# Purpose

Hampton Primary School aims to provide a welcoming, supportive, and emotionally and physically secure learning and working environment for every member of the school community.

Hampton Primary School recognises and promotes human rights, and values the diversity of culture, beliefs, practices, customs, physical and intellectual abilities and life experience of the whole school community.

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# Scope

Under this policy, every member of the Hampton Primary School has the right to learn and work in a safe and inclusive environment free of discrimination, harassment, bullying, vilification and victimisation. Along with this right comes the responsibility to respect and promote human rights and responsibilities by behaving according to this policy.

The principal of Hampton Primary School is accountable for implementation of this policy. The principal may appoint an EO and Anti-Harassment Coordinator to support implementation of this policy.

# Implementation

Hampton Primary School aims to create an inclusive school culture that fosters acceptance and respect for diversity. In doing so, we seek to deepen understanding and knowledge, promote student and staff wellbeing and help everyone achieve their full potential. This school is enriched by and celebrates the diversity of our whole school community.

That is why discrimination, harassment, vilification, bullying and victimisation will not be tolerated under any circumstances. Hampton Primary School is committed to ensuring that the working environment is free from discrimination, harassment, bullying, vilification and victimisation.

This school acknowledges that in society some people are treated unfairly or unfavourably because of irrelevant personal characteristics such as their sex or race. This school supports the Charter of Human Rights and the Equal Opportunity Act 2010 (Vic), which says that it is against the law to discriminate against anyone, including students and school staff, because of their actual or assumed: age, breastfeeding, carer status, disability/impairment, gender identity, industrial activity, lawful sexual activity, marital status, parental status, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex or sexual orientation. Or a personal association with someone who has, or is assumed to have, one of these personal characteristics.

No member of the school community will be treated less favourably because they possess any of these personal characteristics nor will such characteristics affect access to benefits and services Hampton Primary School provides.

On behalf of the whole school community, the principal, the school council president, the parent association and the student representative council support this policy, and the human rights principles and practice of equal opportunity, inclusion and respect for diversity that it articulates.

Discrimination may be direct or indirect – both are against the law. Discrimination is unacceptable in any form.

**Direct discrimination** means treating someone unfairly or less favourably because of one of the personal characteristics listed above or because of their association with someone identified with one of those characteristics.

**Indirect discrimination** happens when a rule, policy or requirement unnecessarily or unreasonably disadvantages a person or group of people because of a protected personal characteristic they share.

**Harassment** is behaviour (through words or actions) based on the personal characteristics listed above that are unwanted, unasked for, unreturned and likely to make school an unfriendly or uncomfortable place by; humiliating (putting someone down), seriously embarrassing, offending (hurting someone’s feelings) or intimidating (threatening someone so they behave in a certain way).

**Sexual harassment** is an unwelcome sexual advance; request for sex or any other sexual behaviour that a reasonable person would know or expect would offend, humiliate, seriously embarrass or humiliate another. Harassment is unacceptable in any form.

**Vilification** is behaviour (through words or actions) that incites hatred, serious contempt or ridicule of another person or group of people because of their race or religious belief. Racial and religious vilification is unacceptable in any form.

**Bullying** is unreasonable behaviour that is intimidating, threatening or humiliating and repeated over time or occurring as part of a pattern of behaviour. Bullying can be physical, verbal or indirect, and creates an unfriendly, threatening or offensive environment. Bullying is unacceptable in any form.

Victimisation means treating someone unfairly or otherwise disadvantaging them because they have made an EO complaint or might do so in the future. Victimising someone who makes an Equal Opportunity complaint is unacceptable.

Hampton Primary School will take action to prevent discrimination, harassment, vilification, bullying and victimisation and to promote a safe and inclusive school.

Hampton Primary School will take immediate and appropriate action to address and resolve EO issues and complaints.

Hampton Primary School will take action to promote human rights both in terms of school policy and practice and within its educational activities and culture. A human rights based approach means taking steps to assess the school’s decisions and actions within the framework of the Charter and also taking proactive steps to encourage and promote wider school discussion and student learning on the key Charter themes of Freedom, Respect, Equality and Dignity.

# Complaints procedures

Hampton Primary School encourages all members of the school community to attempt to resolve complaints and concerns through the school.

All complaints will be treated confidentially, fairly and consistently, and resolved as speedily as possible.

Any member of the school community who raises an issue of discrimination, harassment, bullying or vilification in good faith will not be victimised or otherwise unfairly treated or disadvantaged. All complaints of victimisation will be taken seriously, investigated and acted upon as quickly as possible.

Every student and staff member at [name of school] should feel welcome, supported and emotionally and physically secure at school. The wellbeing of all students and staff is a priority for [name of school.] We understand that you cannot achieve your potential if someone is treating you unfairly, discriminating against you, vilifying, harassing or victimising you.

Complaints procedures exist to provide an avenue to address unacceptable behaviour. Complaints procedures are designed to explain what to do if you believe you have been discriminated against, harassed, sexually harassed, bullied, vilified or victimised as explained earlier in this policy and your complaint is about your education or employment at [name of school] or goods, services or sport provided by [name of school]

If you are a member of staff:

Please refer to the Department’s [Guidelines for Managing Complaints, Unsatisfactory Performance and Misconduct](http://www.education.vic.gov.au/hrweb/workm/perform/conduct.htm) guidelines.

If you are a parent or guardian:

Please refer to DEECD’s [Parent Complaints](http://www.education.vic.gov.au/about/contact/complaints.htm) guidelines.

If you are a student and you believe someone is discriminating, harassing, bullying, vilifying or victimising you and it is safe for you to do so, tell the other person to stop their behaviour. Let them know that their behaviour offends you. They may not realise this.

If the behaviour doesn’t stop or you are not sure what to do, report it to a trusted adult, such as a teacher, the year level coordinator, the principal or the Student Welfare Coordinator. Remember, you are not alone. If you have a problem or complaint, talking to someone, especially your parents can help. If you do not want to talk to anyone about it, you can find more information at (insert appropriate electronic links and other relevant contacts, for example, the Kids Help Line, telephone 1800 55 1800).

If the unfair treatment or harassment persists, you can call the Commission for free and confidential advice. Advice can be given over the phone or in person. If your issue is covered by Equal Opportunity law, the Complaints Officer will discuss it with you. They will then explain how the Commission can help you and the information you would need to include in a complaint should you decide to make one.

Hampton Primary School will treat all reports of misconduct fairly, confidentially and quickly. Only people directly involved in the issue or complaint will be told about it. Each complaint will be investigated to work out whether it is more likely the behaviour happened than not and, if so, how serious it is. Appropriate action to resolve the problem will be taken.

The principal (or someone else they appoint) has responsibility for investigating complaints of discrimination, harassment, bullying, vilification and victimisation.

**Consequences**: If proven, the consequences of such behaviour may include counseling, the removal of privileges; a parental interview, suspension or expulsion [name of school] will arrange counseling and support, where appropriate or where requested, for any student who has experienced bullying or harassment. Counseling may also be provided for a person who has bullied or harassed another.

The school may also need to discuss the incident with parents.

Hampton Primary School will monitor how the complaint was resolved and the wellbeing of those involved. Further action will be taken if the problem behaviour continues.

Hampton Primary School encourages all members of the school community to attempt to resolve complaints and concerns through the school if possible. It is also your right to seek help from outside the school. For example, you can contact the Department’s regional office, the Ombudsman or the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) for information or advice, or to make a complaint.

If you are unhappy with the decision about your complaint, you may seek a review of the decision in accordance with departmental procedures.

# Further information and resources

The Hampton Primary School Equal Opportunity policy is one component of the Department’s broader policy framework for the promotion of safe and inclusive schools and protection of human rights.

Other relevant policy may include:

·  [Managing Diversity and Inclusive Workplaces](http://www.education.vic.gov.au/hrweb/divequity/divman.htm)

·  [Equal opportunity, Discrimination and Harassment](http://www.education.vic.gov.au/hrweb/divequity/eeo/discrim.htm)

·  [Complaint Resolution Procedures](http://www.education.vic.gov.au/hrweb/workm/perform/conduct.htm)

·  [Health, Safety and WorkSafe](http://www.education.vic.gov.au/hr/ohs/default.htm)

·  [Building Respectful and Safe Schools](http://www.education.vic.gov.au/healthwellbeing/respectfulsafe/default.htm)

· School codes of conduct

· Bullying Prevention policy

· Charter of Human Rights and Responsibilities Act 2006 including any [Department policies](http://www.education.vic.gov.au/hrweb/workm/other/human_rights.htm)

# Evaluation and Review

This policy will be reviewed every 3 years by the Education sub-committee of School Council] and ratified by the school council.

# Revision and approval history

The section records the history and review of each policy.

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| **Date** | **Reviewed by** | **Description of outcome** | **Council Approval Date** |
| **14.8.16** |  |  |  |
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