHR) and article 11 of the International Covenant on Economic, Social and Cultural Rights; CHS is committed to supporting the fulfilment of the right to an adequate standard of living, including the right to education. This includes:

- Recognising the value of individual differences in both staff and students regardless of their socioeconomic background
- Providing equal opportunities to ensure all students and staff have equal access to, and opportunity to take part in all educational programs, social activities and other services provided by the College
- Providing specific support to students from low socioeconomic background such as scholarship by merits, alternative ways to enter the College's courses and additional support during their studies at CHS.

5. Procedures

5.1 CHS 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 in all its activities and services to take account of the needs of the diverse College community.
- Developing and implementing programs and special measures to improve access, participation, retention and success of students from under represented equity target groups.
- Developing and implementing programs and special measures to improve access and outcomes for staff from under represented equity target groups.
- Monitoring and reporting on CHS's equal employment and diversity performance against identified College priorities and legislative requirements.
- Implementing 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.

5.2 Students with a disability

The College will make reasonable steps to enable students with a disability to apply for and participate in a course on the same basis as other students, by implementing measures to minimise discrimination (such as promoting this policy and training managers and staff in respectful non-discriminatory behaviour).

Reasonable adjustments will also be made by the College to:

- assist a student with a disability to 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.

5.3 Complaints

Any complaints by students about breaches of this policy will be dealt with in accordance with CHS Student Grievance and Appeals Policy. Complaints may also be made externally to the Australian Human Rights Commission, state Anti-Discrimination Boards or to the Federal Fair Work Ombudsman or the Tertiary Education Quality and Standards Agency.

Complaints by staff about breaches of this policy will be dealt with in accordance with the CHS HR Manual (see Grievance Complaints page 38 for policy summary).

6. Responsibilities

The College

Creating an environment that is free from all forms of from all forms of discrimination, bullying, harassment and conflicts is not a headline action; rather the College shall be promoting the principles of equity, diversity and inclusion continuously and embed these in its long term vision, strategy and plans. The College must disseminate through appropriate means including its website, messages that it provides an inclusive and welcoming environment for all students and staff regardless of their background or other attributes. The Governing Board shall ensure that the College environment is free from all forms of discrimination, bullying, harassment and conflicts. The College's mission and values shall be upheld by the Governing Board in review and approval of CHS policies and practices.

CHS Staff and Students

All staff and students are expected to adopt respectful and inclusive behaviours in the College through their dealings with each other and the College community.

CHS Executive

The College expects the senior leadership team led by the Principal to actively promote the principles of equity, diversity and inclusion in all College 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 CHS.

7. Records

Records associated with this policy will be maintained according to the Records Management Policy.

8. Related Documents

- CHS Governing Board Charter
- CHS Academic Board Charter
- CHS Privacy Policy
- CHS Student Code of Conduct
- CHS Staff Code of Conduct
- CHS Admissions Policy and Procedures
- CHS Academic Integrity Policy
- CHS Assessment Policy
- CHS Student Non-Academic Misconduct Policy

9. Related legislation

- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Human Rights and Equal Opportunity Act 1986
- Universal Declaration of Human Rights
- International Covenant on Economic, Social and Cultural Rights
- Disability Discrimination Act 1992
- Workplace Gender Equality Act 2012
- Disability Standards for Education 2005
- Fair Work Act 2009
- Age Discrimination Act 2004
- Higher Education Support Act 2003
- Tertiary Education Quality and Standards Agency (TEQSA) Act 2011
- TEQSA Higher Education Standards Framework (Threshold Standards) 2015
- Education Services for Overseas Students (ESOS) Act 2000 and National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)
- Australian Qualifications Framework (AQF).