

# Diversity, Equity and Fair Treatment Policy

## 1. Purpose and Scope

The policy provides an overarching commitment to diversity, fair treatment and equity for students, staff and the community at the Australian Performing Arts Conservatory. It also provides a framework for reasonable adjustment to learning to support the participation of students with a disability, mental health condition or other condition that may affect their learning.

This policy applies to all members of the Conservatory's higher education community.

## 2. Objectives

The Conservatory recognises diversity and is committed to providing fair treatment, an inclusive environment, equitable access and opportunities to students and staff. It expects that all students and staff will treat others with fairness and without discrimination.

The Conservatory will:

- Ensure that students and staff are treated with respect and not discriminated against on the basis of gender, age, ethnicity, race, marital status, sexual preference, disability or religion
- Recognise and respect diversity of backgrounds and linguistics of all students including Aboriginal and Torres Strait Islander, international and domestic students
- Provide support for students to assist with their studies
- Ensure that admission processes respect diversity and are transparent and applied in an equitable manner
- Provide reasonable adjustment of resources and learning to support people with a disability where the disability has been disclosed
- Provide equal opportunity for women and all people in the workplace to promote diversity
- Keep confidential all information provided with regard to disclosures relating to disability or other requests for support or reasonable adjustment to learning

## 3. Implementation

All levels of governance will ensure that diversity is recognised and encouraged across the Conservatory, and that equity and fair treatment is applied to all processes and decisions.

## 4. Procedure

### 4.1. Responsibilities

The Conservatory will ensure that:

- appropriate resources are provided to support students from diverse backgrounds and encourage an inclusive environment
- staff are assisted in programs where there are diverse cultural and linguistic backgrounds
- recruitment processes encourage diversity
- admissions processes encourage participation from people with diverse backgrounds

- reporting and monitoring of access, participation, retention and completion rates from various backgrounds occurs and is acted upon to promote diversity and equity

Students are responsible for:

- Acting in accordance with the purpose and objectives in this policy
- Seeking assistance if learning resources need to be adjusted
- Making use of the available support and resources provided by the Conservatory

Staff are responsible for:

- Acting in accordance with the purpose and objectives in this policy
- Monitoring and identifying students who need support
- Advising students of the support available

The Student Support Policy provides details of support available.

## **4.2. Reasonable Adjustment of Learning**

### **4.2.1. Assessment of applications**

The Board of Studies is responsible for determining reasonable adjustment of learning requests and considering the interests of all parties who may be affected. The Board should ensure that it considers:

- The circumstance of the students/s and consults with them throughout their studies
- The extent of the adjustment and if it still allows the student to achieve the learning outcomes for the unit and program
- Professional requirements for the program and whether they can still be met
- Whether the proposed adjustment would adversely affect any other parties
- The costs associated with the adjustment and the benefits
- Whether expert advice is needed to make the adjustment or to make a decision

Students should make an application for reasonable adjustment of learning prior to enrolment, or as soon as the circumstances are known.

The Board of Studies should provide its decision to the applicant within 10 business days of receiving the application.

### **4.2.2. Adjustments**

The types of adjustments that may be made could include, but are not limited to:

- Extensions to assessment, examination due dates or timeframes
- Alternative arrangements for assessment
- Alternative modes of delivery and resources
- Provision of an assistant
- Adaptation of equipment or facilities

### 4.3. Complaints and Appeals

Students or staff who have been found to breach this policy may be subject to disciplinary action under the Student Code of Conduct or the Staff Code of Conduct.

If a student is not satisfied with a decision related to this policy, he/she may seek an appeal as outlined in the Student Grievance Policy.

If a staff member is not satisfied with a decision related to this policy, he/she may seek an appeal as outlined in the Staff Grievance Policy.

Under section 32 of the Disability Discrimination Act (1992) (DDA) it is unlawful for a person to contravene a Disability Standard. An aggrieved person or someone on their behalf can make a complaint to the Australian Human Rights Commission (AHRC) about non-compliance with the DDA. This includes complaints about non-compliance with a Disability Standard. If conciliation by the AHRC is unsuccessful, an aggrieved person may commence legal proceedings in the Federal Court or Federal Magistrates Court.

## 5. Definitions

**Disability** is broadly defined in the DDA as having any of a wide range of physical, mental health or learning conditions, including: Loss or damage of a bodily or mental function. The Disability Standards for Education 2005, Part 1, 1.4 Definitions, states that 'disability, in relation to a person, means:

- a) total or partial loss of the person's bodily or mental functions; or
- b) total or partial loss of a part of the body; or
- c) the presences in the body of organisms causing disease or illness; or
- d) the presence in the body of organisms capable of causing disease or illness; or
- e) the malfunction, malformation or disfigurement of a part of the person's body; or
- f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- g) a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour; and includes a disability that:
  - h) presently exists; or
  - i) previously existed but no longer exists; or
  - j) may exist in the future; or
  - k) is imputed to a person'

**Reasonable adjustment** refers to a measure or action taken to assist a student with disability to participate in education and training on the same basis as other students (Disability Standards for Education 2005).

**Reasonable adjustment of learning** refers to a reasonable adjustment to a unit or program that may alter the activities or resources but still retains the overall learning outcomes of the program.

## 6. Related Documents

The following policies and procedures are related to this policy:

- Admissions Policy
- Assessment, Moderation and Progress Policy
- Course Development Policy
- Course Review Policy
- Credit and RPL Policy
- English Language Proficiency Policy
- Recruitment and Performance Policy
- Staff Code of Conduct
- Staff Development Policy
- Staff Grievance Policy
- Student Code of Conduct
- Student Support Policy
- Student Grievance Policy
- Teaching and Learning Plan

### ***Legislation and Standards***

The following legislation is relevant to this policy, however not all are mandatory for HEPs:

- Anti-Discrimination Act, Qld (1991)
- Disability Discrimination Act (1992) (Commonwealth)
- Disability Standards for Education 2005 (Commonwealth)
- Race Discrimination Act (1975) (Commonwealth)
- Sex Discrimination Act (1984) (Commonwealth)
- \*Equal Opportunity for Women in the Workplace Act (1999) (Commonwealth)
- Fair Work Act (2009) (Commonwealth)

\*Under the Equal Opportunity for Women in the Workplace Act, 1999, only organisations of 100 employees or more are required to demonstrate that they have a program for women employees.

## 7. Review

Three years from commencement.

## 8. Accountabilities

The Governance Board is responsible for review and approval of this policy, with input from the Academic Board.

The policy is to be implemented via induction and training of staff and distribution to students and the Conservatory's higher education community via the website and other publications.

## 9. Revision History

Approval Authority	Contact Person	Revision Due Date	Revision Date	Approved Date	Version No.	Revision Description

Board of Directors	Chair	31/03/20		09/06/17	1	New document
Board of Directors	Chair	14/07/23	14/07/20	14/07/20	2.0	