

Equal Opportunity Policy and Procedures

Purpose

This policy helps Australian Lutheran College (ALC) establish strategies, policies, and practices that effectively address issues of equal opportunity.

All members of the ALC community have the right to work or study in an environment free from harassment, discrimination, or threatening behaviour. All members of the ALC community have individual responsibility to respect the rights and equal opportunity of others, across the boundaries of difference and diversity.

Commitment

ALC is committed to principles of access, equity, and equal opportunity in education and the workplace, having particular regard to the needs of those who may experience disadvantage.

In keeping with this commitment ALC delivers programs and services that are relevant, accessible, fair, and inclusive by:

- promoting programs and services in ways that include and reflect our diverse community, ensuring that prospective staff and students are well informed on the options available to meet their individual educational and workplace needs
- allocating programs and resources fairly, promoting the participation of members of disadvantaged groups
- eliminating policies, practices, structures, assumptions, and behaviours which may contribute to circumstances of disadvantage.

Legislative obligations

ALC acknowledges its obligations under the relevant federal and state legislation:

Commonwealth

- [Age Discrimination Act 2004](#)
- [Australian Human Rights Commission Act 1986](#)
- [Disability Discrimination Act 1992](#)
- [Fair Work Act 2009](#)
- [Racial Discrimination Act 1975](#)
- [Sex Discrimination Act 1984](#)
- [Workplace Gender Equality Act 2012](#)
- [ASQA Standards for RTOs 2015](#) (Standards 1.3b, 1.7, 5.2)

South Australian

- [Civil Liability Act 1936](#) (SA) (the racial victimisation provision)
- [Equal Opportunity Act 1984](#) (SA)
- [Racial Vilification Act 1996](#) (SA)
- [Work Health and Safety Act 2012](#) (SA)

Exemptions

Sexuality

As an educational institution that is administered in accordance with the precepts of a religion ALC is permitted to discriminate on the ground of sexuality, in the hiring of staff, according to Section 34—Exemptions, of the *Equal Opportunity Act 1984*, which states

- (3) This Division does not apply to discrimination on the ground of chosen gender or sexuality in relation to employment or engagement for the purposes of an educational institution if—
- (a) the educational institution is administered in accordance with the precepts of a particular religion and the discrimination is founded on the precepts of that religion; and
 - (b) the educational authority administering the institution has a written policy stating its position in relation to the matter; and
 - (c) a copy of the policy is given to a person who is to be interviewed for or offered employment with the authority or a teacher who is to be offered engagement as a contractor by the authority; and
 - (d) a copy of the policy is provided on request, free of charge—
 - (i) to employees and contractors and prospective employees and contractors of the authority to whom it relates or may relate; and
 - (ii) to students, prospective students and parents and guardians of students and prospective students of the institution; and
 - (iii) to other members of the public.

The reference to 'this Division' means Division 2 of Part 3 of the *Equal Opportunity Act*, dealing with sex and sexuality discrimination in employment. You can find the whole of the Act at www.legislation.sa.gov.au under Acts, select alphabetically.

Religion

As a religious institution ALC is entitled to take the religion of a job applicant into account where this is necessary to avoid injury to the religious feelings of people of that faith.

The relevant law is found in the *Australian Human Rights Commission Act*, which says in section 3 of part 1, that discrimination 'does not include any distinction, exclusion or preference: ...

- (d) in connection with employment as a member of the staff of an institution that is conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion or creed, being a distinction, exclusion or preference made in good faith in order to avoid injury to the religious susceptibilities of adherents of that religion or that creed.'

See [Australian Human Rights Commission Act 1986](#).

Roles and responsibilities

The Principal and line managers are responsible for fostering the implementation of access and equity best practice by ensuring that:

- ALC's mission statements and corporate goals clearly define its role in meeting the needs of members of disadvantaged groups
- policies are in place, widely dispersed and understood
- barriers to access and participation are identified and strategies developed to overcome them
- key staff have identified responsibility and expertise in equal opportunity matters
- the equity profile of the potential staff/student base is defined and participatory practices established
- all ALC policies and procedures are non-discriminatory
- all staff are provided with information and training about access and equity issues and ALC's complaint resolution processes
- all students are provided with information about access and equity issues and ALC's complaint resolution processes

- all components of the education process are evaluated to ensure that they are inclusive and value students from diverse backgrounds
- action plans are developed and put in place to meet any deficiencies.

Staff are responsible for ensuring that they understand and comply with the policy and behave in a courteous, sensitive and non-discriminatory manner when dealing with other staff, students and outside clients.

Students are responsible for behaving in a courteous, sensitive and non-discriminatory manner when dealing with staff, other students and visiting members of the community.

See also **ALC Student Handbook** for

- The University of Divinity code of conduct, and
- Student support

See also **ALC VET Student Handbook** for

- Policies
- Student support services

Sexual harassment

ALC complies with the requirements of the Lutheran Church of Australia (LCA) Standards of Ethical Behaviour. See <https://www.lca.org.au/departments/ministry-support/professional-standards/> and LCA policies (<https://www.lca.org.au/services-resources-training/policies/>).

See also the ALC, University of Divinity and Adelaide College of Divinity policies and statements:

Australian Lutheran College

- [Sexual harassment policy & procedure](#)
- [Staff grievance policy](#)

University of Divinity

- [Code of Conduct](#)
- [Complaints Policy](#)
- [Safeguarding Policy](#)

Adelaide College of Divinity

- [Grievance procedures](#)

Disability support

The Dean is the principal point of support, providing information and negotiation for resources and/or equipment for students. Students are under no obligation to disclose a disability or to seek additional assistance. However, staff are more likely to provide effective assistance and support if they understand the disability requirements. If students decide to disclose this information, the earlier they do so the more likely ALC will be able to provide for their particular needs.

Guidelines are available to assist ALC staff if students have a disability and are currently undertaking or considering undertaking study.

Complaint resolution (non-academic)

- ALC follows grievance resolution policy and procedures to provide a proper and fair avenue of redress for student and staff concerns. This includes any complaints of discrimination and harassment, although sexual harassment has its own procedures.
- Complaints will be treated seriously and dealt with promptly, impartially, sensitively and confidentially.
- The procedure is based on the understanding that no action will be taken without consulting the person making the complaint.

Related documents

Australian Lutheran College

Published on the ALC website

[Disability policy & procedure](#)

[Sexual harassment policy & procedure](#)

Published on ALC SharePoint (internal)

[Staff grievance notification form](#)

[Staff grievance policy](#)

[Staff grievance process flow chart](#)

University of Divinity

[Code of Conduct](#)

[Complaint Notification Form](#)

[Complaints Policy](#)

Adelaide College of Divinity

[Code of practice](#)

[Equal opportunity](#)

[Grievance procedures](#)

[Students with disabilities](#)