# RESPECT FOR DIVERSITY POLICY

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<thead>
<tr>
<th>Date first approved:</th>
<th>Date of effect:</th>
<th>Date last amended:</th>
<th>Date of Next Review:</th>
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<tbody>
<tr>
<td>11 December 1998</td>
<td>11 December 1998</td>
<td>(refer to Version Control Table)</td>
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<td></td>
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<td>21 July 2017</td>
<td>31 December 2018</td>
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- **First Approved by:** Administrative Committee
- **Custodian title & e-mail address:** Director, Human Resources Division  
personnel_managers@uow.edu.au
- **Author:** N/A
- **Responsible Division & Unit:** Human Resources Division
- **Supporting documents, procedures & forms:**  
  - Grievance Policy  
  - Grievance Investigation Procedures  
  - Inclusive Language Guidelines  
  - Recruitment & Selection Policy  
  - Student Charter  
  - Student Conduct Rules  
  - University Code of Conduct
- **Relevant Legislation & External Documents:**  
  - Anti Discrimination Act, 1977 (NSW)  
  - Community Relations Commission and Principles of Multiculturalism Act, 2000 (NSW)  
  - Racial Discrimination Act, 1975 (Commonwealth)  
  - Sex Discrimination Act, 1984 (Commonwealth)  
  - Disability Discrimination Act, 1992 (Commonwealth)  
  - Age Discrimination Act, 2004 (Commonwealth)  
  - Multicultural Policies and Services Program
- **Audience:** Public

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1 Purpose of Policy

1. The Respect for Diversity Policy provides an outline of the aims and strategies of the University of Wollongong to provide an environment where the diversity of its members is respected. The University seeks to equip all students, staff and affiliates with the understanding necessary to effectively function in a work and study environment that is free from all manifestations of unlawful discrimination, and recognises the positive value of a diverse community of staff, affiliates and students.

2 Definitions

<table>
<thead>
<tr>
<th>Word/Term</th>
<th>Definition (with examples if required)</th>
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<tbody>
<tr>
<td>Affiliate</td>
<td>Includes people holding University of Wollongong Honorary Awards as conferred by the University Council, including the awards of Emeritus Professor, Honorary Doctor and University Fellow; people appointed in accordance with the University’s Appointment of Visiting and Honorary Academics Policy; and people engaged by the University as agency staff, contractors, volunteers and work experience students</td>
</tr>
<tr>
<td>Bullying</td>
<td>When an individual or group of individuals repeatedly behaves unreasonably towards a person or group of people and that behaviour creates a risk to health and safety.</td>
</tr>
<tr>
<td>Discrimination</td>
<td>When someone is treated unfairly because they belong to a particular group of people or have a particular characteristic. For example treating someone unfairly or differently because of their sex, pregnancy, race (including colour, ethnicity and descent), disability, sexual preference, religion, transgender, carer’s responsibilities, marital status, social origin, political belief, employee association activity, irrelevant criminal record or age. Indirect discrimination occurs when there is a requirement or rule that is the same for everyone but in effect disadvantages people from a particular group more than people from other groups - unless the requirement is reasonable in the circumstances.</td>
</tr>
<tr>
<td>Diversity</td>
<td>Refers to the broad spectrum of backgrounds, beliefs, attitudes, social, sexual orientation, economic, age, cultural, political and religious backgrounds of a community.</td>
</tr>
<tr>
<td>EO Online</td>
<td>EO Online is a self-paced online equal opportunity training program for employees. It covers all aspects of harassment and bullying and provides case studies and real life examples.</td>
</tr>
<tr>
<td>Equity</td>
<td>Means fairness for all. Treating people equitably does not mean treating all people the same.</td>
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### Application & Scope

1. The University of Wollongong actively recruits and attracts students, staff and affiliates from over 70 countries and from diverse socio-economic and religious backgrounds, diverse sexualities and genders, and a cross section of ages. Respect for diversity is therefore critical to maintaining a harmonious environment within all work, teaching and learning, research and social activities of the University.

2. This Policy is supported by the Inclusive language Guidelines, previously titled the Non-Discriminatory Language Practice and Presentation Policy and Guidelines.
3. This Policy applies to all University of Wollongong students, staff and affiliates studying and/or working on any Australian campus or representing the University in any location within Australia and internationally in any capacity.

4. For staff who are employed by the University of Wollongong and are working at international locations, the laws of the country will be applied, however staff are expected to abide by the principles outlined in this Policy.

5. All persons subject to this Policy, along with visitors to UOW facilities are entitled to expect to be treated with the principles of respect outlined in this Policy.

4 Policy Principles

1. This Policy is based on the following guiding principles:

   1.1. That individuals have the right to express their ideas, theories and opinions while respecting the rights of others without fear of discrimination, harassment or bullying.

   1.2. That all discriminatory behaviour which is unlawful or offensive is unacceptable and contrary to the University’s objective of creating an environment which allows all students, staff and affiliates to achieve their full potential.

   1.3. That discrimination, in its many manifestations, is unlawful under State and Federal legislation. The University takes seriously its obligations under NSW State and Federal legislation.

5 Legislative Requirements

1. The following legislative requirements should be considered in conjunction with this Policy:

   1.1. The Anti-Discrimination Act, 1977 (NSW) makes it unlawful to discriminate on the grounds of:

      a. race, colour, ethnic background, ethno-religious background, descent or nationality;

      b. sex;

      c. marital status

      d. actual or perceived past, present, or future disability;

      e. age;

      f. actual or perceived transgender status, or actual or perceived homosexuality;

      g. actual or perceived, past, present, or future carer’s responsibilities.

   1.2. The Community Relations Commission and Principles of Multiculturalism Act, 2000 (NSW), sets a legislative requirement for the CEO of each public authority to implement the principles of multiculturalism. The University of Wollongong Multicultural Plan provides a framework for reporting multicultural activities.

   1.3. The Racial Discrimination Act, 1975 (Commonwealth) makes it unlawful to discriminate because of race, colour, nationality, ethnic or ethno-religious background.
1.4. The Sex Discrimination Act, 1984 (Commonwealth) makes it unlawful to discriminate because you are a man or because you are a woman. It is unlawful to discriminate on the grounds of sex, marital status, pregnancy or potential pregnancy.

1.5. The Disability Discrimination Act, 1992 (Commonwealth) provides protection for everyone in Australia against discrimination based on disability. It is unlawful to discriminate on the grounds of disability. This includes physical, intellectual, psychiatric, sensory, neurological or learning disabilities, physical disfigurement, and illnesses such as HIV/AIDS.

1.6. The Age Discrimination Act, 2004 (Commonwealth) prohibits less favourable treatment not only because of age, but also because of characteristics generally pertaining to age and characteristics generally imputed to people of that age.

6 Strategies, Policies, and Principles

1. This policy supports the following University principles and policies:

   1.1. The University’s Principles of a shared commitment to promoting and celebrating:
   a. Mutual respect and collegiality
   b. Diversity of cultures, ideas and peoples
   c. Receptiveness to the diversity of cultures, ideas and peoples
   d. Indigenous perspectives and reconciliation
   e. Equity and social justice

   1.2. The Student Charter:
   a. The Right to a safe and secure environment that is free from discrimination, bullying or harassment.
   b. A responsibility to:
      i. Respect the diversity of the University and broader communities.
      ii. Behave responsibly and honestly in ways that are considerate of the rights and needs of others and refrain from behaviour that may adversely affect the experiences of others.
      iii. Recognise and respect the cultural background and heritage of others.

2. The University aims to achieve its goals of developing and maintaining an inclusive environment through educational and developmental strategies. These include:

   2.1. Requiring all staff to complete EO Online in the first six months of employment, and managers and supervisors are also required to complete EO Online Module Two.

   2.2. Strongly recommending all incoming undergraduate students to complete Responsibilities, Right, and Respect Online (RRR Online) in their first year of study.

   2.3. Establishing inclusive teaching, learning and research activities where diversity and different learning styles are valued.

   2.4. Considering the principles that support diversity, anti-racism and non-discrimination when reviewing the content of subjects and courses.
2.5. Providing effective induction and development programs for staff to improve their ability to work effectively in an environment that reflects the diversity of the Australian community.

2.6. The use of inclusive language in all academic and administrative written and spoken communication.

2.7. Raising awareness that body language can be both inclusive and exclusive.

2.8. Encouraging student and staff involvement in celebrating diversity through campus wide activities including International Week, NAIDOC Week, Reconciliation Week, and Sexuality Week.

2.9. Celebrating and capitalising on the diverse experiences and talents of students and staff.

2.10. Expanding links with the local communities to promote values of inclusiveness.

2.11. Educating all students and staff to understand their responsibilities under this Policy, and appreciate the consequences of non-compliance with University Policy and relevant state and federal laws.

3. If students, staff or affiliates experience or observe discrimination or racist behaviour or practices on campus, they are encouraged to address the matter at the time, in the context, and with the people involved, at the most local level possible to prevent repetition or escalation. This may include providing feedback to the person that the terminology or behaviour was offensive; that terminology was misused or behaviour was construed as intimidating or similar; asking the person to stop a particular behaviour or cease the use of the terminology. In situations where this is not possible or the circumstances do not provide an opportunity to do this, the student of staff member should report the incident to an appropriate staff member such as an immediate supervisor or senior staff member.

4. Confidential advice to assist with addressing such matters may be sourced from:
   a. Manager WHS
   b. HR Advisors
   c. Specialist units that can advise on grievances (e.g. Complaints Management Centre, Human Resources Division, Student Services Division). Refer to the Grievance Policy for further information.
   d. Staff or Union Representatives
   e. University Counsellors
   f. Residence Managers
   g. Student Advocacy Officers
   h. Student Support Advisers

5. Where a student, staff member or affiliate wishes to make a formal complaint they should refer to the Grievance Policy and Procedures for Investigating Grievances which outline the process for reporting and managing inappropriate or unlawful behaviour.

7 Roles & Responsibilities

1. Executive Deans, Directors, Heads of Schools and Managers of Units are required to:
a. implement this policy in their work area to enable a workplace and study environment where respect for diversity is expected;

b. ensure that any incident of deliberate lack of respect, that is observed or reported, is dealt with promptly;

c. provide leadership in demonstrating respect for diversity; and

d. role model appropriate, respectful professional behaviour.

2. All staff, affiliates and students are responsible for their own actions, and are responsible for educating themselves in the appropriate standards of behaviour expected of them.

3. Roles and responsibilities in relation to investigating a lack of respect for diversity are outlined in the Grievance Policy and the Procedures for Investigating Grievances and/or the Student Conduct Rules.

4. All staff, affiliates and students have a responsibility to address concerns regarding respect for diversity in a professional manner. Any staff member, affiliate or student who is found to have made allegations against another person which are not in good faith or which they know to be false may be subject to disciplinary action. This may include an apology, counselling, exclusion from the University or, in the case of staff or affiliates, dismissal.
8 Version Control and Change History

<table>
<thead>
<tr>
<th>Version</th>
<th>Date Effective</th>
<th>Approved By</th>
<th>Amendment</th>
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<tbody>
<tr>
<td>1</td>
<td>11 December 1998</td>
<td>University Council</td>
<td>First Version – Respect for Cultural Diversity Policy</td>
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<tr>
<td>2</td>
<td>6 March 2007</td>
<td>Administrative Committee</td>
<td>Replacement of Version 1 – Respect for Cultural Diversity Policy</td>
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<tr>
<td>3</td>
<td>6 May 2009</td>
<td>Vice-Principal (Administration)</td>
<td>Migrated to UOW Policy Template as per Policy Directory Refresh</td>
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<tr>
<td>4</td>
<td>9 March 2010</td>
<td>Vice-Principal (Administration)</td>
<td>Future review date identified in accordance with Standard on UOW Policy</td>
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<td>5</td>
<td>30 Nov 2012</td>
<td>Vice-Principal (Administration)</td>
<td>Updated to reflect change from OHS to WHS.</td>
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<td>6</td>
<td>7 December 2012</td>
<td>University Council</td>
<td>Major policy review: Updated Definitions, revised Purpose of Policy, Legislative Requirements expanded, added Policy Statement, additional strategies to engender respect for diversity, removed Staff Recruitment and Retention Strategies, added contacts to assist with disputes, added Roles &amp; Responsibilities.</td>
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<td>7</td>
<td>13 February 2014</td>
<td>Deputy Vice-Chancellor (Education)</td>
<td>Update to reflect change from Dean of Students to Student Ombudsman.</td>
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<tr>
<td>8</td>
<td>16 September 2015</td>
<td>Vice-Chancellor</td>
<td>Amendment of references to EDD; update to reflect change from Dean to Executive Dean.</td>
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<tr>
<td>9</td>
<td>4 December 2015</td>
<td>University Council</td>
<td>Consequential amendment to remove reference to rescinded Graduate Qualities Policy.</td>
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<tr>
<td>10</td>
<td>5 July 2016</td>
<td>Vice-Chancellor</td>
<td>Consequential amendment following minor amendment to Coursework Student Academic Complaints Policy – removal of reference to Student Ombudsman at clause 6.4. Transfer to rebranded template.</td>
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<td>11</td>
<td>21 July 2017</td>
<td>Vice-Chancellor</td>
<td>Minor amendment to definitions (discrimination, staff and affiliates); update to organisational unit references, and correction to clauses 6.2.2 and 6.5.</td>
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