Diversity, Inclusion and Equal Opportunity Policy

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Threshold Standard	2.2
Responsible person/s	Academic Director, Academic Administration Manager and Chief Executive Officer

1. Introduction

1.1 The Adelaide Central School of Art (**the School**) is committed to promoting equal opportunity within the School and providing a diverse, inclusive and respectful environment for all staff and students which is free from all forms of discrimination, harassment, vilification and victimisation.

1.2 The School has developed this Policy document to promote the principles of equal opportunity, equity, diversity and inclusion within the School. This policy demonstrates the School's compliance with, and ongoing commitment to, the following relevant laws (**Relevant Laws**):

1.2.1 *Age Discrimination Act 2004* (Cth);

1.2.2 *Disability Discrimination Act 1992* (Cth);

1.2.3 *Racial Discrimination Act 1975* (Cth);

1.2.4 *Fair Work Act 2009* (Cth);

1.2.5 *Sex Discrimination Act 1984* (Cth);

1.2.6 Work Health and Safety Act 2012 (SA); and

1.2.7 *Equal Opportunity Act 1984* (SA).

1.2.8 Disability Inclusion Act 2018 (SA)

1.2.9 Combatting Antisemitism, Hate and Extremism (Criminal and Migration Laws) Act 2026 (Cth)

2. Purpose

This Policy outlines the School's commitment to making sure every member of the School community, regardless of their background or personal attributes, is treated with respect and dignity. The School strives to foster and encourage an environment of diversity, inclusion and equal opportunity.

3. Scope

This policy applies to all activities and decisions of the School and all staff, students and members within the School community.

4. Definitions

4.1 **Award Courses** refer to the School's accredited degree programs..

4.2 **Equal opportunity** means the right to be treated fairly including:

- treating people as individuals without making judgments based on irrelevant personal characteristics;

- creating an environment free from discrimination, harassment, bullying and victimisation;
- allowing all staff, student and members of the School community to work to their full potential;
- making decisions based on merit.

4.3 **Protected attribute** includes:

- a disability, disease or injury;
- parental status or status as a carer;
- race, colour, descent, national origin or ethnic background;
- age;
- sex;
- industrial activity, including being or not being a member of an industrial organisation;
- religion;
- pregnancy and breastfeeding;
- sexual orientation, intersex status or gender identity;
- marital status;
- political opinion
- social origin;
- medical record; and
- an association with someone who has, or is assumed to have, one of these characteristics.

4.4 **Public Programs** includes, but is not limited to, Short Courses, Teen Programs, Masterclasses, and other teaching and learning activities undertaken by the School for a public audience.

5. Policy

5.1 The School is committed to equal opportunity and the principles of equity, diversity and inclusion. The School stands against all forms of discrimination, harassment, vilification and victimisation and other forms of unlawful conduct as outlined in the Relevant Laws and this policy.

5.2 The School requires all staff, students and other members of the School community to ensure their conduct and decisions comply with the principle of equal opportunity outlined in the Relevant Laws and this policy.

5.3 The School acknowledges and celebrates the diversity of backgrounds and experiences in the School community. The School aims to provide an inclusive environment which is without fear of discrimination, harassment, vilification or victimisation and where all students, staff and others participating in the School community are treated with dignity, courtesy and respect.

5.4 The School is committed to ongoing implementation of this Policy.

5.5 The School ensures this Policy is accessible to all parties involved in activities conducted by the School.

6. Unlawful Conduct

6.1 Under the Relevant Laws and this policy, the following types of conduct are unlawful and strictly prohibited at the School:

Unlawful Conduct	Explanation and Examples
Bullying	**Explanation:** **Bullying** is repeated, unreasonable behaviour directed towards an individual or group that creates a risk to health and safety.

	Unreasonable behaviour means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, intimidate or threaten. Bullying does not necessarily need to be based on a protected attribute. A one off incident is usually not bullying. There is no requirement that the person deliberately or intentionally bully the person, however, intention may be relevant in assessing the severity off the conduct. **Examples:** Some examples of behaviour that may be considered bullying, if it is unreasonable, repeated and creates a risk to health and safety, include: • initiation rituals or practical jokes; • abusive, insulting or offensive language or comments; • unjustified criticism / complaints or excessive scrutiny; • withholding information that is vital for effective work or educational performance • deliberately excluding persons from discussions, events or meetings; • spreading misinformation or rumours. Reasonable management action taken in a reasonable way is not bullying. Reasonable management action may include: • giving directions and allocating work or study in accordance with business or educational needs; • counselling about unsatisfactory performance or conduct when undertaken in a reasonable manner; • setting reasonable performance goals, expectations or deadlines; • rostering and allocating work or study loads where the requirements are reasonable; • implementing organisational changes or restructuring; or • informing an individual about inappropriate behaviour in an objective and confidential way.
Discrimination and Harasssment	**Explanation:** **Discrimination** is treating or proposing to treat an individual or a group unfavorably because they have a protected attribute. Discrimination can be direct or indirect: • Direct discrimination can occur when a person or group is treated less favourably than another person or group in a similar situation, because of a protected attribute. • Indirect discrimination involves imposing a requirement, condition or practice that operates to disadvantage a person or group with a protected attribute, and that is not reasonable. **Harassment** is unwelcome conduct that might reasonably cause a person to be offended, humiliated or intimidated because they have a protected attribute. Harassment can also happen if someone is working in an environment permeated by conduct or activities that make it hostile or intimidating. The behaviour can be overt or subtle, verbal, non-verbal or physical. **Examples:** • Failing to offer training to an older person because of an assumption that they will retire soon; • Failing to enroll or give a promotion to a female employee because she has children or is pregnant; • Racial or culturally insensitive jokes or racial nicknames;

	• Commenting on an individual's physical appearance; • Offensive comments about a person's sexuality; • Teasing a person about their disability; or • Excluding or isolating a person because of their religion.
Sexual Harassment	**Explanation:** **Sexual harassment** is an unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which makes a person feel humiliated and/or intimidated, where a reasonable person would anticipate that reaction in the circumstances. **Examples:** Sexual harassment can be physical or nonphysical. Examples include • Physical contact, such as pinching, touching, grabbing, kissing or hugging; • Sexual assault; • Staring or leering at a person or at parts of their body; • Persistent request to go out where they are refused; • Suggestive comments about a person's body or appearance; • Sexual jokes or comments, sexually explicit conversations; • Displays of offensive material such as posters, screen savers, internet material etc.; • Accessing or downloading sexually explicit or inappropriate material from the internet; • Sending rude or offensive emails, attachments or text messages; • Advances on email, social networking websites or internet chat rooms; or • Sexually explicit gifts e.g. 'Kris kringle' gifts.
Victimisation	**Explanation:** **Victimisation** means treating someone unfairly because they have acted on their rights under equal opportunity law or because they have supported someone else who acted upon those rights. Examples: Examples of Victimisation include: • excluding or isolating a person because they have lodged a complaint; or • failing to promote a person because they have lodged a complaint
Vilification	**Explanation:** **Vilification** means any form of conduct that includes hatred against, serious contempt for, or revulsion or serve ridicule of a person or group of people because of a protected attribute and mainly: race, religious belief, sex, gender identity, gender expression, sexuality and intersex status, disability or HIV/AIDS status. **Examples:** • Sending a group/staff email containing a highly offensive racial joke; • Making derogatory comments about a gay, lesbian, bisexual or transgender employee in a group of employees; or • Inciting any contempt, hatred or ridicule towards any person.

7. Responsibilities

7.1 The Academic Director and the Academic Administration Manager in conjunction with the Chief Executive Officer (CEO) of the School are responsible for ensuring that this Policy is implemented by the School. The Academic Director, Academic Administration Manager and CEO are responsible for ensuring that all parties involved in activities conducted, and decisions made, by the School do so in accordance with this Policy.7.2 All staff, students and members of the School community are responsible to uphold this Policy and to achieve an environment where equal opportunity, inclusion and diversity is fostered and encouraged.

8. Grievances

8.1 Any form of unlawful conduct or conduct contrary to this policy will not be tolerated at the School.

8.2 The School strongly encourages any person who believes they have been subject to any unlawful conduct or conduct contrary to this policy within the School to take appropriate action by contacting:

- the Academic Director or Academic Administration Manager for issues relating to the School's Award Courses; or
- the CEO for issues relating to the School's Public Programs and for all other matters;
- the Academic Director if the CEO and/or the Academic Administration Manager is unavailable or otherwise if the person feels uncomfortable in discussing the matter with the CEO or Academic Administration Manager.

8.3 The Academic Director, Academic Administration Manager, and/or CEO will listen with respect and dignity and in confidence. The School will take appropriate measures to respond to any unlawful conduct.

APPENDIX A: Policy Amendments

1. Major amendment to include examples of unlawful conduct and to house the relevant definitions alongside the examples.
2. Minor amendment to update new and relevant statutory regimes.
3. Minor amendment to update Public Program Manager to Academic Director March 2023
4. Minor amendment delete the list of award programs.