

POLICIES AND PROCEDURES

Policy Name	Diversity and Inclusion Policy
Reviewed / Approved by	Board and Executive
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Statement of Context

Yarra Valley Grammar (the **School**) is committed to the safety and wellbeing of all students building a culture that is founded on relationality, inclusion and acceptance. The School seeks to foster wellbeing based through mutual trust and respect. The School is a co-educational Christian School with an Anglican ethos.

The School acknowledges and celebrates the diversity of backgrounds, experiences and beliefs amongst our students, staff and wider School community, and recognises the richness that such diversity brings. The School welcomes both local and international students.

Purpose

This Policy sets out the School’s approach to providing a safe, inclusive, and supportive environment that recognises and embraces diversity. It aims to support the School to meet its obligations under anti-discrimination legislation and the Disability Standards for Education.

Scope

All staff involved in the School environment are required to support and promote diversity and inclusion, consistent with this Policy.

This Policy sets out how the School pays particular attention to the needs of students, including students who:

- are Aboriginal or Torres Strait Islander;
- have a disability;
- are from culturally and linguistically diverse backgrounds;
- do not live at home, including international students; and
- are lesbian, gay, bisexual, trans or gender diverse, intersex and queer.

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For issues related to diversity of staff, refer to the Discrimination section of the “Bullying, Violence, Harassment and Discrimination Policy”.

Definitions

Terms defined under this Policy use title case and are outlined in detail in the Definitions section of the Policy.

School’s Commitment

The School is committed to:

- ensuring all students are treated with respect and dignity at all times;
- ensuring students are not discriminated against and, where practicable, are accommodated to participate in education and all school activities;
- creating an environment that supports, reflects and promotes equitable and inclusive behaviours and practices;
- acknowledging and responding to the diverse needs, identities and strengths of all students;
- encouraging empathy and fairness towards others;
- challenging stereotypes that promote prejudicial and biased behaviours and practices;
- consulting with students and families about how to make the School a more inclusive space;
- contributing to positive learning, encouragement and wellbeing outcomes for students; and
- providing education and resources for staff to equip them with the knowledge, skills, practices and attitudes to support inclusion and equity.

Consistent with the School’s commitment and responsibilities, the School:

- appoints students and staff to appropriate equity and diversity leadership and support roles, such as the PRISM group;
- makes acknowledgements of Country at School events and gatherings;

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- recognises and celebrates multicultural events and occasions;
- establishes programs including support groups, discussion spaces as well as events, activities and access to resources that provide education and support for all students;
- develops bespoke plans with timelines in consultation with students, their parents or carers, Head of Department, Head of Wellbeing and external service providers as required to support student needs and address any concerns;
- updates School systems, records and processes with any changes identified and approved through individual plans;
- communicates with the School community in a way that respects students' privacy and confidentiality at all times;
- makes reasonable adjustments to educational spaces, bathroom facilities, and other aspects of the physical environment and to the design and delivery of curriculum and extracurricular activities, taking into account relevant circumstances, to accommodate student requirements; and

The School recognises that consultation helps ensure students are empowered to be involved in decisions that affect them, their health and their education, and will provide opportunities for students to be consulted in the delivery of strategies under this Policy by way of the student Representative Council.

Diversity

The School acknowledges the right of all students, children and young people to express their culture, and celebrates diversity in race, ethnicity, language, religion, sexuality, gender identity and belief. The School aims to establish a culturally safe and inclusive environment for Aboriginal and Torres Strait Islander children, students as well as children and students from other cultural and linguistically diverse backgrounds.

The School also recognises intersectionality and the ways in which different aspects of a person's identity can expose them to overlapping forms of discrimination and marginalisation – which we staunchly work against.

The School will work with students, families and relevant cultural support groups to understand how to best support cultural diversity.

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Culturally safe environments for Aboriginal and Torres Strait Islander students

The School aims to ensure that Aboriginal and Torres Strait Islander students can express their culture by ensuring all understand the importance of Aboriginal culture for their wellbeing and safety. The School encourages and actively supports Aboriginal and Torres Strait Islander students to enjoy their cultural rights by encouraging Aboriginal and Torres Strait Islander students to express and celebrate their culture.

The School's strategies to acknowledge and appreciate the strengths of Aboriginal and Torres Strait Islander cultures include:

- teaching Australian history as part of the curriculum and adhering to the Australian curriculum;
- educating staff about Child Safe Standards, including cultural sensitivity training, with the expectation that staff are sensitive to cultural understanding as per MO1359; and
- opening significant school gatherings with an Acknowledgement of Country.

Racism is not tolerated. Instances of racism are dealt with and addressed with appropriate consequences according to the applicable Bullying, Violence, Harassment and Discrimination Policy and the Child Safety Code of Conduct.

Gender Diverse and LBGTIQ+ students

The School encourages students to acknowledge their sexuality and gender identity. The School takes active steps to recognise, support and protect lesbian, gay, bisexual, transgender and intersex students. The School has the following strategies in place to acknowledge, support and pay particular attention to LBGTIQ+ students:

- no tolerance for bullying and challenging all forms of homophobia, transphobia and sexism to prevent discrimination and bullying;
- promoting inclusive language;
- encouraging participation and empowerment of LBGTIQ+ students in the development of child safety and wellbeing strategies (such as the PRISM group and student Representative Council);
- considering of LBGTIQ+ students when developing and implementing policies and procedures related to child safety and wellbeing;

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- educating staff about sexuality and gender diversity; and
- prohibiting on any practices that seek to change or suppress a sexual orientation or gender identity.

Students with Disabilities

The School is responsible for taking reasonable steps to ensure students with Disabilities are provided with opportunities to participate on the same basis as students without disabilities, and that they are not subject to discrimination.

As part of meeting this obligation, the School:

- follows the Procedure at the end of this Policy to consider and implement any Reasonable Adjustments taking into account relevant circumstances;
- considers how each policy and procedure the School establishes and implements may affect students living with a disability; and
- consults with the students with Disabilities and their families (as appropriate).

The School recognises that students with a disability may require additional assistance to participate and engage in activities in a safe and supportive manner, but also that there are specific child safety risks that arise in relation to students with Disabilities. How to support students with Disabilities is included in child safety training sessions.

The Procedure for Reasonable Adjustments for students with Disabilities is set out at the end of this Policy.

Other potentially vulnerable students

The School recognises there may be other groups of students who may also be vulnerable, including international students and students who are unable to live at home.

The School encourages students and families to inform the School when there is a situation in which a student may need additional support for their safety and wellbeing, so the School can pay particular attention to the student's needs and take extra steps to ensure they are safe and appropriately supported.

The School will work with the student and family to understand how to best support the student. students and families will be involved as much as possible, considering any safety risks and the age and maturity of the student.

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Inappropriate Behaviour – making a complaint

Any allegations of bullying, violence, harassment, discrimination or other forms of inappropriate behaviour targeting students because of their background, disability or other protected attributes will not be tolerated by the School. Students who may have witnessed or experienced any inappropriate behaviour are encouraged to speak up and inform their teachers, Head of Wellbeing, School Chaplain, parents or carers.

A parent or other member of the community can follow the Parents and Community Complaints and Grievance Policy.

Appropriate measures will be taken consistent with the School's *Bullying, Violence, Harassment and Discrimination Policy* and the *Behaviour Management Policy*, as applicable. Students who are involved in inappropriate behaviour will be supported to understand the impact of their behaviour.

Privacy

- The School acknowledges that information about a student's protected attributes is personal information. This information can also be 'sensitive information' which is subject to higher privacy protections.
- The School's *Information Privacy Policy* outlines how it treats information about personal information, including sensitive information.

Implementation, Breach and Review

Breach of this Policy by staff may result in disciplinary action, up to and including termination of employment or engagement with the School.

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Direct Discrimination under this Policy means treating, or proposing to treat, a person unfavourably because of their disability. Examples of Direct Discrimination include refusing to enrol a student on the basis of their disability, only allowing part-time enrolment of the student, or refusing to allow the student to participate in certain activities such as camps, excursions or sports.

Disability can mean:

- a. total or partial loss of a bodily function; or

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- b. the presence in the body of organisms that may cause disease; or
- c. total or partial loss of a part of the body; or
- d. malfunction of a part of the body, including—
 - i. a mental or psychological disease or disorder;
 - ii. a condition or disorder that results in a person learning more slowly than people who do not have that condition or disorder; or
- e. malformation or disfigurement of a part of the body-

and includes a disability that may exist in the future (including because of a genetic predisposition to that disability) and, to avoid doubt, behaviour that is a symptom or manifestation of a disability.

Discrimination under this Policy means Direct Discrimination or Indirect Discrimination on the basis of a student's disability. It also includes a failure to make Reasonable Adjustments.

Family applies to primary caregivers or guardians for the student (generally those named in the enrolment application), which may include parents, guardians, step-parents, grandparents, extended family members, and/or caregivers.

Indirect Discrimination under this Policy means imposing, or proposing to impose, a requirement condition or practice that:

- a. has, or is likely to have, the effect of disadvantaging a student with a disability; and
- b. is not reasonable.

An example of Indirect Discrimination may include a policy that no animals are permitted on School grounds under any circumstance, which would have the effect that a student with low vision cannot bring their assistance dog onto School grounds.

Policy means this Diversity and Inclusion Policy.

Protected Attribute: a feature of a student's background or personal characteristics that is protected by State or Commonwealth anti-discrimination legislation. For example: race, disability, sex, sexual orientation (practices and preferences), pregnancy, gender identity, religious belief or activity, etc.

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Reasonable Adjustments are changes which allow a student with a disability to participate in education on the same basis as other students. Not all adjustments needed or requested will be 'Reasonable Adjustments'. In determining whether an adjustment is a Reasonable Adjustment, all facts and circumstances must be considered. A Reasonable Adjustment may include the provision of a teacher's aide, provision of particular software packages for computers, or moving a particular course or event from an inaccessible venue to an accessible one.

School means Yarra Valley Grammar.

Staff includes employees, contractors and any other person considered to be Staff by Ministerial Order 1359.

Student means the child named in the application for enrolment.

Unjustifiable Hardship means a hardship to the School that is unjustifiable when all relevant circumstances are considered, including:

- a. the nature of the benefit or detriment likely to accrue to, or to be suffered by, any person concerned;
- b. the effect of the disability on the student;
- c. the financial circumstances, and the estimated amount of expenditure required to be made, by the School;
- d. the availability of financial and other assistance to the School; and
- e. any relevant action plans given to the Australian Human Rights Commission under the *Disability Discrimination Act 1992 (Cth)*.

Related policies and relevant laws

YVG Behaviour Management Policy

YVG Bullying, Violence, Harassment and Discrimination Policy

YVG Child Protection Policy

YVG Complaints and Grievances Policy – students

YVG Complaints and Grievances Policy – Parents and Community

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YVG Information Privacy Policy

Age Discrimination Act 2004 (Cth)

Change or Suppression (Conversion) Practices Prohibition Act 2021 (Vic)

Charter of Human Rights and Responsibilities Act 2006 (Vic)

Disability Discrimination Act 1992 (Cth)

Equal Opportunity Act 2010 (Vic)

Racial Discrimination Act 1975 (Cth)

Racial and Religious Tolerance Act 2001 (Vic)

Sex Discrimination Act 1984 (Cth)

Ministerial Order 1359 – Implementing the Child Safe Standards

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Procedure for Reasonable Adjustments for students with Disabilities

The School is responsible for taking reasonable steps to ensure students with Disabilities are provided with opportunities to participate in education and training on the same basis as students without Disabilities, and that they are not subject to Discrimination.

As part of meeting this obligation, the School:

- a. consults with students with Disabilities and their families (as appropriate);
- b. considers adjustments that have been requested or may be required; and
- c. implements any Reasonable Adjustments.

The School is required to make Reasonable Adjustments unless the adjustment is not reasonable, or the adjustment would cause Unjustifiable Hardship. An adjustment is not reasonable when adjustment would be ineffective because the student could not participate in, or continue to participate in, or derive or continue to derive any substantial benefit from the relevant educational program even after the adjustments are made.

When are adjustments required?

In determining whether an adjustment is a Reasonable Adjustment, the School will consider all relevant facts and circumstances, which may include the following:

- a. the student's circumstances, including the nature of their disability;
- b. the type of adjustment needed to accommodate the disability;
- c. the School's circumstances, including its financial circumstances;
- d. the effect on the School of making the adjustment (including the number of other people who would be benefited or disadvantaged by the adjustment and the financial impacts);
- e. the consequences for the School if adjustments are made;
- f. the consequences for the student if the adjustment is not made;
- g. the effect on the student's achievement, participation and independence if the adjustment is made; and

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- h. any relevant disability action plan made under the *Disability Discrimination Act 1992* (Cth) or the *Disability Act 2006* (Vic).

The School is not legally required to implement an adjustment if it is not reasonable on the basis it would create an Unjustifiable Hardship.

Program Support Group

Where appropriate, the School will establish and maintain a Program Support Group (**PSG**) for a student with disabilities. The PSG will generally consist of:

- a. the Principal or their delegate;
- b. relevant family members;
- c. family/parent advocate (if requested by the family/parent);
- d. class teacher (primary) or teacher(s) nominated as having responsibility for the student (secondary);
- e. student (if appropriate); and
- f. others co-opted as needed.

The PSG should adopt the following procedures:

- a. regular meetings (generally once per term);
- b. maintenance of confidentiality (Family consent should be received before information is shared); and
- c. maintenance of accurate records, with distribution to all members of the PSG.

Consultation with the student and Family

The School will consult with the student and their Family:

- a. when a student applies to be enrolled at the School; and
- b. following the identification of and request for an adjustment by the student and/or their family.

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The School recognises that consultation is important to ensure students are empowered to be involved in decisions that affect them, their health and their education, and will provide opportunities for students to be consulted under this Policy.

Consultation will occur with the PSG of the student when one has been established. The School and family should maintain active communication to best support the student.

Assessing Enrolment Applications and Reasonable Adjustments

The School will consider whether an adjustment is a Reasonable Adjustment according to this Procedure. The School will consider and discuss adjustments with the student's family (and the student wherever appropriate). Following consultation, if the School is satisfied:

- a. the adjustments requested or required are not reasonable having regard to the factors outlined in this Procedure; or
- b. the student could not participate in or derive any substantial benefit from the educational program even after the adjustments are made; or
- c. the adjustments requested or required would impose Unjustifiable Hardship,
the School may:
 - d. decline to offer enrolment to the student at the School;
 - e. defer the offer of enrolment (e.g. subject to provision of further information about the student's Disabilities and the support that they may require);
 - f. decline to make the adjustment;
 - g. propose an alternative adjustment to support the student; or
 - h. terminate the student's enrolment.

The School will consult with the student and their family, and consider whether alternatives to adjustments could be provided to a student, before declining or terminating their application for enrolment.