



Policy Version Details				
Current Version	Last Updated	Next Review Date	Author	Approved By
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## Student Rights and Obligations

### Equal Opportunity

ICV is committed to equal opportunity policies and principles, as they affect clients and employees to ensure the elimination of discrimination and harassment.

### *Rights and Responsibilities*

ICV has a legal and moral obligation to provide equal opportunity in employment and a learning environment free from harassment for employees, contractors and clients.

ICV is committed to providing an environment, which recognises and respects the diversity of employees, contractors and clients. ICV is committed to providing a work and study environment free from harassment, vilification and bullying and supports the rights of all employees, contractors and clients to work and study in a safe and healthy environment free from such behavior.

ICV will:

- Ensure that employees, contractors and clients understand that these types of actions and behaviour will not be tolerated in the work/study environment.
- Request that any behaviour which could be considered harassment, vilification or bullying cease immediately.

All employees, contractors and clients have a role to play in eliminating harassment, vilification and bullying by not encouraging or showing support for harassment, vilification or bullying aimed at work or study colleagues. This can be achieved by:

- Refusing to join in with these types of actions and behaviours.
- Supporting the person in saying no to these behaviours.
- Acting as a witness if the person being harassed decides to lodge a complaint.

If an employee, contractor or client feels harassed, vilified or bullied, the employee, contractor or client is encouraged to inform the person where the behaviour is unwanted, unacceptable and/or offensive. If the employee, contractor or client feels unable to approach the person, or if the behaviour continues following their request that the behaviour cease, the DIRECTOR should be contacted.

As a client of ICV , you have the responsibility to:

- Act to prevent harassment, discrimination and victimization against others;
- Respect differences among other staff, clients and contractors, such as cultural and social diversity;
- Treat people fairly, without discrimination, harassment or victimization;
- Refuse to join in with these behaviours;
- Supporting the person in saying no to these behaviours;
- Acting as a witness if the person being harassed decides to lodge a complaint.



### *Discrimination*

Discrimination is treating someone unfairly or harassing them because they belong to a particular group. It is against the law to discriminate against a person because of their age, sex, pregnancy, disability (includes, past, present or possible future disability), race, colour, ethnic or ethno-religious background, descent or nationality, marital status, sexuality or gender identification.

Both direct and indirect discrimination are against the law:

- Direct discrimination - means treatment that is obviously unfair or unequal.
- Indirect discrimination - means having a requirement that is the same for everyone but has an effect or result that is unfair to particular groups.

### *Harassment, Vilification and Bullying*

All employees, contractors and clients have an equal opportunity to work and study. ICV will not tolerate behaviour which is of a harassing, vilifying or bullying nature.

It is against the law for employees, contractors and clients to be harassed during the course of their work or study because of their sex, pregnancy, race (including colour, nationality, descent, ethnic or religious background), marital status, disability, sexuality, HIV/AIDS status or transgender. Federal anti-discrimination legislation applies to staff, contractors and clients.

### *Harassment*

In general, harassment is behaviour which is unwanted and that humiliates, offends or intimidates a person, and occurs because of a person's:

- **Race, colour, ethnic or ethno-religious background, descent or national identity.**
- Sex.
- Pregnancy.
- Marital status.
- Disability (including physical, intellectual and/or behavioural/psychiatric disability; past, current or future disability; actual or presumed disability).
- Sexuality (male or female; actual or presumed).
- Transgender.
- Age.

It is unlawful for a person to be harassed due to a relationship to or association with a person of a particular race, sex, marital status, disability, homosexuality, transgender or age.

Harassment in the work and study environment can be overt or subtle, direct or indirect. It can be verbal, non-verbal or physical. Harassment can occur when power is used incorrectly.

Harassment is not always intended. Actions and behaviour which one person finds amusing or unimportant may offend or hurt another person.

Examples of harassment include:

- **Intrusive or inappropriate questions or comments about a person's private life.**
- Unwanted written, telephone or electronic messages.
- Promises or threats to a person.
- Physical violence or the threat of physical violence or coercion.



### *Vilification*

Vilification is the public act of a person which incites hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the grounds of race, sexuality, transgender or HIV/AIDS status.

Examples of circumstances and behavior that may constitute vilification on the basis of a person's race, sexuality, on transgender grounds, or disability (HIV/AIDS) etc are graffiti, speeches or statements made in public, abuse that happens in public, statements or remarks in a newspaper, journal or other publication, on radio, television or other widely accessed electronic media such as internet, email etc. People wearing symbols, such as badges or clothing with slogans, in public, gestures made in public, posters or stickers in public space.

### *Bullying*

Bullying behaviour can refer to the actions or behaviours of a person to another that intimidates, degrades or humiliates the person. It may include verbal abuse, behaviour intended to punish such as isolation, exclusion from workplace activities and "ganging up". Repeated "put-downs", aggression, threats and poorly managed conflicts of opinion may be part of bullying behaviour. It can occur between people such as managers and employees or contractors, co-workers and clients.

### *Sexual harassment*

ICV will not tolerate sexual harassment in the learning or work environment.

The ICV deplores all form of sexual harassment and seeks to ensure that the work and study environment is free from such harassment. Implementation of this policy is the responsibility of all persons.

Sexual harassment is unlawful. The harasser may be held liable for unlawful actions and be required to pay damages. All employees, contractors and clients have the right to work and study in an environment free from sexual harassment.

### *Forms of sexual harassment*

Sexual harassment may take many forms. Often people do not realise that their behavior constitutes sexual harassment, but they must be aware that behavior that is acceptable to one person may not necessarily be acceptable to another. Sexual harassment is any unwanted behavior of a sexual nature by one person to another at work or in a work-related setting. Examples of sexual harassment include, but are not limited to:

- Insensitive jokes and pranks.
- Lewd comments about appearance.
- Unnecessary body contact.
- Displays of sexually offensive materials, for example, calendars or posters.
- Requests for sexual favours.
- Speculation about a person's private life and sexual activities.
- Threatened or actual sexual violence.
- Threat of dismissal, loss of opportunity and so on, for refusal of sexual favours.

### *Complaints*

All complaints regarding equal opportunity matters are treated seriously and investigated promptly, confidentially and impartially.

**Please refer to Student Handbook for details.**