

# EQUITY, DIVERSITY AND ANTI-DISCRIMINATION POLICY

## SCOPE

This policy applies to all Monash University staff, students and associates, and operates in conjunction with the [Anti-Racism Statement](#).

For the purpose of this policy, references to 'the University' include activity at Monash University Australia, Monash University Malaysia, Monash University Indonesia, Monash Suzhou, Monash College, the Monash University Prato Centre, and the World Mosquito Program Ltd (and its subsidiaries), unless indicated otherwise.

This policy applies to staff, students and associates in jurisdictions outside Australia to the extent permitted by both the law and related government policy of those jurisdictions. In relation to Monash University campuses or other operations outside Australia, a reference below to 'law' is a reference to the law governing that campus or those operations.

## POLICY STATEMENT

The University is committed to the principles of equity, diversity and inclusion. It recognises that the University operates within a broader system of social inequality that requires a continuous and evolving understanding of community expectations and needs, informed by lived experiences and academic expertise.

Every step the University takes in furthering equity, diversity and inclusivity is immersed in a commitment to fostering a society that recognises, respects and includes Indigenous Peoples, cultures and knowledges by working with and celebrating Aboriginal and Torres Strait Islander Peoples as well as Indigenous Peoples of other places where Monash has a campus or major presence.

This policy outlines the University's commitment to valuing diversity, furthering equitable practices and fostering inclusion in its community. This includes upholding the principles of equal opportunity, and building and sustaining a culture free from unlawful discrimination, harassment or harm.

## 1. General principles

1.1 The University strives to:

- further an equitable, diverse and inclusive environment where all members of the University community are treated with dignity and respect;
- foster cultural transformation that creates a sense of belonging, encourages respectful discussion and debate, protects [academic freedom and freedom of speech](#), and stimulates new ideas that support the University's values;
- create a safe environment for all members of its community regardless of ethnicity, nationality, culture, gender, sexual orientation, disability, socio-economic status, or religion, with a particular focus on ensuring the cultural safety of, and respect for Indigenous Australians and other Indigenous Peoples in its community;
- provide ongoing opportunities for students and staff to expand their knowledge and engage with equity, diversity and inclusion initiatives and activities;
- prevent, and effectively respond to, all forms of unlawful discrimination, harassment, sexual harm, violence, vilification or victimisation, which may be interpersonal, institutional or systemic in nature; and
- foster inclusive leaders and embed the principles of equal opportunity and equity in all policies, processes, decisions and operations, recognising that access to opportunities is not equitably distributed throughout society and may be significantly affected by an individual's specific circumstances or attributes, which require proactive measures of redress.

## 2. Valuing diversity and fostering inclusion

2.1 The University strives to build a community reflective of the diverse societies in which it has a presence, and recognises that the

different backgrounds, identities and experiences of its students and staff strengthen and enrich all aspects of its education, research and operations. The University does this through facilitating access to education and employment opportunities.

- 2.2 The University rejects all forms of racism and is focused on eliminating racism and discrimination that is directed towards Aboriginal and Torres Strait Islander Peoples, as well as that directed against other peoples of diverse races, ethnicities, nationalities, cultures and religions, as outlined in the University's [Anti-racism Statement](#).
- 2.3 The University takes an intersectional, proactive and whole-of-organisation approach to supporting diversity and fostering inclusion, as articulated in the University's [Impact 2030](#) Strategic Plan and [Equity, Diversity and Inclusion Framework 2022 - 2030](#).
- 2.4 The University seeks to deliver an inclusive and responsive curriculum.
- 2.5 Communication and representations made on behalf of the University must be inclusive and non-discriminatory and reflect the University's values and commitment to equity, diversity and inclusion.

### 3. Promoting equity and equal opportunity

- 3.1 The University strives to embed the principles of equity into its decision-making, including the practice of assessing [achievement relative to opportunity](#) within all employment-related policies and processes, combatting bias, and supporting a diversity of perspective on all University decision-making bodies.
- 3.2 The University aims to create equitable opportunities for students to access higher education and research by seeking talented students irrespective of gender, sexuality, race, ethnicity, disability, cultural, social or economic circumstances and any other protected personal characteristic, as well as minimising barriers to learning and teaching practices, support services, and participation in University-related activities.
- 3.3 The University promotes equitable and inclusive recruitment practices, dismantling barriers to employment, development, promotion and career building opportunities, including equitable remuneration decisions and respectful cessation of employment practices.
- 3.4 The University uses inclusive practices, underpinned by the principles of Universal Design, to develop and maintain accessible built environments, digital content, services and systems. It will provide students and staff who have disclosed a disability or medical condition with reasonable adjustments to the learning and working environment as individually required.

### 4. Preventing and responding to discrimination

- 4.1 Creating an inclusive and diverse University environment is a joint responsibility shared by all members of the University community. This includes promoting and championing inclusive and equitable practices, norms, culture, and systems where students and staff learn from and support each other.
- 4.2 The University will make available, as reasonable and necessary, learning resources and opportunities to support staff and students to foster an inclusive University environment and to speak up and challenge unlawful discriminatory practices that conflict with the principles of this policy.
- 4.3 To mitigate systemic barriers that may undermine the principles of this policy, the University will regularly review its policies and practices, including collecting and analysing data to enable continuous improvement.
- 4.4 The University strongly encourages everyone to seek advice and support via the [Raise a Concern](#) webpage if they experience or witness incidents or behaviour that may constitute unlawful discrimination, harassment, vilification or victimisation.
- 4.5 In many jurisdictions where the University operates, certain characteristics are protected, and it is unlawful to discriminate against a person based on these characteristics.

### 5. Breach of Policy

- 5.1 The University strives to provide accessible and effective avenues for resolving complaints of unlawful discrimination, harassment or other harms via informal resolution or formal investigation. These processes should promote early intervention, and be fair, consistent, transparent and timely. Such complaints are to be managed in accordance with the relevant policy and/or the relevant instrument of employment or engagement as applicable.
- 5.2 The University treats any breach of policies, procedures and schedules seriously. The University encourages reporting of concerns

about non-compliance, and manages compliance as follows:

- 5.2.1 For staff and associates in accordance with the applicable [Enterprise Agreement](#), and relevant/applicable instruments of appointment and/or contract terms; and
  - 5.2.2 For students in accordance with the [Student General Conduct Policy](#) and [Monash College Student Code of Conduct](#).
- 5.3 A failure to comply with this policy and its supporting procedures may result in action by the University. Such action may include, but is not limited to, penalties for students, disciplinary or other action up to and including termination of employment for staff, or for associates and other persons, the termination of engagement with the University.

## DEFINITIONS

<b>Associates</b>	For the purposes of this policy, 'associates' are defined as contractors, conjoint appointments, affiliates and adjunct appointees.
<b>Conduct of a sexual nature</b>	Conduct of a sexual nature includes: <ul style="list-style-type: none"> <li>● subjecting a person to any act of physical intimacy;</li> <li>● making, orally or in writing, any remark or statement with sexual connotations to a person or about a person in his or her presence; and/or</li> <li>● making any gesture, action or comment of a sexual nature in a person's presence.</li> </ul>
<b>Decision-making bodies</b>	A committee or group that has responsibility for the University's governance or management. This includes University Council and its standing committees, the Academic Board and its committees, the Vice-Chancellor's committees, working parties, selection and promotion committees, resourcing committees, consultative committees, official departmental committees and ad hoc bodies that have responsibility for a substantial policy or project.
<b>Discrimination</b>	Discrimination can occur by doing or omitting to do an act either alone or with any other person, and can be direct or indirect. Motive is irrelevant to discrimination. Direct discrimination is when a person treats, or proposes to treat, someone unfavourably because that person has a protected attribute. Direct discrimination can occur when a person makes an unfair assumption about what another person with certain attributes can and cannot do, and so treats them unfavourably. Indirect discrimination occurs when an unreasonable requirement is imposed that disadvantages a person with a protected attribute. Indirect discrimination happens when a workplace or educational institution's policy, practice or behaviour seems to treat all workers the same way, but it actually unfairly disadvantages someone because of a protected attribute.
<b>Diversity</b>	Refers to the fact that there are many different types of people in the world, all with unique lived experiences and perspectives. While diversity is often strongly connected to cultural and racial diversity, it should be understood broadly to capture all marginalised identities.
<b>Equal Opportunity</b>	Equal opportunity means that every person can participate freely and equally in areas of public life such as in the workplace, in education, or in accessing resources, opportunities, and goods and services without disadvantage or less favourable treatment due to their attributes.
<b>Equity</b>	Refers to fairness and impartiality. Distinguished from equality, which means providing the same to all, equity appreciates that everyone has unique circumstances and we do not all start from the same place, and therefore we must acknowledge imbalances and make adjustments accordingly. The process of achieving equity is ongoing and requires regular adjustment to ensure the ongoing identification and overcoming of barriers.
<b>Inclusive practices</b>	Practices that anticipate and accommodate the needs of a diversity of people, minimising the need for adjustments to respond to individual needs, while maintaining quality and other standards.
<b>Intersectional</b>	A critical lens that examines the overlapping nature of marginalised identities, which can compound and transform experiences of discrimination. The concept was developed by Professor Kimberlé Crenshaw, a lawyer, civil rights advocate, and critical race theory scholar, to examine how race and gender transform and amplify the discrimination experienced by women of colour.

<p>Legally-protected characteristic</p>	<p>According to Victorian Law, it is prohibited to discriminate against a person on the basis of a number of protected characteristics, including (but not limited to):</p> <ul style="list-style-type: none"> <li>● age;</li> <li>● breastfeeding;</li> <li>● employment activity;</li> <li>● gender identity;</li> <li>● intersex status;</li> <li>● disability;</li> <li>● industrial activity;</li> <li>● lawful sexual activity;</li> <li>● marital status;</li> <li>● parental or carer status;</li> <li>● physical features;</li> <li>● political belief or activity;</li> <li>● pregnancy;</li> <li>● race</li> <li>● religious belief or activity;</li> <li>● sex;</li> <li>● sex characteristics;</li> <li>● sexual orientation;</li> <li>● expunged homosexual conviction;</li> <li>● a spent conviction</li> <li>● personal association with someone who has, or is assumed to have, one of the above characteristics.</li> </ul>
<p>Reasonable adjustment</p>	<p>A reasonable change to a process, practice, procedure or environment to facilitate equal opportunity. The changes may be temporary or permanent depending upon the circumstances. For example:</p> <ul style="list-style-type: none"> <li>● changes to premises, working hours or arrangements, facilities, software or equipment</li> <li>● adjustments to teaching, learning or assessment</li> <li>● change to work process, practice or procedure.</li> </ul>
<p>Sexual harm</p>	<p>Non-consensual behaviour of a sexual nature that causes a person to feel uncomfortable, frightened, distressed, intimidated, or harmed, either physically or psychologically. Sexual harm includes behaviour that also constitutes sexual harassment, sexual assault and rape.</p>
<p>Sexual harassment</p>	<p>When a person:</p> <ul style="list-style-type: none"> <li>● makes an unwelcome sexual advance, or an unwelcome request for sexual favours, or</li> <li>● engages in other unwelcome conduct of a sexual nature in relation to a person, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.</li> </ul>
<p>Universal Design</p>	<p>Universal design is the design of buildings, products or environments to make them accessible to all people, regardless of age, disability or other factors.</p>
<p>University community</p>	<p>For the purposes of this policy, 'University community' refers to staff members, students, associates, graduates, emeritus professors, members of the University Council and its committees.</p>
<p>Victimisation</p>	<p>Subjecting a person to negative treatment because they have: asserted their rights under equal opportunity law; made a complaint under equal opportunity law; helped someone else make such a complaint; and refused to do something because it would be discrimination, sexual harassment or victimisation. The University expects that its staff and students be free from discrimination based on these characteristics at any location.</p>
<p>Vilification</p>	<p>Any form of conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of a person or group of people because of their race or religion. Such conduct can be a single event or series of events over a period. It may include the use of the internet, social media, and e-mail to publish or transmit statements.</p>

## GOVERNANCE

Supporting procedures	<a href="#">Breastfeeding Procedure</a> <a href="#">Children in the Workplace Procedure</a> <a href="#">Gender Affirmation Procedure</a> <a href="#">Religious Observance Procedure</a>
Supporting schedules	Nil
Associated policies	Integrity and Respect Policy Freedom of Speech and Academic Freedom Policy
Related legislation	<p><b>Australian Federal Legislation</b></p> <p>Racial Discrimination Act 1975 (Cth)  Sex Discrimination Act 1984 (Cth)  Australian Human Rights Commission Act 1986 (Cth)  Disability Discrimination Act 1992 (Cth)  Age Discrimination Act 2004 (Cth)</p> <p><b>Victorian Legislation (Australia)</b></p> <p>Racial and Religious Tolerance Act 2001 (Vic)  Charter of Human Rights and Responsibilities Act 2006 (Vic)  Equal Opportunity Act 2010 (Vic)</p> <p><b>Malaysian Legislation</b></p> <p>Federal Constitution of Malaysia 1957  Human Rights Commission of Malaysia Act 1999  Persons with Disabilities Act 2008  Anti-Sexual Harassment Act 2022</p> <p><b>Indonesia Legislation</b></p> <p>1945 State Constitution of the Republic of Indonesia  Law No. 39 of 1999 on Human Rights  Law No. 40 of 2008 on the Elimination of Racial and Ethnic Discrimination  Law No. 8 of 2016 on People with Disability</p> <p><b>China Legislation</b></p> <p>Constitution of the People's Republic of China  Law of the People's Republic of China on the Protection of Disabled Persons (2018 Amendment)  Regulation on Religious Affairs (2017 Revision) (Order of the State Council (No. 686))</p> <p><b>Italian Legislation</b></p> <p>Italian Constitution  Law 300/1970  Legislative Decree No. 198 of 2006 (National Code of Equal Opportunities between Women and Men) as amended by Law 162/2021  Law 68/1999</p>
Category	Operational

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Content enquiries	<p>Monash University Australia staff and students: <a href="mailto:edi@monash.edu">edi@monash.edu</a></p> <p>Monash University Indonesia staff: <a href="mailto:Monashindonesia-HR@monash.edu">Monashindonesia-HR@monash.edu</a></p> <p>Monash University Indonesia students: <a href="mailto:mi-admin@monash.edu">mi-admin@monash.edu</a></p> <p>Monash University Malaysia staff: <a href="#">Access MUM HR</a></p> <p>Monash University Malaysia students: <a href="mailto:mum.student.support@monash.edu">mum.student.support@monash.edu</a></p> <p>Monash Suzhou staff and students: <a href="mailto:Chris.Wen@monash.edu">Chris.Wen@monash.edu</a></p> <p>Monash College staff: <a href="mailto:hrteam@monashcollege.edu.au">hrteam@monashcollege.edu.au</a></p> <p>Monash College students: <a href="mailto:student.admin@monashcollege.edu.au">student.admin@monashcollege.edu.au</a></p> <p>Monash University Prato Centre staff and students: TBA</p>