



# Equal Opportunity Policy

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## OVERVIEW

The University of Adelaide recognises that honesty, integrity, respect, fairness, and embracing differences are fundamental to achieving the advancement of learning and knowledge.

The University strives, through continuous improvement, to integrate equal opportunity principles into all aspects of its activities through its decision-making and planning processes.

Through this policy the University seeks to promote the principles of equal opportunity; equity, fairness, and social justice and to act in accordance with relevant legislation.

## SCOPE AND APPLICATION

This Policy seeks to encourage an inclusive, respectful, and fair environment for all people whilst engaged in University-related activities.

This Policy is intended to operate in conjunction with the University of Adelaide's Code of Conduct, Enterprise Agreement (as amended), related policies, procedures, and the relevant legislation. This Policy is in addition to any code of conduct that may apply to a particular profession or arising from membership of a professional organisation.

The Equal Opportunity Policy applies to all activities of the University and the University encourages its Controlled Entities and Affiliates to adopt the policy principles.

## POLICY PRINCIPLES

1. The University requires all people engaged in University-related activities to ensure their conduct complies with the principles of equal opportunity outlined in this Policy and in accordance with the University's Code of Conduct, Values and Behaviour Framework, Enterprise Agreement, related policies, procedures, and the relevant legislation.
2. The University aims to provide an inclusive environment for all people by identifying and eliminating where possible systemic barriers to equitable access and participation.
3. The University uses non-discriminatory, inclusive language in its corporate documents.
4. The University is pro-active in developing strategies, frameworks, and training programs to successfully increase access and encourage success for designated under-represented groups in order to overcome disadvantage.
5. The University seeks to ensure that all people engaged in University-related activities are provided equitable access to available opportunities.

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6. The University develops monitoring and reporting processes that support the systematic implementation and management of equal opportunity objectives and strategies.
  7. The University adopts effective procedures and processes to resolve complaints of unlawful discrimination.

## **RESPONSIBILITIES**

The Vice-Chancellor and President has responsibility under this Policy for endorsing strategies, frameworks, and plans that promote equal opportunity and enhance an inclusive, non-discriminatory environment. The Vice-Chancellor is assisted by the senior executive team comprising the Deputy Vice-Chancellors, Chief Operating Officer, Executive Deans, and Pro Vice-Chancellors.

All members of the University Community have a responsibility to work individually and collectively to achieve a work and study environment in which equal opportunity is fostered. This will assist the University to achieve equal opportunity in employment and education.

## **DEFINITIONS**

**Equal Opportunity** means fairly treating staff and students. Fair treatment is:

- Treating people as individuals without making judgments based on irrelevant personal characteristics
- Creating a work environment free from discrimination, harassment, bullying and victimisation
- Allowing all members of the University Community to work and participate to their full potential
- Making decisions based on merit.

**The University Community** means staff, students, volunteers, visitors, titleholders, contractors, and consultants at campuses, sites, and centres of the University of Adelaide are members of the University Community for the purposes of the Policy.

**Discrimination** means treating or proposing to treat an individual unfavourably because of their particular personal characteristics (e.g. ethnicity, place of origin, language and culture) or because they belong to a certain group (e.g. socio-economic status).

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 particular characteristic
- Indirect discrimination involves imposing a requirement, condition, or practice that operates to disadvantage a person or group with a particular characteristic and that is not reasonable.

**Unlawful Discrimination** includes unfair treatment of a person in areas of public life on the basis of the following characteristics: age, association with a child, caring responsibilities, gender identity, disability, marital or domestic partnership status, pregnancy, race, religion, religious appearance or dress (in work or study), sex, sexual orientation, or spouse or domestic partner's identity. Sexual harassment, bullying or victimisation including of a person who is a whistleblower is also unlawful. See the Fair Treatment Procedure Information Sheet.

**Harassment** is unwelcome conduct that might reasonably cause a person to be offended, humiliated, or intimidated because they have a particular attribute. Harassment can also occur if someone is working in a 'hostile' or intimidating environment. The behaviours can be overt or subtle, verbal, non-verbal or physical.

**Victimisation** means unfairly treating people for complaining, helping others to complain, either within the University, to the Equal Opportunity Commission or another external agency. Unlawful victimisation is unfair treatment for complaints about discrimination or sexual harassment.

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| <b>RMO File/Document Number</b>             | 2016/7018   |
| <b>Policy Custodian</b>                     | Chief Operating Officer   |
| <b>Responsible Officer</b>                  | Executive Director, Human Resources   |
| <b>Endorsed by</b>                          | VCE on 5 October 2016   |
| <b>Approved by</b>                          | Vice-Chancellor and President 6 October 2016<br>Reaffirmed by COO with minor amendments 4 December 2019<br>Reaffirmed by COO with minor amendments 8 August 2022<br>Reaffirmed for a further three years by COO with minor amendments 30 March 2023   |
| <b>Related Documents and Policies</b>       | Academic Integrity Policy<br>Behaviour and Conduct Policy<br>By-Laws of the University of Adelaide<br>Code of Conduct<br>Disability Action Plan 2020-2024<br>Dornwell Framework 2020-2022<br>Health, Safety and Wellbeing Policy and Handbook<br>Inclusive Language Guidelines<br>Legal Compliance Policy<br>Preventing and Responding to Workplace Bullying<br>Reasonable Adjustments to Learning, Teaching and Assessment for Students with a Disability Policy<br>Reconciliation Action Plan<br>Recruitment Policy<br>Responsible Conduct of Research Policy<br>Statutes of the University of Adelaide Student Charter<br>Student Misconduct Rules<br>The Higher Education Standards Framework (Threshold Standards) 2015<br>University of Adelaide Enterprise Agreement<br>University of Adelaide Wellbeing Framework<br>University Volunteer Policy<br>Values and Behaviour Framework<br>Sexual Misconduct Policy<br>Sexual Misconduct Response Procedures |
| <b>Related Legislation</b>                  | Age Discrimination Act 2004<br>Australian Human Rights Commission Act 1986<br>Civil Liability Act 1936 (SA)<br>Disability Discrimination Act 1992<br>Disability Services Act 1986<br>Disability Inclusion Act 2018 (SA)<br>Disability Standards for Education 2005<br>Education Services for Overseas Students Act 2000 [ESOS Act]<br>Equal Opportunity Act 1984(SA)<br>Fair Work Act 2009<br>Racial Discrimination Act 1975<br>Racial Vilification Act 1996(SA)<br>Sex Discrimination Act 1984<br>Work Health and Safety Act 2012 (SA)<br>Workplace Gender Equality Act 2012.  |
| <b>Superseded Policies</b>                  | Nil   |
| <b>Date Effective</b>                       | 30 March 2023   |
| <b>Next Review Date</b>                     | 29 March 2026   |
| <b>Contact for queries about the Policy</b> | Human Resources Service Centre, tel: 8313 1111 or email <a href="mailto:hrrservicecentre@adelaide.edu.au">hrrservicecentre@adelaide.edu.au</a>  |