Diversity, Equity and Inclusive Behaviours Policy

Section 1 - Purpose and Scope

Purpose

(1) The University of Queensland (UQ or the University) is committed to creating a thriving, diverse community where all staff, students and members of the UQ Community feel welcome, included and safe.

(2) The purpose of this Policy is to:

a. Outline the key principles underpinning UQ's approach to diversity, equity and inclusion;
b. Outline mechanisms for the prevention of Discrimination, Harassment and Bullying at UQ;
c. Identify accountability for applying these principles; and
d. Outline the areas of focus for UQ that inform strategies, plans, programs and initiatives related to diversity, equity and inclusion.

Scope

(3) This Policy applies to all members of the UQ Community, the UQ Senate, and contractors at the University, in relation to UQ Related Conduct.

(4) This Policy should be read and applied in conjunction with the relevant legislation and relevant procedures that underpin the Policy, as outlined in the 'Legislative Framework' in the Appendix and the Associated Information tab.

Section 2 - Principles and Key Requirements

(5) Diversity, equity and inclusion are values which are core to UQ's strategic objectives. UQ aims to be a respectful institution that highly values diversity, equity and inclusion, so that all members of the UQ Community can reach their full potential.

(6) A diverse staff and student population significantly enriches UQ's teaching, research, learning and professional capability across local, national and international networks and communities. Attracting and retaining diverse talent enables UQ to be innovative and to compete in the global marketplace as both an employer of choice and preferred study destination.

Principles

(7) In addition to the Senate-endorsed Principles for the Protection of Freedom of Speech and Academic Freedom (see Freedom of Speech and Academic Freedom Policy), all members of the UQ Community are expected to abide by UQ's Values. The following principles underpin diversity, equity and inclusion efforts within UQ:

a. The UQ Community is responsible for upholding an inclusive and respectful study and work environment, free from bullying, harassment and discrimination, in accordance with State and Commonwealth legislation, the Higher Education Standards Framework and other relevant policies and procedures.

b. Staff and students are expected to exemplify behaviours, including social responsibility, ethical leadership, and respectful and inclusive behaviours. UQ is committed to identifying and removing any systematic or structural barriers or limitations to equitable access, full participation and inclusion in education and employment.
c. UQ is committed to developing and maintaining an environment that is respectful, inclusive, and free from discriminating, harassing and bullying behaviours.
d. UQ will commit to activities which meet the University's Strategic objectives to support and retain a diverse and inclusive community of high achieving staff and students, including monitoring, evaluating and reporting on the impact of diversity, equity and inclusion interventions undertaken by UQ.

Key Requirements

(8) The Workplace Diversity and Inclusion Team within Human Resources Division is the primary coordination point for staff-focused diversity, equity and inclusion strategy and efforts.

(9) The Student Services Directorate within Student Affairs Division is the coordination point for student-focused diversity, equity and inclusion strategy and activity.

(10) UQ has a responsibility to meet the applicable legislative requirements which underpin the principles outlined in this Policy.

Areas of Focus

(11) UQ identifies specific areas of focus that inform strategies, plans, programs and initiatives related to diversity, equity and inclusion. These areas of focus include:

a. Aboriginal and Torres Strait Islander peoples;
b. People with disability;
c. People with cultural and linguistic diversities;
d. People with gender, sex and sexual diversities;
e. The under-representation of women in senior positions;
f. Groups/disciplines where one gender is over-represented within a cohort;
g. People with caring responsibilities;
h. People from low socio-economic backgrounds;
i. Students from rural and remote areas; and
j. Intersectionality, which addresses the complex impact of multiple overlapping/intersecting forms of Discrimination (such as racism, sexism) on the experiences of marginalised individuals or groups.

Prevention of Discrimination, Harassment and Bullying

(12) UQ strictly prohibits all forms of unlawful Discrimination, Harassment, Bullying, vilification and Victimisation behaviours, in accordance with State and Commonwealth anti-discrimination legislation, the Staff Code of Conduct Policy and Student Code of Conduct Policy, the University of Queensland Enterprise Agreement, UQ's Principles for the Protection of Freedom of Speech and Academic Freedom (in the Freedom of Speech and Academic Freedom Policy), and other relevant policies and procedures. Breaches of this Policy may be subject to investigation in accordance with University policies and procedures.

(13) UQ undertakes educative and preventative processes within the UQ Community to develop awareness of issues related to Discrimination, Harassment and Bullying, and provides mechanisms to deal with complaints about such behaviours.

(14) UQ offers multiple reporting and support options to Staff and Students who experience or witness behaviours that

are contrary to this Policy.

Section 3 - Roles, Responsibilities and Accountabilities

(15) While all members of the UQ Community are responsible for building an inclusive environment, the following individuals/areas have specific responsibilities and accountabilities as follows:

Role/Area Responsible	Roles, Responsibilities and Accountabilities
UQ Senate	Provide governance for and oversight of strategic workplace diversity, equity and inclusion policies, processes and interventions where appropriate. Comply with applicable laws. Demonstrate visible and action-orientated leadership in progressing diversity, equity and inclusion outcomes. Hold University Senior Leadership Group accountable for achieving diversity, equity and inclusion outcomes as detailed in strategy and operational documents.
University Senior Leadership Group	Establish the strategy, direction and targets for diversity, equity and inclusion at the University. Provide leadership and be accountable for achieving diversity, equity and inclusion outcomes as detailed in strategy and operational documents. Comply with applicable laws. Demonstrate visible and action-orientated leadership in progressing diversity, equity and inclusion outcomes. Ensure diversity, equity and inclusion efforts are adequately supported, resourced and embedded in USLG decision making processes. Hold direct reports accountable for taking all reasonable steps to ensure UQ work and study spaces are free from Discrimination, Harassment, and Bullying, including Workplace Bullying.
Heads of Organisational Units	Develop work, study and social environments that are consistent with this Policy. Comply with applicable laws. Demonstrate visible and action-orientated leadership in progressing diversity, equity and inclusion outcomes. Ensure staff adherence to any mandatory training requirements relevant to this Policy. Achieve, monitor and report on diversity, equity and inclusion outcomes within their Organisational Unit. Embed diversity, equity and inclusion principles into key planning documents, processes, committee structures, performance, recognition and development efforts, and measures for staff and students. Hold managers and supervisors accountable for taking all reasonable steps to ensure UQ work and study spaces are free from Discrimination, Harassment, and Bullying, including Workplace Bullying.

Role/Area Responsible	Roles, Responsibilities and Accountabilities
Student Affairs Division and Academic Services Division	Proactively build diversity, equity and inclusion considerations into all relevant student engagement, administration and management processes and activities. Deliver targeted programs and activities to support diversity, equity and inclusion outcomes for students. Respond to student complaints regarding behaviours that are contrary to this Policy, in a timely and sensitive manner, in accordance with relevant policies and procedures and anti-discrimination legislation. Provide expert advice on progressing diversity, equity and inclusion strategies, programs and initiatives for students. Coordinate, monitor and report on student-focused efforts to progress diversity, equity and inclusion outcomes within the University. Take all reasonable steps to achieve compliance with legislation, policy, procedures and actions to build a diverse, equitable and inclusive educational environment. Work with members of the UQ Community to develop study, social and club environments/events that are consistent with this Policy.
Managers/Supervisors	Take all reasonable steps to ensure UQ work and study spaces are free from Discrimination, Harassment, and Bullying, including Workplace Bullying. Adhere to legislation, policy, procedures and actions to build diverse and inclusive workplaces and/or study spaces. Ensure that staff adhere to any mandatory training requirements relevant to this Policy. Apply a diversity, equity and inclusion lens to decision-making processes. Address complaints regarding behaviours that are contrary to this Policy, in a timely and sensitive manner and in accordance with relevant policies and procedures.
Human Resources Division	Provide advice and work with all staff to build diversity, equity and inclusion considerations into all human resources processes, including recruitment, on-boarding, staff development, progression, selection and reward/recognition processes. Respond to staff complaints regarding behaviours that are contrary to this Policy, in a timely and sensitive manner and in accordance with relevant policies and procedures and anti-discrimination legislation. Assist with resolving workplace diversity, equity and inclusion issues where appropriate in accordance with relevant policies and procedures. Apply a diversity, equity and inclusion lens to decision-making processes. Provide expert advice on progressing diversity, equity and inclusion strategies, programs and other initiatives for staff. Coordinate, monitor and report on staff-focused efforts to progress diversity, equity and inclusion outcomes within the University. Deliver targeted programs to support diversity, equity and inclusion outcomes for staff.

Section 4 - Monitoring, Review and Assurance

(16) The Senate Committee for Equity, Diversity and Inclusion provides strategic oversight and governance of equity, diversity and inclusion efforts at UQ and is responsible for reporting to the Senate on an annual and /or as required basis.

(17) Workplace Diversity and Inclusion, within Human Resources Division, is responsible for assessing staff compliance with this Policy and reporting on achievement of diversity and inclusion outcomes to the Senate Committee for Equity, Diversity and Inclusion on an annual and/or as-required basis.

(18) Student Affairs Division is responsible for coordinating the promotion and assessment of student-based compliance with this Policy.

Section 5 - Recording and Reporting

(19) Targets, measures and reporting are necessary to monitor the impact of diversity, equity and inclusion interventions.

(20) UQ has obligations to meet legislated external reporting requirements and internal reporting requirements mandated by Senate and/or UQ leadership.

(21) Human Resources Division will manage all reporting processes for staff related diversity, equity and inclusion.

(22) Student Affairs Division will manage all reporting processes for student related diversity, equity and inclusion.

Section 6 - Appendix

Definitions

Term	Definition
Affiliates	Academic title holders, visiting academics, Emeritus Professors, adjunct and honorary title holders, Industry Fellows, and conjoint appointments.
Attribute	Any of the following attributes: 1. Sex 2. Relationship Status 3. Pregnancy, or Potential Pregnancy 4. Parental Status 5. Breastfeeding 6. Age 7. Race, including colour, national extraction, nationality, national or ethnic origin and immigration status 8. Disability or Impairment 9. Religious Belief or Religious Activity 10. Political Belief or Activity 11. Trade Union Activity 12. Lawful Sexual Activity 13. Gender Identity 14. Sexuality 15. Intersex Status 16. Social Origin 17. Family or Carer's responsibilities 18. Association with, or relation to, a person identified on the basis of any of the above attributes. Vilification on the basis of attributes of race, religion, sexuality or gender identity is also considered unacceptable behaviour at UQ.

Term	Definition
Bullying	The repeated less favourable treatment of a person by another or others, which may be considered unreasonable or inappropriate, and which may or may not be based on an Attribute. Bullying often involves a misuse of power. It may occur between people of any gender. It can also occur between Supervisor and staff, co-workers, students and between students and staff. Bullying may be subtle or overt and can include, but is not limited to, the following forms of behaviour: 1. Abusive and offensive language or shouting; 2. Repeated unreasonable criticism about work or academic performance, often about petty or insignificant matters; 3. Deliberate exclusion, isolation or alienation of a staff member or student; 4. Allocation of humiliating or demeaning tasks, or sabotaging a person's work; 5. Setting of impossible deadlines with unrealistic expectations of work; 6. Spreading gossip or false and malicious rumours with an intent to cause harm to a person; 7. Sarcasm or ridicule; 8. Threatening gestures or actual violence; 9. Inappropriate comments about personal appearance; 10. Electronic harassment such as through email or SMS; or 11. Hazing or bastardisation (such as harmful or humiliating initiation rituals). A reasonable and lawful direction of a Supervisor will not constitute bullying. Appropriate provisions of guidance, conducting performance counselling, invoking diminished performance procedures, unsatisfactory performance procedures or misconduct procedures does not constitute bullying. Managers and Lecturers are expected to offer constructive advice and comment as a legitimate aspect of their role.
Discrimination	Less favourable treatment, or proposed less favourable treatment of a person on the basis of an Attribute, including Direct Discrimination or Indirect Discrimination.
Direct Discrimination	Occurs on the basis of one (or more) of the Attributes, if a person treats, or proposes to treat, a person with an Attribute less favourably than another person without the Attribute is or would be treated in circumstances that are the same or not materially different.
Enterprise Agreement	The University of Queensland Enterprise Agreement 2021-2026, or as amended or replaced.
Harassment	Behaviour, ordinarily of a repetitive nature, towards an individual or group of individuals on the basis of an Attribute that intimidates or humiliates in circumstances where a reasonable person would have anticipated the possibility that the other person would be humiliated or intimidated by the conduct. Harassment can include behaviour such as: 1. Telling insulting jokes about particular racial groups or genders; 2. Asking intrusive questions about someone’s personal life, including their sex life; or 3. Making derogatory comments or taunts about someone’s race.
Heads of Organisational Units	Head of a School, Faculty, Institute, Centre or Division or as otherwise stated in this Policy.
Indirect Discrimination	Occurs on the basis of one (or more) of the Attributes, if a person imposes, or proposes to impose, a term: 1. With which a person with an Attribute does not or is not able to comply; and 2. With which a higher proportion of people without the Attribute comply or are able to comply; and 3. That is not reasonable. Whether a term is reasonable depends on all relevant circumstances of the case, including for example: 1. The consequences of failure to comply with the term; and 2. The cost of alternative terms; and 3. The financial circumstances of the person who imposes, or proposes to impose, the term. It is not necessary that the person imposing, or proposing to impose, the term is aware of the indirect discrimination. ‘Term' includes condition, requirement or practice whether or not written.
Staff	Continuing, fixed-term, research (contingent funded) and casual staff members.

Term	Definition
Students	A person enrolled as a student at the University or undertaking courses or programs at the University.
University Senior Leadership Group (USLG)	Members of the University Senior Leadership Group.
UQ Community	Means current UQ Students, Staff (whether or not those Staff are covered by the Enterprise Agreement), Volunteers, Affiliates and anyone else contractually bound to comply with this Policy.
UQ Related Conduct	Means any conduct that is connected to UQ's functions or operations, including conduct that: 1. Occurs during, or in connection with, any function, activity or event related to UQ (whether sanctioned by UQ or otherwise); 2. Occurs when a person is representing UQ in any capacity; 3. Occurs during, or in connection with, the performance of duties for UQ; 4. Occurs using, or is facilitated by, UQ ICT resources or other UQ equipment; or 5. Occurs on, or in connection with, any property owned, leased or occupied by UQ (or any entities it controls) or any lands or roads within any UQ campus.
Victimisation	When a person does an act, or threatens to do an act against a person because: 1. They have made a complaint (complainant), intend (in good faith) to make a complaint or are associated with a person who has or intends (in good faith) to make a complaint, under this Policy; or 2. They have had a complaint made against them (respondent), or are associated with a person who has had a complaint made against them, under this Policy. Victimisation does not include any action taken against a person for a false or malicious complaint made against another person.
Volunteers	Members of the community who donate their services in a voluntary capacity to UQ without expectation of remuneration. Volunteers include those undertaking work on fundraising and community-oriented projects, tertiary students wishing to gain exposure to particular UQ functions, among others.
Workplace Bullying	Occurs when: 1. A person or group of people repeatedly behaves unreasonably towards a worker or group of workers at work; AND 2. The behaviour creates a risk to health and safety. Workplace bullying does not include reasonable management action carried out in a reasonable manner.

Legislative Framework

(23) The legislative framework includes:

a. International Labour Organisation (ILO) Convention No. 156: Discrimination (Employment and Occupation)
b. International Labour Organisation (ILO) Convention No. 156: Workers with Family Responsibilities
c. Age Discrimination Act 2004 (Cth)
d. Anti-Discrimination Act 1991 (Qld)
e. AVCC Guidelines relating to Students with a Disability (2006)
f. Australian Human Rights Commission Act 1986 (Cth)
g. Disability Standards for Education (2005) (Cth)
h. Defence Reserve Service (Protection) Act 2001 (Cth)
i. Disability Discrimination Act 1992 (Cth)
j. Fair Work Act 2009 (Cth)
k. Human Rights Act 2019 (Qld)
l. Racial Discrimination Act 1975 (Cth)

m. Sex Discrimination Act 1984 (Cth)
n. Workplace Gender Equality Act 2012 (Cth)
o. Work Health and Safety Act 2011 (Qld).

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