

Westgarth Primary School is a community of students, staff, friends and family working together to create a diverse, engaging and respectful learning environment.

Rationale

Every member of the Westgarth Primary School community has the right to learn and work in a safe and inclusive environment free of discrimination, harassment, bullying, vilification and victimisation. This policy covers students, staff, parents, school council members, contractors and volunteers.

Westgarth Primary School supports the Charter of Human Rights and the Equal Opportunity Act 2010 (Vic), which says that it is against the law to discriminate against anyone, including students, staff, parents, school council members, contractors and volunteers, because of their actual or assumed:

- age
- breastfeeding
- carer status
- disability/impairment
- gender identity
- industrial activity
- lawful sexual activity
- marital status
- parental status
- physical features
- political belief or activity
- pregnancy
- race
- religious belief or activity
- sex
- sexual orientation
- personal association with someone who has, or is assumed to have, one of these personal characteristics.

Equal Opportunity is a requirement under federal and state anti-discrimination legislation and, the principal is legally responsible for its implementation. Failure to act if equal opportunity complaints or issues arise will mean that the principal has not met his/her legal responsibilities.

Every student and staff member at Westgarth Primary School should feel welcome, supported and emotionally and physically secure at school. The wellbeing of all students and staff is a priority for our school. We understand that students and staff members cannot achieve their potential if someone is treating them unfairly, discriminating against them, vilifying, harassing or victimising them.

Aims

- To provide a welcoming, supportive, emotionally and physically secure learning and working environment for every member of the school community.
- To recognise and promote human rights, and value the diversity of culture, beliefs, practices, customs, physical and intellectual abilities and life experience of the whole school community.

Implementation

- Students, staff, parents, school council members, contractors and volunteers 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.
- All employees, students, parents, school council members, contractors and volunteers are required to act in accordance with federal and state equal opportunity, anti-discrimination, harassment and vilification legislation.

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- Students, staff, parents and school council members have a communal responsibility to challenge discriminatory attitudes and behaviour.
- The staff have a responsibility to implement this policy when developing and delivering an inclusive curriculum, managing student behaviour and providing student services.
- Any member of the school community who raises an issue of discrimination, harassment, bullying or vilification in good faith will not be victimised or otherwise unfairly treated or disadvantaged.
- All complaints of victimisation will be taken seriously, treated confidentially, investigated, documented and acted upon as quickly as possible.
 - If a complaint or issue relates to a member of staff, the principal will refer to and follow the Department's *Guidelines for Managing Complaints, Misconduct and Unsatisfactory Performance*.
 - If a complaint or issue relates to a student, the principal will refer to and follow the school's *Student engagement and inclusion policy*.
 - If a complaint or issue relates to a parent/carer, the principal will refer to and follow the advice of the Department of Education and Training with the complaint or issue being managed in accordance with the law.

Definitions

- **Direct discrimination** means treating someone unfairly or less favourably because of one of the personal characteristics listed above or because of their association with someone identified with one of those characteristics.
- **Indirect discrimination** happens when a rule, policy or requirement unnecessarily or unreasonably disadvantages a person or group of people because of a protected personal characteristic they share.
- **Harassment** is behaviour (through words or actions) based on the personal characteristics listed above that are unwanted, unasked for, unreturned and likely to make school an unfriendly or uncomfortable place by humiliation, serious embarrassment or intimidation.
- **Sexual harassment** is an unwelcome sexual advance; request for sex or any other sexual behaviour that a reasonable person would know or expect would offend, seriously embarrass or humiliate another.
- **Vilification** is behaviour (through words or actions) that incites hatred, serious contempt or ridicule of another person or group of people because of their race or religious belief.
- **Bullying** is unreasonable behaviour that is intimidating, threatening or humiliating and repeated over time or occurring as part of a pattern of behaviour. Bullying can be physical, verbal or indirect, and creates an unfriendly, threatening or offensive environment.
- **Victimisation** means treating someone unfairly or otherwise disadvantaging them because they have made an equal opportunity complaint or might do so in the future.

References

- *Equal Opportunity Act 2010* (Victoria)
- *Charter of Human Rights and Responsibilities Act 2006* (Victoria)
- *Age Discrimination Act 2004* (Commonwealth)
- *Racial and Religious Tolerance Act 2001* (Victoria)
- *Disability Discrimination Act 1992* (Commonwealth)
- *Sex Discrimination Act 1984* (Commonwealth)
- *Racial Discrimination Act 1975* (Commonwealth)

Evaluation

This policy will be reviewed as part of the school's four-year strategic plan.

Other related policies

WPS has other key policies that consider issues associated with bullying. These include:

- Student Engagement and Wellbeing
- Prevention of Bullying – Staff and Community Members

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