

Equity and Inclusion Charter

People and Services Committee

The Department of Education (the Department) recognises that equitable and inclusive policies and practices are essential in promoting fairness, equal opportunity and equal access to services for staff, students and their families in our public schools and workplaces.

Charter Statement

The Equity and Inclusion Charter (the Charter) acknowledges the Department's equity and diversity legislative responsibilities and commitment to the principles of equity, diversity and inclusion embedded in the *Equity, Diversity and Inclusion Plan 2021-2025*. It guides our fair and ethical conduct and work practices supporting an equitable and inclusive culture in schools and workplaces, including:

- **Equity:** Acknowledging peoples' differences and strengths, treating them fairly and supporting their access to services to enable equal opportunity. Although both equality and equity promote fairness, equality achieves this through treating everyone the same regardless of need, while equity achieves this through treating people differently based on their needs.
- **Diversity:** Recognising the benefits of people's differences and strengths, their characteristics, backgrounds and perspectives. For example, the diverse experiences of our staff connects us to our students and their communities to better understand and meet their needs.
- **Inclusion:** Providing work and learning environments where everyone is welcomed, feels a sense of belonging and are supported to fully participate and valued for their unique experiences, strengths and cultural knowledge.

The Charter recognises that when policies, programs or services are designed for the majority, unintended or additional inequities can affect diversity groups who may already experience disadvantage. It strives to identify and eliminate direct, indirect and systemic discrimination and their consequences through ensuring Department policies are inclusive and responsive to the needs of different groups.

Unlawful Discrimination

The grounds of unlawful discrimination under the *Equal Opportunity Act 1984* are: age, breast or bottle feeding, family responsibility or status, fines enforcement registrar's website, gender history, impairment (disability), marital status, political or religious conviction, pregnancy, race, sex and sexual orientation.

- Direct discrimination is when a person is treated less favourably than another person, in the same or similar circumstances, on one or more of the grounds and in one of the areas of public life covered by the *Equal Opportunity Act 1984*.
- Indirect discrimination occurs when an apparently neutral rule, policy, practice or procedure has a negative effect on a substantially higher proportion of people with a particular attribute or characteristic compared to people without the attribute/characteristic, and the rule is unreasonable in the circumstances.

More information is available on Ikon to [understand discrimination and harassment](#).

Role of the People and Services Committee

The People and Services Committee has a role to ensure that when developing, reviewing and revising Department policies, policy managers have considered the Department's legislative responsibilities, community expectations for equity and diversity in public schools and workplaces and the access, participation and equity needs of all people.

The People and Services Committee examines policies to ensure the Department's policy authors consider:

- the specific needs of diversity groups and whether a policy is fully responsive to those needs;
- the potential for direct or indirect discrimination, unintended effects or disadvantage under a policy; and
- confirming suitability of a policy through consultation and identifying flexibilities or policy adjustments, as required.

Applying the Charter

To ensure policies are inclusive, fair and responsive, the following factors are to be considered when developing, reviewing and revising Departmental policy:

- **Policy impact**

A consideration of the policy impact on staff and students affected by this policy should be undertaken. Comprehensive consultation will identify any adverse impacts on a group(s), and inform suitable remedies or adjustments to the policy to meet the needs of an equity group(s).

- **Policy adjustments or remedies**

Examine the policy to ensure all relevant groups are included. If any group(s) are excluded, identify on what basis has this been done. Suitable policy adjustments, flexibilities or remedies addressing the inclusion of an equity group(s) may be required.

- **Policy requirements**

Consider how the:

- policy provides equity for all groups and addresses identified disadvantage through treating a group(s) differently based on identified needs; and
- needs of a different group(s) were identified and met.

In relation to the policy requirements, are they reasonable and able to meet compliance requirements.

- **Students**

In relation to students, consider whether the policy assists the Department to provide high quality teaching and learning for every child – whatever their ability, wherever they live and whatever their background, including:

- the learning environment; for example, students with disability, students with English as a second language and/or socio-economic disadvantage; and
- affording the same conditions to all students across Western Australia.

Background

The Charter has been developed with reference to the:

- Equal Opportunity Commission's:
 - *Policy Framework for Substantive Equality* focusing on addressing and preventing systemic discrimination in the provision of services
 - *Screening New Policies: preventing systemic discrimination in new and revised policies* includes a substantive equality impact assessment tool that assists policy authors to adjust policies, procedures and practices to address and meet specific needs of certain groups.
- the Department's:
 - *Every student, every classroom, every day, strategic directions for public schools 2020-2024* and its key focus on inclusion, equity and excellence, fostering wellbeing and participation of all students in public schools.
 - *Disability Access and Inclusion Plan 2018-2023* addressing the access, inclusion and participation needs of people with disability.
 - *Equity, Diversity and Inclusion Plan 2021-2025* outlining strategies to build a diverse workforce and strengthen inclusive workplace cultures, behaviours and practices that support diverse staff.
 - *Multicultural Plan 2021-2025* supporting the capacity and contribution of people from culturally and linguistically diverse backgrounds in schools and workplaces.
 - *Equal Opportunity, Discrimination and Harassment Policy* focusing on schools, services, workplaces and management practices that are inclusive, equitable and free of unlawful discrimination and harassment and the provision of equal opportunity.
 - *Aboriginal Cultural Standards Framework* outlining the expected standards for staff when working with Aboriginal students, their families and communities.
 - *Code of Conduct* and *Standards* provides a set of standards to guide staff conduct and builds on our shared values and workplace behaviours.
- Equal Opportunity Act 1984 and relevant Commonwealth anti-discrimination legislation.