

UQ College (UQC)

Policy and Procedure

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Title:	Diversity, Equity and Inclusive Behaviours Policy
Custodian:	CEO
Reviewer:	Senior Manager Corporate Services
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Audience:	All UQ College Staff
Associated Policies:	HR.1.01 Staff Code of Conduct HR3.1.02 Prevention of Discrimination, Harassment and Bullying Behaviours HR4.1.03 Flexible Work Policy and Procedure HR5.1.06 Staff Grievance Resolution Policy HS3.1.02 Sexual Misconduct prevention and Response Policy SS1.1.02 Student Integrity and Misconduct Policy and Procedure SS1.1.06 Student Complaints and Appeals Policy and Procedure GM1.1.01 Privacy Policy
Legislation	Age Discrimination Act 2004 (Cth) Anti-Discrimination Act 1991 (Qld) Australian Human Rights Commission Act 1986 (Cth) Disability Standards for Education 2005 (Cth) Disability Discrimination Act 1992 (Cth) Educational Services (Post-Secondary Education) Award 2020 Racial Discrimination Act 1975 (Cth) Sex Discrimination Act 1984 (Cth) Fair Work Act 2009 (Cth) Public Sector Ethics Act 1994 (Qld) Human Rights Act 2019 (Qld) Workplace Gender Equality Act 2012 (Cth) Work Health and Safety Act 2011 (Qld)
Version:	3.0

Purpose and Scope

Purpose

UQ College (UQC or the College) is committed to creating a thriving, diverse community where all staff, students and members of the UQC community feel welcome, included and safe.

The purpose of this policy is to:

- outline the key principles underpinning UQC's approach to diversity, equity and inclusion;
- outline mechanisms for the prevention of Discrimination, Harassment and Bullying at UQC;
- identify accountability for applying these principles; and
- outline the areas of focus for UQC that inform strategies, plans, programs and initiatives related to diversity, equity and inclusion.

UQC has a responsibility to meet the applicable legislative requirements which underpin the principles outlined in this policy.

Scope

This policy applies to all members of the UQC community in relation to UQC related conduct.

UQC community means current UQC students, staff (whether or not those staff are covered by the Modern Award or the Enterprise Agreement), volunteers, contractors and anyone else contractually bound to comply with this Policy.

UQC Related Conduct - means any conduct that is connected to UQC's functions or operations, including conduct that:

- occurs during, or in connection with, any function, activity or event related to UQC;
- occurs when a person is representing UQC in any capacity;
- occurs during, or in connection with, the performance of duties for UQC;
- occurs using, or is facilitated by, UQC ICT resources or other UQC equipment; or
- occurs on, or in connection with, any property owned, leased or occupied by UQC.

This policy should be read and applied in conjunction with the relevant legislation and associated policies, as outlined on the cover and the document weblinks.

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1. Principles and Key Requirements

Diversity, equity and inclusion are values which are core to UQC's strategic objectives. UQC aims to be a respectful institution that highly values diversity, equity and inclusion, so that all members of the UQC community can reach their full potential.

A diverse staff and student population significantly enriches UQC's teaching, research, learning and professional capability across local, national and international networks and communities. Attracting and retaining diverse talent enables UQC to be innovative and to compete in the global marketplace as both an employer of choice and preferred study destination.

1.1 Principles

All members of the UQC community are expected to abide by UQC's Values. The following principles underpin diversity, equity and inclusion efforts within UQC:

- a. The UQC community is responsible for upholding an inclusive and respectful study and work environment, free from bullying, harassment and discrimination, in accordance with State and Commonwealth legislation, and other relevant policies and procedures.
- b. Staff and students are expected to exemplify behaviours, including social responsibility, ethical leadership, and respectful and inclusive behaviours. UQC is committed to identifying and removing any systematic or structural barriers or limitations to equitable access, full participation and inclusion in education and employment.
- c. UQC is committed to developing and maintaining an environment that is respectful, inclusive, and free from discriminating, harassing and bullying behaviours.
- d. Vilification on the basis of attributes of race, religion, sexuality or gender identity is also considered unacceptable behaviour at UQC.

1.2 Areas of focus

UQ College is committed to providing equal opportunity of access, participation and advancement in employment and education, and developing an environment that is free of harassment and discrimination. In doing so, UQ College recognises that specific measures such as programs, resources and accommodations may be provided and typically gives precedence to those equity groups defined by the Commonwealth government through its legislation and its agencies, although it will also address equity and diversity issues that fall outside of these priority areas. These areas of focus include:

- Aboriginal and Torres Strait Islander peoples;
- People with disability¹;
- People with cultural and linguistic diversities;
- People with gender, sex and sexual diversities;
- The under-representation of women in senior positions;
- Groups/disciplines where one gender is over-represented within a cohort;
- People with caring responsibilities;
- People from low socio-economic backgrounds; and

¹ A person with a disability may be excluded under this policy if the disability could cause occupational health and safety risks to the person and/or other students.

- Intersectionality, which addresses the complex impact of multiple overlapping/intersecting forms of Discrimination (such as racism, sexism) on the experiences of marginalised individuals or groups.

1.3 Prevention of discrimination, harassment and bullying

UQC strictly prohibits all forms of unlawful discrimination, harassment, bullying, vilification and victimisation behaviours, in accordance with State and Commonwealth anti-discrimination legislation, the Staff Code of Conduct and Student Code of Conduct, and other relevant policies and procedures. Breaches of this policy may be subject to investigation in accordance with UQC policies and procedures.

UQC undertakes educative and preventative processes within the UQC community to develop awareness of issues related to discrimination, harassment and bullying, and provides mechanisms to deal with complaints about such behaviours.

UQC offers reporting and support options to staff and students who experience or witness behaviours that are contrary to this policy.

2. Roles, Responsibilities and Accountabilities

While all members of the UQC community are responsible for building an inclusive environment, the following positions have specific responsibilities and accountabilities:

3.1 CEO

- Develop work, study and social environments that are consistent with this policy.
- Comply with applicable laws.
- Demonstrate visible and action-orientated leadership in progressing diversity, equity and inclusion outcomes.
- Ensure staff adherence to any mandatory training requirements relevant to this policy.
- Achieve, monitor and report on diversity, equity and inclusion outcomes.
- Embed diversity, equity and inclusion principles into key planning documents, processes, committee structures, performance, recognition and development efforts, and measures for staff and students.
- Hold managers and supervisors accountable for taking all reasonable steps to ensure UQC work and study spaces are free from discrimination, harassment, and bullying, including workplace bullying.

3.2 Managers and supervisors

- Take all reasonable steps to ensure UQC work and study spaces are free from discrimination, harassment, and bullying, including workplace bullying.
- Adhere to legislation, policy, procedures and actions to build diverse and inclusive workplaces and/or study spaces.
- Ensure that staff adhere to any mandatory training requirements relevant to this policy.
- Apply a diversity, equity and inclusion lens to decision-making processes.
- Address complaints regarding behaviours that are contrary to this policy, in a timely and sensitive manner and in accordance with relevant policies and procedures.

3.2 Student and academic administration

- Proactively build diversity, equity and inclusion considerations into all relevant student engagement, administration and management processes and activities.

- Deliver targeted programs and activities to support diversity, equity and inclusion outcomes for students.
- Respond to student complaints regarding behaviours that are contrary to this policy, in a timely and sensitive manner, in accordance with relevant policies and procedures and anti-discrimination legislation.
- Provide expert advice on progressing diversity, equity and inclusion strategies, programs and initiatives for students.
- Coordinate, monitor and report on student-focused efforts to progress diversity, equity and inclusion outcomes within the University.
- Take all reasonable steps to achieve compliance with legislation, policy, procedures and actions to build a diverse, equitable and inclusive educational environment.
- Work with members of the UQC community to develop study and social environments/events that are consistent with this policy.

3.4 Human Resources

- Provide advice and work with all staff to build diversity, equity and inclusion considerations into all human resources processes, including recruitment, on-boarding, staff development, progression, selection and reward/recognition processes.
- Respond to staff complaints regarding behaviours that are contrary to this policy, in a timely and sensitive manner and in accordance with relevant policies and procedures and anti-discrimination legislation.
- Assist with resolving workplace diversity, equity and inclusion issues where appropriate in accordance with relevant policies and procedures.
- Apply a diversity, equity and inclusion lens to decision-making processes.
- Provide expert advice on progressing diversity, equity and inclusion strategies, programs and other initiatives for staff.
- Coordinate, monitor and report on staff-focused efforts to progress diversity, equity and inclusion outcomes within the University.
- Deliver targeted programs to support diversity, equity and inclusion outcomes for staff.

4. Monitoring, Review and Assurance

The UQC Board provides strategic oversight and governance of equity, diversity and inclusion efforts at UQC and is responsible for reporting to UQ Holdings Ltd on an annual and /or as required basis.

Human Resources is responsible for assessing staff compliance with this policy and reporting on achievement of diversity and inclusion to the CEO on an annual and/or as-required basis.

Student Administration is responsible for coordinating the promotion and assessment of student-based compliance with this policy.

5. Recording and Reporting

Targets, measures and reporting are necessary to monitor the impact of diversity, equity and inclusion interventions.

Human Resources will manage all reporting processes for staff related diversity, equity and inclusion.

Student Administration will manage all reporting processes for student related diversity, equity and inclusion.

Definitions

Attribute	<p>- any of the following attributes:</p> <ul style="list-style-type: none"> • sex • relationship status • pregnancy, or potential pregnancy • parental status • breastfeeding • age • race, including colour, national extraction, nationality, national or ethnic origin and immigration status • disability or impairment • religious belief or religious activity • political belief or activity • trade union activity • lawful sexual activity • gender identity • sexuality • intersex status • social origin • family or carer's responsibilities • association with, or relation to, a person identified on the basis of any of the above attributes.
Bullying	<p>- the repeated less favourable treatment of a person by another or others, which may be considered unreasonable or inappropriate, and which may or may not be based on an attribute.</p> <p>Bullying often involves a misuse of power. It may occur between people of any gender. It can also occur between supervisor and staff, co-workers, students and between students and staff.</p> <p>Bullying may be subtle or overt and can include, but is not limited to, the following forms of behaviour:</p> <ul style="list-style-type: none"> • Abusive and offensive language or shouting; • Repeated unreasonable criticism about work or academic performance, often about petty or insignificant matters; • Deliberate exclusion, isolation or alienation of a staff member or student; • Allocation of humiliating or demeaning tasks, or sabotaging a person's work; • Setting of impossible deadlines with unrealistic expectations of work; • Spreading gossip or false and malicious rumours with an intent to cause harm to a person; • Sarcasm or ridicule; • Threatening gestures or actual violence; • Inappropriate comments about personal appearance; • Electronic harassment such as through email or SMS; or • Hazing (such as harmful or humiliating initiation rituals).

	<p>A reasonable and lawful direction of a supervisor will not constitute bullying.</p> <p>Appropriate provisions of guidance, conducting performance counselling, invoking diminished performance procedures, unsatisfactory performance procedures or misconduct procedures does not constitute bullying. Managers and teachers are expected to offer constructive advice and comment as a legitimate aspect of their role.</p>
Discrimination	<p>- less favourable treatment, or proposed less favourable treatment of a person on the basis of an attribute, including direct discrimination or indirect discrimination.</p>
Direct discrimination	<p>- occurs on the basis of one (or more) of the attributes, if a person treats, or proposes to treat, a person with an attribute less favourably than another person without the attribute is or would be treated in circumstances that are the same or not materially different.</p>
Harassment	<p>- behaviour, ordinarily of a repetitive nature, towards an individual or group of individuals on the basis of an Attribute that intimidates or humiliates in circumstances where a reasonable person would have anticipated the possibility that the other person would be humiliated or intimidated by the conduct.</p> <p>Harassment can include behaviour such as:</p> <ul style="list-style-type: none"> • telling insulting jokes about particular racial groups or genders; • asking intrusive questions about someone's personal life, including their sex life; or • making derogatory comments or taunts about someone's race.
Indirect discrimination	<p>- occurs on the basis of one (or more) of the attributes, if a person imposes, or proposes, a term –</p> <ul style="list-style-type: none"> • with which a person with an attribute does not or is not able to comply; and • with which a higher proportion of people without the attribute comply or are able to comply; and • that is not reasonable. <p>Whether a term is reasonable depends on all relevant circumstances of the case, including for example</p> <ul style="list-style-type: none"> • the consequences of failure to comply with the term; and • the cost of alternative terms; and • the financial circumstances of the person who imposes, or proposes, the term. <p>It is not necessary that the person imposing, or proposing, the term is aware of the indirect discrimination.</p> <p>'Term' includes condition, requirement or practice whether or not written.</p>
Victimisation	<p>- when a person does an act, or threatens to do an act against a person because:</p> <ul style="list-style-type: none"> • they have made a complaint, intend (in good faith) to make a complaint or are associated with a person who has made a complaint, under this policy; or

	<ul style="list-style-type: none"> • they have had a complaint made against them, or are associated with a person who has had a complaint made against them, under this policy. <p>Victimisation does not include any action taken against a person for a false or malicious complaint made against another person.</p>
Workplace bullying	<p>- occurs when:</p> <ul style="list-style-type: none"> • a person or group of people repeatedly behaves unreasonably towards a worker or group of workers at work; <p>AND</p> <ul style="list-style-type: none"> • the behaviour creates a risk to health and safety. <p>Workplace bullying does not include reasonable management action carried out in a reasonable manner.</p>

Document History

Version	Summary of changes	Author	Action date
3.0	Updated for transfer of business to UQC CRICOS Code	Senior Manager Corporate Services	15 March 2023