



## **Oases Graduate School**

### **Harassment, Discrimination and Equal Opportunity: Policy and Procedures**

#### **Preamble**

*oases* is committed to encouraging mutually beneficial relating within a caring community where all members respect the dignity and intrinsic value of all beings. It is the policy of *oases* to ensure that all participants and members of the Academic Collegium and administrative staff are accorded equal respect and equal opportunities for integrative and transformative learning and to be responsive to the diverse needs of all participants and academic and administrative staff.

In establishing these procedures we are cognisant of the relevant legislative context of equal opportunity and anti discrimination and we are committed to promoting a culture and structure in the oases learning community that promotes equal opportunity where people are not discriminated against either directly or indirectly on the basis of irrelevant criteria such as age, gender, ethnic origin, race and other attributes, either actual or imputed, identified in the legislation. We are also committed to promoting a culture which is free of intimidation and bullying and other forms of harassment, prompting a safe and secure environment in which its participants can thrive.

#### **PROCEDURES**

##### **1. Contact Officers:**

The HGS will nominate (a) a member of the Academic Collegium and (b) a member who is an enrolled participant, to be available as Contact Officers for any member of the *oases* community who feels that she or he has been subject to harassing or discriminatory behaviour.

##### **2. Responsibilities of Contact Officers**

Contact Officers have the following responsibilities:

- Publicising the *oases* harassment and discrimination policy and procedures
- Being the first point of contact for members of the *oases* community who feel they have been harassed or discriminated against
- Having a detailed understanding of what constitutes harassment and discrimination
- Offering appropriate information and advice
- Maintaining confidentiality of the issues and parties involved
- Treating all complaints in a serious and timely manner
- Initiating resolution of a complaint

- Having an awareness of what might constitute an offence under law and what may require reporting to other authorities.
- Referring complaints or allegations where appropriate
- Providing support for the complainant or the respondent (not both)
- Documenting the issues, the procedure followed and the resolution

### **3. Procedures to be followed by the Contact Officers**

- Document the report in their confidential report diary. Details of the event to be recorded are the date, time, outline of situation, parties involved
- With the knowledge and consent of the reporting party, advise the HGS that a report has been made but without advising the details at this stage
- Collect and hold any 'evidence' of harassment or discrimination
- Assist the complainant to compile details of the situation
- Prepare an agreed course of action with the complainant
- At no stage contact the person or group named in the allegation without the clear consent of the complainant
- Proceed with informal resolution. Ideally, issues should be resolved at this point
- If there is need to proceed to a further level of intervention, the contact officer remains involved to support and act as advocate for the complainant
- At this *second stage* the HGS or his appointee should be involved to act as mediator and to ensure that the member of the community who has had the complaint made against them has the support of another contact officer or advocate

### **4. Responsibilities of the HGS or Delegate**

The HGS or Delegate has the following responsibilities in relation to the ***oases*** harassment and discrimination policy and procedures

- Monitoring the overall effectiveness of the policy and procedures
- Overseeing publicity and training as necessary
- Monitoring the progress of individual events in order to ensure resolution occurs
- Be aware of emerging 'trends' of behaviour in the community
- Recording confidential statistics



- Holding confidential documentation regarding complaints made
- Acting as a possible arbitrator if issues are not resolved at the 'contact officer' level
- If there is no resolution at this *second stage*, organising an external contact officer to attempt resolution

## **5. External Resolution**

If resolution is not achieved through arbitration within **oases**, or by contracted external negotiator, any party may approach the Victorian Equal Opportunities Commission or the Police for their assistance.

### **Definitions of Discrimination**

For useful definitions and discussions of direct and indirect discrimination in a legal context please refer to Consolidation of Australia's Anti Discrimination Laws Discussion Paper 2011, Attorney General's Department, Canberra at

<http://www.ag.gov.au/Documents/Consolidation+of+Commonwealth+Anti-Discrimination+Laws-Discussion+Paper.pdf>

### **Relevant Legislation**

#### **Commonwealth**

Age Discrimination Act 2004

Australian Human Rights Commission Act 1986

Disability Discrimination Act 1992

Gender Equality in the Workplace Act 2012

Racial Discrimination Act 1975

Sex Discrimination Act 1984 amended 2011

#### **Victoria**

Charter of Human Rights and Responsibilities Act 2006

Equal Opportunity Act 2010



Racial and Religious Tolerance Act 2001

Reviewed academic Board October 2012