

<b>Responsible Officer</b>	Vice-President, Human Resources		
<b>Contact Officer</b>	Vice President, Human Resources		
<b>Superseded Documents</b>			
<b>Review</b>			
<b>File Number</b>	2015/37928		
<b>Associated Documents</b>	<a href="#">Anti Racism Policy Statement</a> <a href="#">Equal Opportunity in Education</a>		
<b>Version</b>	<b>Authorisation</b>	<b>Approval Date</b>	<b>Effective Date</b>
2.3	Administrative update by Acting Head of Governance	27 November 2015	27 November 2015

*The UNSW Equity & Diversity Policy Statement was developed by the Equity and Diversity Unit in conjunction with the Advisory Committee on Equal Opportunity in Employment, endorsed by the Vice-Chancellor on 3 April 1998, and adopted by UNSW Council on 20 April 1998. Enquiries about the Policy Statement should be directed to the Director, Student Equity and Diversity, The University of New South Wales, Sydney 2052. Copies of the Policy may be obtained from the Student Equity and Diversity Unit.*

For people with print handicap (vision impairment, learning disability, etc), this document is available on request in large print, on audiotape, on disc, or in Braille, from the [Student Equity & Diversity Unit](#) (phone 9385 4734).

## 1. Policy Statement

The University of New South Wales is committed to the goals of equal opportunity and affirmative action in education and employment. It aims to provide a study and work environment for staff and students that fosters fairness, equity, and respect for social and cultural diversity, and that is free from unlawful discrimination, harassment and vilification as determined by legislation and by University Council<sup>1</sup>.

In fulfilling this commitment, the University will:

- foster a University culture which values and responds to the rich diversity of its staff and students<sup>2</sup>;
- provide equal opportunity by removing barriers to participation and progression in employment and education so that all staff and students have the opportunity to fully contribute to University life<sup>3</sup>;
- offer programs which aim to overcome past disadvantage for members of staff and student equity groups<sup>3</sup>;
- promote clear and accountable educational and management policies and practices to engender trust between managers, staff and students;
- enhance the quality of students' learning through the provision of culturally, socially and gender inclusive education in areas such as curricula, teaching methods, assessment and review provisions, written and audiovisual material and support services;
- ensure that its staff and students are aware of their rights and their responsibilities as University members.

To achieve these goals, the University depends on the continued co-operation of all members of the University community.

The Vice-Chancellor as Chief Executive Officer and Director of Affirmative Action is responsible for compliance with all relevant legislation. He is assisted by the Senior Management Group and the Director, Equity and Diversity.

## Explanatory Notes:

1. Currently the grounds of unlawful discrimination and harassment are:

- age;
- compulsory retirement from employment;
- disability (physical, intellectual, psychiatric, sensory, neurological or learning disability, physical disfigurement, the presence in the body of an organism capable of causing disease, and current, past, future or imputed disability).
- homosexuality (male or female, actual or presumed);
- marital status (single; or, with reference to a person of the opposite sex, married, separated, divorced, widowed or in a de facto relationship);
- political affiliation, views or beliefs;
- pregnancy or potential pregnancy;
- race (including colour; descent; ethnic, ethno-religious or national origin, nationality; and immigration);
- religious affiliation, views or beliefs;
- responsibilities as a carer;
- sex; sexual harassment;
- transgender or transsexuality (anyone who lives, has lived, or wants to live as a member of the opposite gender to their birth gender including people who are assumed to be transgender);
- actual or imputed characteristics of any of the attributes listed above; and
- association with a person identified by reference to any of the attributes listed above.

It is also unlawful to terminate employment on any of the grounds listed above, and also on the grounds of temporary absence from work because of injury or illness, membership or non-membership of a union, participation in union activities, and absence from work during maternity or other parental leave.

The grounds of unlawful vilification are:

- HIV/AIDS;
- homosexuality;
- race; and
- transgender (transsexuality).

The University is complying with the following statutory requirements with regard to unlawful discrimination and vilification: the *NSW Anti-Discrimination Act*, and the *University of New South Wales Act*, and the *Federal Disability Discrimination Act*, *Racial Discrimination Act*, *Sex Discrimination Act*, *Age Discrimination Act*, and *Workplace Relations Act*.

**NOTE (i):** University College at the Australian Defence Force Academy in the ACT is subject also to the ACT Discrimination Act. Staff working at, or visiting, University College need to be aware of the following grounds of unlawful discrimination in addition to those listed above:

- bisexuality;
- breastfeeding;
- membership or non-membership of an association or organisation of employers or employees;
- profession, trade, occupation or calling; and
- association (whether as a relative or otherwise) with a person identified by reference to one of the above attributes.

**NOTE (ii):** Under the Federal Human Rights and Equal Opportunity Act there are a number of further grounds of discrimination in the area of employment or occupation:

- criminal record;

- medical record;
- national extraction or social origin; and
- trade union activity.

However, discrimination on these grounds is not made unlawful by the Act, and the grounds do not apply where the discrimination is necessary because of the inherent requirements of a particular job. The only avenue of redress for a complaint under this Act is conciliation.

2. In compliance with the NSW Charter of Principles for a Culturally Diverse Society endorsed in 1993 and reaffirmed in 1995 by the NSW Government.
3. For staff, in compliance with Part IXA of the *NSW Anti-Discrimination Act 1977* and the *Federal Equal Opportunity for Women in the Workplace Act 1999*. The equity groups currently identified are: Aboriginal and Torres Strait Islander people; people with disabilities; people of non-English speaking background; and women.

For students, in compliance with Federal Government policy as outlined in *A Fair Chance for All*, AGPS, 1990 and subsequent amendments as outlined by DETYA. The identified equity groups are: Aboriginal and Torres Strait Islander people; people with disabilities, from socio-economically disadvantaged backgrounds, from rural and isolated areas, from non-English speaking backgrounds; and women in non-traditional areas of study.

## Appendix A: History

Version	Authorised by	Approval Date	Effective Date	Sections modified
1.0	UNSW Council (CL98/032)	20 April 1998	20 April 1998	
2.0	UNSW Council (CL001/18)	26 February 2001	27 February 2001	Policy reviewed
2.1	Director, Equity & Diversity	11 July 2005	11 July 2005	Final paragraph and footnote 3.
2.2	Director, Equity & Diversity	22 November 2006	22 November 2006	Explanatory notes 1 and 3
2.3	Administrative update by Acting Head of Governance	27 November 2015	27 November 2015	Amendments to the Responsible Officer and Contact Officer