



Substantive Equality

The Department of Education implements The Policy Framework for Substantive Equality to address all forms of systemic discrimination in service delivery, consistent with the grounds of the Equal Opportunity Act 1984.

BACKGROUND

The Equal Opportunity Act 1984 makes it unlawful to discriminate on the grounds of race, impairment, sex, sexual orientation, age, marital status, pregnancy, breast feeding, family responsibilities, family status, gender history, religious or political conviction in certain areas of public life including employment and the provision of goods, services and facilities.

Substantive equality recognises that while some systems and processes may outwardly appear as non-discriminatory, they may not in fact be fully responsive to the needs and aspirations of different people and groups, and as a result can unintentionally create further inequalities.

The Policy Framework for Substantive Equality (the Policy Framework) is provided by the Equal Opportunity Commission as a guiding mechanism for agencies to continuously review their services to ensure they are fair and suitable for all.

The objective of the Policy Framework is to achieve substantive equality by:

- Eliminating systemic discrimination in the provision of public sector services; and
- Promoting sensitivity to the different needs of client groups

To achieve this, public sector agencies are required to:

- Assess how policies, programs and practices affect different client groups;
- Monitor the implementation of policies and programs and make sure they meet the diverse needs of the people of Western Australia;

- Ensure that staff are equipped with the knowledge and skills to address issues of systemic discrimination; and
- Recognise and appraise organisational progress towards achieving substantive equality

GUIDELINES

Development and Review of Policies

The Department's Equality and Inclusion Charter is to be consulted and applied to the development and review of all policies.

The Equal Opportunity Commission provides an Impact Assessment Tool, Screening New Policies: preventing systemic discrimination in new and revised policies, to assist in reviewing the outcomes of policies to achieve substantive equality.

Development and Review of Services

A Needs and Impact Assessment tool, Impact Assessment: preventing systemic discrimination - needs and impact assessment, is provided by the Equal Opportunity Commission to ensure that existing services are meeting the needs of the diverse communities in Western Australia.

Areas of high relevance, with a particular focus on services which have a substantial effect on discrimination or equality of opportunity, should be identified.

Tenderers for community services should be scrutinised to ensure they address the issue of substantive equality.

Annual Report

Mechanisms to address systemic discrimination should be reflected in the Department's strategic and operational plans and reported in the Annual Report.

RESPONSIBILITIES

Line managers and Principals are responsible for implementation of the guidelines.

RELATED DOCUMENTS AND ADDITIONAL RESOURCES

Equal Opportunity Act 1984

Public Sector Commissioner's Circular [Substantive Equality - Implementation of the Policy Framework \(Addressing Systemic Discrimination in Service Delivery\)](#)

Equal Opportunity Commission [Tools and Resources](#)

Equal Employment Opportunity, Discrimination and Harassment Policy

Aboriginal Cultural Standards Framework

Equity and Diversity Management Plan 2015 - 2019

Disability Access and Inclusion Plan 2012 - 2017

CONTACT INFORMATION

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