



Department of  
**Education**

# **Equal Opportunity, Discrimination and Harassment Policy**

Effective date: 8 May 2018

Version: 3.4

Last update date: 12 June 2023

## Table of contents

<b>1. Policy statement</b>	<b>3</b>
<b>2. Policy rules</b>	<b>3</b>
<b>3. Responsibility for implementation and compliance</b>	<b>3</b>
<b>4. Scope</b>	<b>4</b>
<b>5. Supporting procedures</b>	<b>4</b>
<b>6. Definitions</b>	<b>4</b>
<b>7. Related documents</b>	<b>4</b>
<b>8. Contact information</b>	<b>8</b>
<b>9. History of changes</b>	<b>8</b>
<b>10. More information</b>	<b>10</b>
Policy review date	10
Policy last updated	10

## 1. Policy statement

The Department of Education provides inclusive and equitable work and learning environments, services and management practices free of unlawful discrimination and harassment. This includes the prevention and effective management of discrimination and harassment.

## 2. Policy rules

Principals and line managers must:

- provide equal opportunity on the grounds under the legislation;
- provide access to facilities, services or opportunities to meet special needs, where reasonable and practicable; and
- maintain work and learning environments free of unlawful discrimination and harassment, and address issues and incidents involving students, staff, visitors, volunteers and contractors.

Employees must demonstrate professional and ethical behaviour, and not engage in any form of discrimination or harassment.

## 3. Responsibility for implementation and compliance

Principals and line managers are responsible for implementing the policy.

The Executive Director Workforce is responsible for compliance monitoring.

## 4. Scope

This policy applies to all employees.

### Guidance

This policy applies to all worksites, including off-site and after-hours work-related activities such as training courses, conferences, telephone calls, emails, social media and social functions.

## 5. Supporting procedures

[Equal Opportunity, Discrimination and Harassment Procedures](#)

## 6. Definitions

### Discrimination

**Direct discrimination** is when a person is treated less favourably than another person, in the same or similar circumstances, on one or more of the grounds and in one of the areas of public life covered by the Equal Opportunity Act 1984.

**Indirect discrimination** occurs when an apparently neutral rule, policy, practice or procedure has a negative effect on a substantially higher proportion of people with a particular attribute or characteristic compared to people without the attribute/characteristic, and the rule is unreasonable in the circumstances.

Refer to Appendix A of the Procedures for the grounds of discrimination.

## 7. Related documents

### Relevant legislation or authority

[Age Discrimination Act 2004](#)

[Australian Human Rights Commission Act 1986](#)

[Australian Human Rights Commission Regulations 1989](#)

[Criminal Code Act Compilation Act 1913](#)

[Disability Discrimination Act 1992](#)

[Disability Services Act 1993](#)

[Disability Standards for Education 2005](#)

[Equal Opportunity Act 1984](#)

[Occupational Safety and Health Act 1984](#)

[Public Interest Disclosure Act 2003](#)

[Public Sector Management Act 1994](#)

[Racial Discrimination Act 1975](#)

[Sex Discrimination Act 1984](#)

[Spent Convictions Act 1988](#)

## **Related Department documents**

[Bullying in the Workplace](#)

[Child Protection in Department of Education Sites](#)

[Complaints and Notifications](#)

[Employee Performance](#)

[Enrolment In Public Schools](#)

[Staff Conduct and Discipline](#)

[Staff Induction](#)

[Student Behaviour in Public Schools](#)

**Other documents**

[Aboriginal Cultural Standards Framework](#)

[Code of Conduct and Standards \(staff only\)](#)

[Commissioner's Instruction No. 7 - Code of Ethics](#)

[Disability Access and Inclusion Plan](#)

[Equity, Diversity and Inclusion Plan 2021-2025](#)

[Family and Domestic Violence Leave Guidelines](#)

[Grievance Framework](#)

[Guidelines for supporting sexuality and gender diversity in schools](#)

[National Disability Strategy 2021-2031](#)

[Part-Time Work Guidelines](#)

[Policy Framework for Substantive Equality](#)

[Premier's Circular 2021/11 Family and Domestic Violence – Paid Leave and Workplace Support](#)

[Public Sector Commission: Aboriginal and Torres Strait Islander People Action Plan to improve WA Public Sector Employment Outcomes 2020–2025](#)

[Public Sector Commission: People with Disability Action Plan to Improve WA Public Sector Employment Outcomes 2020-2025](#)

[Public Sector Commissioner's Circular 2017-04 Equal employment opportunity and management plans and workforce planning in the public sector](#)

[Public Sector Commission: Workforce Diversification and Inclusion Strategy for WA Public Sector Employment 2020–2025](#)

[Public Sector Standards in Human Resource Management](#)

[Strategic directions for public schools 2020-2024](#)

[Substantive Equality Guidelines](#)

[Support gender and sexually diverse students \(staff only\)](#)

## 8. Contact information

### Policy manager:

Director, Workforce Policy and Coordination

### Policy contact officer:

Manager, Workforce Policy

T: 9264 5081

### Other:

Standards and Integrity

T: 1800 655 985

## 9. History of changes

<b>Effective date</b>	1 April 2014
<b>Last update date Policy version no.</b>	2.0
<b>Notes</b>	This new policy replaces the Equal Employment Opportunity/Diversity, Anti-Racism, Workplace Sexual Harassment and Employment of People with Disabilities policies. Corp Ex endorsement 13.2.2014.
<b>Effective date</b>	1 April 2014
<b>Last update date</b>	22 January 2016
<b>Policy version no.</b>	2.1
<b>Notes</b>	Minor changes to guidance under policy rules and updated links. D16/0025669



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<b>Effective date</b>	1 April 2014
<b>Last update date</b>	9 March 2017
<b>Policy version no.</b>	2.2
<b>Notes</b>	Minor changes to replace references to Substantive Equality Policy with Substantive Equality Guidelines and updated links D17/0104478

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<b>Effective date</b>	8 August 2018
<b>Last update date</b>	8 August 2018
<b>Policy version no.</b>	3.0
<b>Notes</b>	Equal Opportunity, Discrimination and Harassment policy has undergone a major review. Endorsed by the Director General at Corporate Executive on 4 April 2018.

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<b>Effective date</b>	8 May 2018
<b>Last update date</b>	22 April 2020
<b>Policy version no.</b>	3.1
<b>Notes</b>	Minor changes to update links, related documents and include additional guidance information. D20/0201954

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<b>Effective date</b>	8 May 2018
<b>Last update date</b>	9 August 2021
<b>Policy version no.</b>	3.2
<b>Notes</b>	Minor changes to update links, related documents and additional guidance information. D21/0436131

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<b>Last update date</b>	12 August 2021
<b>Policy version no.</b>	3.3

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<b>Notes</b>	Minor change. Removal of Reconciliation from Other Documents. D21/0444045
<b>Effective date</b>	8 May 2018
<b>Last update date</b>	12 June 2023
<b>Policy version no.</b>	3.4
<b>Notes</b>	Minor changes to update related policy and other documents titles and links (D23/1206633).

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## 10. More information

### Supporting content

#### Procedure

[Equal Opportunity, Discrimination and Harassment Procedures](#)

### Policy review date

8 May 2021

### Policy last updated

12 June 2023