

INCLUSION AND DIVERSITY POLICY 2021-2024

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PURPOSE

The purpose of this policy is to explain Brighton Secondary College's commitment to making sure every member of our school community, regardless of their background or personal attributes, is treated with respect and dignity. Brighton Secondary College strives to provide a safe, inclusive and supportive school environment which values the human rights of all students and staff. For staff, this policy should be read alongside the Department of Education and Training's Respectful Workplaces policies (including Equal Opportunity and Anti-Discrimination, Sexual Harassment and Workplace Harassment) as these whole of Department policies apply to all staff at Brighton Secondary College.

POLICY

DEFINITIONS

Personal attribute: a personal characteristic that is protected by State or Commonwealth anti-discrimination legislation. These include: race, disability, sex, sexual orientation, gender identity, religious belief or activity, political belief or activity, age, intersex status, physical features, pregnancy, carer and parental status, breastfeeding, marital or relationship status, lawful sexual activity, employment activity, industrial activity, expunged homosexual conviction or personal association with anyone who is identified with reference to any protected attribute.

Direct discrimination: unfavourable treatment because of a person's protected attribute.

Indirect discrimination: imposing an unreasonable requirement, condition or practice that disadvantages a person or group of people with a protected attribute.

Sexual harassment: unwelcome conduct of a sexual nature towards another person which could reasonably be expected to make that other person feel offended, humiliated or intimidated. It may be physical, verbal, visual or written.

Disability harassment: humiliating comments or actions about a person's disability.

Vilification: conduct that incites hatred towards or revulsion or severe ridicule of a person or group of people on the basis of their race or religion.

Victimisation: subjecting a person or threatening to subject them to detrimental treatment because they (or their associate) has made an allegation of discrimination or harassment on the basis of a protected attribute (or asserted their rights under relevant policies or law).

Anti-semitism: is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.

<https://www.holocaustremembrance.com/resources/working-definitions-charters/working-definition-antisemitism>

INCLUSION AND DIVERSITY

Brighton Secondary College is committed to creating a school community where all members of our school community are welcomed, accepted and treated equitably and with respect regardless of their

backgrounds or personal attributes such as race, language, religious beliefs, gender identity, disability or sexual orientation so that they can participate, achieve and thrive at school.

Brighton Secondary College acknowledges and celebrates the diversity of backgrounds and experiences in our school community and we will not tolerate behaviours, language or practices that label, stereotype or demean others. At Brighton Secondary College we value the human rights of every student and we take our obligations under anti-discrimination laws and the Charter of Human Rights and Responsibilities seriously.

Brighton Secondary College will:

- actively nurture and promote a culture where everyone is treated with respect and dignity
- ensure that students are not discriminated against (directly or indirectly) and where necessary, are reasonably accommodated to participate in their education and school activities (eg schools sports, concerts, [formals, you can add other examples appropriate to your school]) on the same basis as their peers
- acknowledge and respond to the diverse needs, identities and strengths of all students
- encourage empathy and fairness towards others
- challenge stereotypes that promote prejudicial and biased behaviours and practices
- contribute to positive learning, engagement and wellbeing outcomes for students
- respond to complaints and allegations appropriately and ensure that students are not victimised.

This is reflected in the variety of programs run across all year levels, as evident through the PEP and other targeted programs.

Harassment, unlawful discrimination, harassment, vilification and other forms of inappropriate behaviour targeting individuals or groups because of their personal attributes will not be tolerated at Brighton Secondary College. We will take appropriate measures, consistent with our Student Wellbeing and Engagement and Harassment Prevention policies to respond to students who demonstrate these behaviours at our school.

Students who may have experienced or witnessed this type of behaviour are encouraged to speak up and to let their teachers, parents or carers know about those behaviours to ensure that inappropriate behaviour can be addressed.

RACIAL HARASSMENT

Racism, racial harassment, religious discrimination or vilification are unlawful and unacceptable at Brighton Secondary College. We believe that it is the responsibility of all members of the school community to practice non-racist behaviour and to challenge racist remarks or behaviour of others.

[School Statement of Commitment to Anti-Discrimination](#)

Racism is the ill-treatment and/or harassment of another person or group because of their ethnic background or skin colour.

For the staff member, the judgement of what constitutes racist behaviour may be subjective since it is to some extent determined by the context in which the behaviour occurs and the reaction of the audience to the situation..

The following examples may be seen as incidents of racism:

- name-calling;
- anti-semitism behaviour; "is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities."
- comments that unfairly label or stereotype characteristics of a particular ethnic group;
- comments that relate to things such as appearance, food, abilities, work habits, religion, clothing;
- refusal to work with a particular person because of his/her background;
- refusal to listen to/impatience with the oral contribution of anyone less confident with the English language;
- imitating the accent or pronunciation of another person;
- jokes, sarcasm, and/or a condescending manner;
- verbal abuse/derogatory language;
- wearing of clothing which is "offensive" including inappropriate cultural appropriation;
- physical violence;
- graffiti that denigrates an individual or an ethnic group;
- deliberate and/or ongoing alienation, eg. making of rules that exclude a particular group on the grounds of their ethnicity or colour.

GUIDELINES

- all staff need to question/challenge students regarding potentially racist incidents rather than ignoring them.
- since it is vital that we are all seen to be challenging racism, incidents must be dealt with immediately by the teacher/member of staff, even if a referral is to be made.
- all staff need to promote non-racist attitudes and model non-racist behaviours in their own interactions with all members of the school community.
- all staff should attempt to include multicultural perspectives in curriculum material in order to dispel ignorance and promote understanding and celebration of difference.
- all staff need to implement inclusive strategies which are sensitive to the needs of students based on their ethnicity.

STRATEGIES

Address the incident yourself:

- even if words are used in a good natured way, acknowledge the level of usage but explain that such language is often used in a derogatory way which may be offensive to some people.
- question the reason for the remark.
- assess the situation, and if the behaviour is inappropriate, immediately pass a comment of disapproval. Remind the students of the School's Code of Conduct and how it applies to racism.

INCIDENT RESPONSE

REPORTING CONCERNS TO BRIGHTON SECONDARY COLLEGE

Harassment complaints will be taken seriously and responded to sensitively at our school.

A receipt will be issued to the person making a report, whenever an allegation or an incident report is received. This may be a student or parent. The receipt will allow students or parents to verify that a report was received, when it was received, a brief description of the incident and how it was flagged (e.g. as an antisemitic incident) in the student's Chronicle record,

All reports of antisemitic bullying received at Brighton Secondary College will be entered into the individual Chronicle records of both the target and the alleged perpetrator and specifically identified as being antisemitic in nature. A similar approach should be applied to all forms of harassment which involve racial or religious vilification.

All reports of harassment received at Brighton Secondary College will be entered into the individual Chronicle records of both the target and the alleged perpetrator.

Students who may be experiencing harassment, or students who have witnessed harassment, are encouraged to report their concerns to school staff as soon as possible.

Our ability to effectively reduce and eliminate harassment is greatly affected by students and/or parents and carers reporting concerning behaviour as soon as possible, so that the responses implemented by Brighton Secondary College are timely and appropriate in the circumstances.

Students who may have a complaint or concern about something that has happened at school are encouraged to speak to their parents or carers and approach a trusted teacher or a member of the school leadership team.

Students and parents are strongly encouraged to immediately report all instances of this behavior to Year Level Managers, the Wellbeing Team, or the Principal. If parents or students feel uncomfortable reporting to these people, they may go to the designated contact officer for these reports, Mr Pat Gargano.

If students or parents are uncomfortable reporting these matters at school, they may report them the Department of Education and Training contact desk at:

<https://www.education.vic.gov.au/parents/going-to-school/Pages/discrimination-schools.aspx#:~:text=Report%20the%20incident%20on%20the%20Report%20racism%20hotline&text=In%20an%20emergency%2C%20contact,vic.gov.au>

Parents or carers who develop concerns that their child is involved in, or has witnessed harassment at Brighton Secondary College should contact the relevant Student Manager by phone or email.

INVESTIGATIONS

When notified of alleged harassment, school staff are required to:

1. record the details of the allegations in Compass, student chronicle; and
2. inform relevant Student Manager and the designated officer for receiving reports

The Student Manager is responsible for investigating allegations of harassment in a timely and sensitive manner. To appropriately investigate an allegation of harassment, the Student Manager may:

- speak to the those involved in the allegations, including the target/s, the students allegedly engaging in harassment/s and any witnesses to the incidents
- speak to the parents of the students involved
- speak to the teachers of the students involved
- take detailed notes of all discussions for future reference
- obtain written statements from all or any of the above.

All communications in the course of investigating an allegation of harassment will be managed sensitively. Investigations will be completed as quickly as possible to allow for the behaviours to be addressed in a timely manner.

The objective of completing a thorough investigation into the circumstances of alleged harassment is to determine the nature of the conduct and the students involved. A thorough understanding of the alleged harassment will inform staff about how to most effectively implement an appropriate response to that behaviour.

Serious harassment is a criminal offence and may be referred to Victoria Police. For more information, see: Brodie's Law.

RESPONSES TO HARASSMENT

When the Student Manager has sufficient information to understand the circumstances of the alleged harassment and the students involved, a number of strategies may be implemented to address the behaviour and support affected students.

There are a number of factors that will be considered when determining the most appropriate response to the behaviour. When making a decision about how to respond to harassment, Brighton Secondary College will consider:

- the age and maturity of the students involved
- the severity and frequency of the harassment, and the impact it has had on the target student
- whether the student/s engaging in harassment behaviour have displayed similar behaviour before
- whether the harassment took place in a group or one-to-one context
- whether the students engaging in harassment demonstrates insight or remorse for their behaviour
- the alleged motive of the behaviour, including any element of provocation.

Student Manager may implement all, or some of the following responses to harassment:

- offer counselling support to the target student or students, including referral to the Student Wellbeing Team, SSS or external provider
- offer counselling support to the students engaging in harassment, including referral to the Student Wellbeing Team, SSS or external provider.
- offer counselling support to affected students, including witnesses and/or friends of the target student, including referral to the Student Wellbeing Team, SSS or external provider.
- facilitate a restorative practice meeting with all or some of the students involved. The objective of restorative practice is to repair relationships that have been damaged by bringing about a sense of remorse and restorative action on the part of the person who has bullied someone and forgiveness

by the person who has been bullied.

- facilitate a mediation between some or all of the students involved to help to encourage students to take responsibility for their behaviour and explore underlying reasons for conflict or grievance. Mediation is only suitable if all students are involved voluntarily and demonstrate a willingness to engage in the mediation process.
- facilitate a process using the Support Group Method, involving the target student(s), the students engaging in harassment and a group of students who are likely to be supportive of the target(s).
- implement a Method of Shared Concern process with all students involved in the harassment.
- facilitate a Student Support Group meeting and/or Behaviour Support Plan for affected students.
- prepare a [Safety Plan or Individual Management Plan] restricting contact between target and students engaging in harassment.
- provide discussion and/or mentoring for different social and emotional learning competencies of the students involved.
- monitor the behaviour of the students involved for an appropriate time and take follow up action if necessary.
- implement year group targeted strategies to reinforce positive behaviours, for example SECASA, work shops and 'Click for Hate' session,
- implement disciplinary consequences for the students engaging in harassment, which may include removal of privileges, detention, suspension and/or expulsion consistent with our Student Wellbeing and Engagement policy, the Ministerial Order on Suspensions and Expulsions and any other relevant Department policy.

Brighton Secondary College understands the importance of monitoring and following up on the progress of students who have been involved in or affected by harassment.

As a matter of course, students who are reporting incidents harassment or any other form of discrimination are referred to the Wellbeing Department for support, irrespective of whether they have identified the perpetrator

The Student Manager is responsible for maintaining up to date records of the investigation of and responses to harassment.

The parents of all students involved in harassment allegations (irrespective of whether their child was the target or perpetrator of the behaviour) be advised of the outcome of any investigations into such allegations, and a record of this communication will be included on the student's chronicle record.

IMPLEMENTATION

Any incidents of reported harassment or cyberharassment or harassment will be handled/dealt with as follows:

- victim(s) and written perpetrator statement(s) will be taken by the student manager.
- victim(s) and perpetrator(s) will be interviewed separately
- parent(s) or carer(s) will be contacted
- well-being team will be involved to provide counselling, support and further education if necessary
- depending on the nature or severity of the incident (or repetitive) appropriate consequences will apply which may include:

- temporary removal from the classroom or placement in a senior class
- completion of a special task
- detention (before or after school or during recess or lunchbreaks)
- Conduct card
- written behavioural or work agreements
- attendance on student free days
- being sent home from excursions, camps, other activities at parents' expense
- involvement of the Police
- suspension – either Internal or External
- assisted transfer (in line with DET guidelines)

For further information, see:

- Student Wellbeing and Engagement Policy
- Inclusion and Diversity Policy

REPEATED AND SERIOUS OFFENCES

After investigation, if it is established that repeated harassment or vilification has occurred, the following procedures or sanctions may be implemented:

- any student found to have exhibited repeated harassment vilification is committing an offence against the law.
- any student found have exhibited repeated sexual harassment will be suspended immediately, and the parents/guardians of the student will be notified in order to begin a consultation process. Police may be notified. As each situation is unique, in addition to the steps stipulated above, other steps may be taken depending on the individual circumstances of the incident.
- at the discretion of the Principal, the students may be encouraged and assisted to find an alternative educational setting.

FALSE REPORTING:

If it is found that any student has deliberately or falsely accused another student or staff member of harassment or vilification, the accusing student will be dealt with as the offending student.

SEXUAL HARASSMENT

SEXUAL HARASSMENT (AS DEFINED BELOW) IS UNLAWFUL AND TOTALLY UNACCEPTABLE AT BRIGHTON SECONDARY COLLEGE.

Sexual harassment is any behaviour of a sexual nature which is uninvited, unwelcome, unsolicited, not reciprocated offensive, and/or frightening, whether the action was intended or unintended. Males, females, students or staff may be perpetrators or victims of sexual harassment. Brighton Secondary College recognises that everyone has the legal right to protection from sexual harassment.

This policy aims to provide an enjoyable and harmonious learning/working environment that actively discourages sexual harassment and ensures that proper standards of conduct are maintained by all members of the community at all times.

Sexual harassment may be physical, verbal or written. It can include words, images, sounds, gestures or statements which are transmitted by telephone, fax or computer email.

Examples, which may be dealt with at a school level, include:

- offensive gestures;
- offensive staring or leering;
- suggestive comments about a person's physical appearance or sexual preference;
- offensive comments or jokes;
- questions or comments about another's sexual morality;
- uninvited physical contact, eg. purposefully brushing up against another's body;
- offensive name-calling;
- pinching, patting, touching, embracing;
- repeated requests to go out with someone, especially after prior refusal;
- sexually provocative remarks;
- displays or sexually graphic material;
- requests for sexual favours, especially as condition/payment for other "favours";
- such conduct/behaviour that creates an intimidating, hostile, and/or offensive work/class environment for any member of the school community;
- seeking to define a person in terms of their gender or sexual preference, and ignoring and/or denigrating their individual worth as a result;
- conduct of a sexual nature that either implicitly or explicitly manipulates or leverages terms or conditions of an individual's employment, including but not limited to conditions for decisions that may affect promotion, salary or job conditions, for an individual's personal benefit or as a way to coerce consent.

Sexual harassment does not refer to statements of which the intention was to compliment or common courtesies. Any miscommunication or disagreement as to a statement's intention will be considered on a case-by-case basis through mediation with involved parties.

Other sexual harassment offences are much more serious and may be regarded as criminal. They are to be reported to the police.

They include:

- attempted or actual rape;
- indecent exposure;
- sexual assault;
- sending obscene letters or making obscene phone calls;
- incident reports will be addressed as per Racial Harassment

INCIDENT RESPONSE

Harassment and/or racial vilification complaints will be taken seriously and responded to as outlined in the incident response for racial harassment (see page 7)

POLICY DETAIL

Staff Sexual Harassment of a Student

The grievance procedures for this category of harassment are covered by overriding DET directives entitled [“Procedures For Handling Complaints Against Persons Employed Under The Teaching Service Act”](#) and [“Sexual Harassment Policy and Guidelines”](#). In these circumstances, parents should be informed and the complaint ultimately directed to the Principal or Assistant Principals.

Staff Sexual Harassment of Another Staff Member

The grievance procedures for this category of harassment are covered in the overriding DET directives entitled [“Procedures For Handling Complaints Against Persons Employed Under The Teaching Service Act”](#) and [“Sexual Harassment Policy and Guidelines”](#). An extract from the second document follows (Point 7 – Avenues for Advice and Complaint): “The choice of the contact depends entirely upon the preference of the complainant. Advice may be sought from and/or complaints lodged with any of the following:

- nominated contact person at the workplace;
- union representative at the workplace;
- Principal/Assistant Principal;
- the relevant Union;
- the Commissioner for Equal Opportunity.”

Student Sexual Harassment of Another Student or Student Harassment of a Staff Member

- complainants should report possible cases to a confidante. This may be one of the Year Level Student Manager, the Sub-School Assistant Principal or any staff member whom the individual feels he/she can trust.
- the confidants should document any possible case on an Incident Form from Sub-Schools and relay this for the to the Sub-School Assistant Principal. Any witnesses of a sexual harassment incident should also report it to the Sub-School Assistant Principal.
- the Sub-School Assistant Principal will keep Reports of all incidents in a file which will be confidential
- if further action is indicated, this information will be related to the appropriate Sub-School Assistant Principal who will convene a meeting between the complainant student, his/herself and the Sub-School Assistant Principal to investigate the complaint.
- possible strategies of dealing with the complaint will be discussed. The complainant’s wishes regarding any action will be considered.

IMPLEMENTATION

DET and College Councils are responsible for providing a work environment free from sexual harassment. This responsibility will be discharged through the school Principal.

All staff and students have a responsibility to ensure their behaviour does not constitute or foster sexual harassment.

A workplace contact person, the Manager Human Resources, will be the nominated initial point of contact for complaints.

It is not the role of the workplace contact person to investigate, substantiate or resolve complaints, but to be responsible for providing confidential support to a complainant. The Principal is responsible for contacting the Complaints and Investigations Unit regarding any complaint that has been made, and to inform the complainant of their rights and options.

All staff members are refer to the DET [School Policy and Advisory Guide](#) for detailed information relating to sexual harassment, avenues for lodging complaints and grievance procedures.

Staff are always encouraged to refer to current departmental policies which can be references at EduGate.

SUPPORTING VICTIMS OF SEXUAL HARASSMENT

All complaints of sexual harassment will be investigated as valid complaints.

Individuals who have complained of sexual harassment will be protected from “victimisation”. If victimisation does occur, the offending individual(s) will be dealt with as outlined in the “Repeated and Serious Offences” section above.

REASONABLE ADJUSTMENTS FOR STUDENTS WITH DISABILITIES

Brighton Secondary College also understands that it is important to make appropriate adjustments to accommodate students with disabilities so that they are able to fully access and participate in their education. A reasonable adjustment is a measure or action taken to assist students with disabilities to participate in their education on the same basis as their peers. Reasonable adjustments will be made for students with disabilities in consultation with the student, their parents or carers, the Leading Teacher, Student Support Programs, the relevant sub-school Assistant Principal and as appropriate their treating practitioners. Our school may consult through Student Support Group processes and in other less formal ways.

FURTHER INFORMATION AND RESOURCES

- [Bullying Prevention Policy](#)
- [Student Wellbeing and Engagement Policy](#)
- [Respect for School Staff](#)
- [School Values and Philosophy Policy](#)

Other relevant Department policies and resources on the Department's Policy and Advisory Library are:

- Students with Disability
- Koorie Education
- Teaching Aboriginal and Torres Strait Islander Culture
- Safe Schools
- Supports and Services
- Program for Students with Disabilities

EVALUATION

This policy will be reviewed every 3 years.

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LAST RATIFIED BY COLLEGE
COUNCIL: 24/03/2021

NEXT REVIEW DATE: FEBRUARY
2024



BRIGHTON
SECONDARY COLLEGE