



RESPECT FOR DIVERSITY POLICY

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First Approved by:	Administrative Committee		
Custodian title & e-mail address:	Director, Human Resources Division hr-reception@uow.edu.au		
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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 (Cth) Sex Discrimination Act 1984 (Cth) Disability Discrimination Act 1992 (Cth) Age Discrimination Act 2004 (Cth) Multicultural Policies and Services Program Higher Education Standards Framework (Threshold Standards) 2015 (Cth) Work Health and Safety Act 2011 (NSW)		
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 promote freedom of speech while also equipping 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

Word/Term	Definition (with examples if required)
Affiliate	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
Bullying	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.
Discrimination	The Fair Work Ombudsman defines discrimination as when someone is not treated fairly or given the same opportunities because of their race, colour, sex, sexual orientation, age, gender identity, gender expression, intersex status, marital or relationship status, family or carer's responsibilities, pregnancy, religion, political opinion, national extraction, social origin, disability or physical or mental disability., which includes: - physical, intellectual, psychiatric, sensory, neurological or learning disabilities; physical disfigurement; disorders, illness or diseases that affect thought processes, perceptions of reality, emotions or judgement, or results in disturbed behaviours; presence in body of organisms causing disease or illness (e.g. HIV virus).
Disability	The Disability Discrimination Act 1992 (Cth) defines disability as: <ul style="list-style-type: none">• total or partial loss of the person's bodily or mental functions• total or partial loss of a part of the body• the presence in the body of organisms causing disease or illness• the malfunction, malformation or disfigurement of a part of the person's body• a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction• a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment, or that results in disturbed



	<p>behaviour;</p> <p>and includes disability that:</p> <ul style="list-style-type: none">• presently exists• previously existed but no longer exists• may exist in the future• is imputed to a person (meaning it is thought or implied that the person has disability but does not).
Diversity	<p>The Australian Government defines diversity as recognising employees from a wide range of backgrounds.</p> <p>For example, this can include having employees of different ages, genders, ethnicity, backgrounds, physical ability, sexual orientation, marital status, physical qualities, life experience, political and religious beliefs, work experience or educational background.</p>
EO Online	<p>EO Online is a mandatory self-paced online equal opportunity training program for employees upon commencement of employment and every two years thereafter. It covers all aspects of harassment and bullying and provides case studies and real life examples.</p>
Equity	<p>Providing a workplace free from unlawful discrimination and harassment protecting all staff. Our inclusive values empower all staff to achieve their full potential and remove actual or perceived barriers to participation regardless of gender, age, race, disability, orientation or economic background. Treating people equitably does not mean treating all people the same.</p>
Harassment	<p>Harassment is any form of behaviour that is unwelcome to the recipient/s; offends, intimidates or humiliates the recipient/s; and targets the recipient/s for one of the reasons covered by anti-discrimination laws, such as their sex, race or disability.</p>
Australian Indigenous People	<p>Refers to Aboriginal or Torres Strait Islander people.</p>
LGBTIQ+	<p>Acronym for people who are lesbian, gay, bisexual, transgender, intersex, and/or queer. The + incorporates a broader acceptance of all gender expressions/identities and sexualities.</p>
NAIDOC	<p>NAIDOC originally stood for 'National Aborigines and Islanders Day Observance Committee'. This committee was once responsible for organising national activities during NAIDOC Week and its acronym has since become the name of the week itself.</p> <p>NAIDOC Week celebrations are held across Australia each July to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander people.</p>
Racist	<p>A person with a prejudiced belief that one race is superior to others.</p>



Reconciliation	Reconciliation is about unity and respect between Aboriginal and Torres Strait Islanders and non-Indigenous Australians. It is about respect for Aboriginal and Torres Strait Islander heritage and valuing justice and equity for all Australians.
Respect	A positive feeling of esteem or deference for a person or other entity (such as a nation or a religion), and also specific actions and conduct representative of that esteem.
RRR Online	Responsibilities Rights and Respect Online (RRR Online) is an interactive online program for students, covering aspects of harassment and bullying and providing strategies for addressing the situations described.
Staff	All people employed by the University including conjoint appointments, whether on continuing, permanent, fixed term, casual or cadet or traineeship basis.
Student	A person registered for a course at the University of Wollongong.

3 Application & Scope

2. 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.
3. This Policy is supported by the Inclusive language Guidelines, previously titled the Non-Discriminatory Language Practice and Presentation Policy and Guidelines.
4. 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.
5. 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.
6. 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 or domestic 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 (Cth) 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 on the grounds of sex, marital or relationship status, pregnancy or potential pregnancy and breastfeeding.
 - 1.5. The Disability Discrimination Act 1992 (Cth) provides protection for everyone in Australia against discrimination based on disability. It includes physical, intellectual, psychiatric, sensory, neurological or learning disabilities, physical disfigurement, and illnesses such as HIV/AIDS.
 - 1.6. The Age Discrimination Act 2004 (Cth) 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. Intellectual openness, collegiality and connectivity;
 - b. Empowerment, flexibility and cultural diversity;
 - c. Mutual respect and the promotion of equity and social justice;



- d. Working towards reconciliation and the success of our Aboriginal and Torres Strait Islander communities;
 - e. Recognition and celebration of initiative and enterprise, and agility in decision-making;
 - f. Staff and students who are recognised and appreciated for their contributions;
- 1.2. A workforce with strong performance expectations:
- 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 upon commencement of employment and every two years thereafter. Managers and supervisors are also required to complete both EO Online Module One and 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 or 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. Employee Assistance Program (EAP)
 - g. Residence Managers
 - h. Student Advocacy Officers
 - i. Student Support Advisers
5. Where a student, staff member or affiliate wishes to make a formal complaint they should do so via the Complaints Management Centre.

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

Version Control	Date Effective	Approved By	Amendment
1	11 December 1998	University Council	First Version – Respect for Cultural Diversity Policy
2	6 March 2007	Administrative Committee	Replacement of Version 1 – Respect for Cultural Diversity Policy
3	6 May 2009	Vice-Principal (Administration)	Migrated to UOW Policy Template as per Policy Directory Refresh
4	9 March 2010	Vice-Principal (Administration)	Future review date identified in accordance with Standard on UOW Policy
5	30 Nov 2012	Vice-Principal (Administration)	Updated to reflect change from OHS to WHS.
6	7 December 2012	University Council	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 & Responsibilities.
7	13 February 2014	Deputy Vice-Chancellor (Education)	Update to reflect change from Dean of Students to Student Ombudsman.
8	16 September 2015	Vice-Chancellor	Amendment of references to EDD; update to reflect change from Dean to Executive Dean.
9	4 December 2015	University Council	Consequential amendment to remove reference to rescinded Graduate Qualities Policy.
10	5 July 2016	Vice-Chancellor	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.
11	21 July 2017	Vice-Chancellor	Minor amendment to definitions (discrimination, staff and affiliates); update to organisational unit references, and correction to clauses 6.2.2 and 6.5.



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12	8 March 2019	Vice-Chancellor	Minor update to definitions to reflect current legislation and best practice with addition of Discrimination definition.
13	27 February 2020	Acting Vice-Chancellor	Consequential minor amendments to reflect outcomes of UOW's response to the Independent Review of Freedom of Speech in Australian Higher Education Providers.