

australian school of performing arts

Equal Opportunity Policy Document

This document has been produced to address questions of equal opportunity. The intention is to make clear:

- the responsibilities and expected standard of behaviour of employees and students, and
- procedures for handling alleged incidents of discrimination or harassment.

STATEMENT OF PURPOSE

At the Australian School of Performing Arts (ASPA) we believe that all employees and students should be able to work and learn in an environment free of discrimination and harassment. Discrimination and harassment are unacceptable forms of behaviour. An employee or student's intention is irrelevant when it comes to discrimination. We will not tolerate unfair treatment or discrimination under any circumstances.

We recognise that you can't do a good job or be fully productive if you feel someone at ASPA is treating you unfairly, discriminating against or harassing you because of a personal characteristic. That is why we will not support discrimination or harassment.

It is also against the law for any employee to discriminate against or harass any person in the organisation.

This document aims to describe the best possible environment in which students and employees of ASPA can excel and enact their responsibilities to ensure the peak performance of the organisation.

GENERAL RESPONSIBILITIES

ASPA expects all students and employees to abide by the following Code of Conduct. With regard to discrimination and harassment employees and students will:

- not knowingly discriminate against, abuse, harass, ridicule or embarrass anyone,
- be fair, considerate and honest in all dealings with others,
- treat all persons with respect, dignity and proper regard for their rights and obligations,
- respect the privacy of other persons,
- act at all times in such a way as to ensure good relations within ASPA activities,
- refrain from any form of victimisation towards others,
- conduct themselves in a proper manner to the complete satisfaction of Directors, so as not to bring themselves or the ASPA into public disrepute or censure,
- not disclose to any unauthorised person or organisation information that is of a confidential or privileged nature concerning the organisation or an individual connected with ASPA,
- not promote, or pass on, exchange or publish information whereby that information may be of a confidential, offensive, scandalous, unsubstantiated or derisive type,
- understand the possible consequences of breaching the ASPA Equal Opportunity Policy, and
- immediately report any breaches of the ASPA Equal Opportunity Policy to the appropriate authority.

PART B

Procedures For Handling Allegations Of Discrimination & Harassment

We, at ASPA, undertake to deal with any complaints brought to us concerning a breach of this Equal Opportunity Policy sensitively and promptly. We will respect the privacy rights of individuals.

Should a complaint arise, ASPA encourages the complainant to consider the following options:

1. PROCEDURAL STEPS

1. In the case of a staff member, the complainant may wish to approach the person(s) causing the problem—and ask them to stop the behaviour. In the case of a student she should report first to her Venue Manager, Tutor or Instructor.
2. If the behaviour continues—or if it is not reasonable to approach the person—contact either
 - Belinda Gray, HR Coordinator
 - Nicole Muir, Managing Directorfor advice and support on procedures.
3. If the complainant chooses to proceed, a designated Grievance Officer will investigate the complaint.
4. The purpose of investigation is to establish whether discrimination or harassment occurred and, if so, what action should be taken to resolve the matter. If the complainant requests the Grievance Officer to investigate the complaint, this Officer's role is to:
 - inform the alleged harasser, and interview both parties separately,
 - confidentially and impartially keep accurate records of the process,
 - attempt mediation/conciliation where appropriate, and
 - achieve resolution and follow-up.
5. If no resolution is achieved, the Grievance Officer will give all records to ASPA management, who will determine the appropriate course of action.
6. If the complaint is not resolved, the complainant may put a written complaint to an external organisation for mediation and/or arbitration, eg the State Equal Opportunity or anti discrimination agency.

DEFINITIONS

No Direct Discrimination and No Indirect Discrimination - There is to be no direct discrimination at ASPA based on anyone's sex, race, age or any other reason that is against the law and there is to be no indirect discrimination for any of these reasons.

Direct discrimination - Direct discrimination is when someone proposes to treat you or has treated you less favourably because of your sex, race, or other protected attribute.

Direct discrimination often happens because people have stereotyped views about what all or most people of a particular group are like, or what they think all or most people of a particular group can or can't do. At ASPA we aim to treat people as individuals, not as a stereotype.

Indirect discrimination - This is when:

- you are treated the same as everyone else, but
- you do not or cannot comply with a rule, condition, practice or requirement, whether existing or proposed, because of a protected attribute (age, race, sex, and so on) and a higher proportion of people without that attribute or with a different attribute do or can comply with it. For example, it might disadvantage more people of your sex than the other sex, or more people from your ethnic background than other ethnic backgrounds.

In this sort of case, if the treatment is not 'reasonable in all the circumstances' it will be indirect discrimination and against the law. In this workplace we aim to get rid of any form of indirect discrimination.

No harassment - In this workplace there is to be no sexual harassment, disability harassment, racist harassment, or any other type of unlawful harassment. This means no behaviour based on sex, race, age or other protected attribute that is:

- not wanted, not asked for, and not returned, and
- that is likely to cause a hostile or uncomfortable workplace by:
 - humiliating someone (putting them down)
 - seriously embarrassing them
 - offending them, or
 - intimidating them.

Disability - Disability refers to the total or partial loss of any function or part of the body (for example, faulty vision, speech impediment or hearing loss); the malfunction of any part of the body; the malformation or disfigurement of any part of the body; the presence of an organism which may cause disease (for example, HIV, hepatitis); permanent or temporary loss or imperfect development of mental faculties (except where attributable to mental illness) resulting in reduced intellectual capacity; a disorder or malfunction that results in a person learning differently from others; a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgement or that results in disturbed behaviour.

The term disability covers physical, intellectual and psychiatric conditions.

Racial Discrimination - The race of a person means the nationality, country or origin, colour or ancestry of the person or of any other person with whom he or she resides or associates.

Racial discrimination involves a distinction, exclusion, restriction or preference based on race which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life.

Sexuality - Discrimination on the basis of sexuality means treating a person less favourably because of their heterosexuality, homosexuality, bisexuality or transsexuality.

Pregnancy - Discriminating against a woman because she is pregnant is unlawful.

Age Discrimination - Age discrimination means treating a person unfairly because of their age.

Age discrimination often arises because of stereotypes and incorrect assumptions about people's abilities, based on how old or young they are. It can occur against people of any age, and deny them the opportunity for full participation.