

Equal Opportunity and Valuing Diversity Guidelines

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Purpose

Inclusion is a Living Value of Federation University Australia. We champion access and inclusion for all and celebrate our diversity.

Federation University Australia is committed to providing equal opportunity and freedom from discrimination, gender-based violence, harassment and vilification for all members of the University community, and to creating an environment which reflects and values the social and cultural diversity within the University community and the communities it serves.

These Guidelines outline the University's commitment to:

- equal opportunity for all members of the University community.
- creating an environment that values diversity and is free from discrimination, harassment and gender-based violence and where allegations of breaches of these Guidelines are dealt with fairly and promptly.

Scope

These Guidelines apply to all students and prospective students, staff and prospective staff, and other individuals associated with the University in all situations or activities related to their roles at the University. Such situations and activities may extend beyond University campuses and day-to-day activities e.g. field trips, conferences, events and functions, student senate/club volunteer activities, University on- and off-campus residences.

Legislative context

- Commonwealth [Racial Discrimination Act 1975](#)
- Commonwealth [Sex Discrimination Act 1984](#)
- Commonwealth [Australian Human Rights Commission Act 1986](#)
- Commonwealth [Disability Discrimination Act 1992](#)
- Commonwealth [Disability Standards for Education 2005](#)
- Commonwealth [Racial Hatred Act 1995](#)
- Commonwealth [Workplace Gender Equality Act 2012](#)
- Commonwealth [Age Discrimination Act 2004](#)
- Commonwealth [Fair Work Act 2009](#)
- Commonwealth [National Higher Education Code to Prevent and Respond to Gender-based Violence 2025](#)
- Commonwealth [Occupational Health and Safety Act 2004](#)
- Victorian [Equal Opportunity Act 2010](#)
- Victorian [Racial and Religious Tolerance Act 2001](#)
- Victorian [Charter of Human Rights and Responsibilities Act 2006](#)

Definitions

Term	Definition
Academic freedom	<ul style="list-style-type: none"> • The freedom of academic staff to teach, discuss, exhibit artistic works or public performances, research, as well as disseminate and publish the results of their research. • The freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research. • The freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled. • The freedom of academic staff, without constraint imposed by reason of their employment by the university, to make lawful public comment on any issues in their personal capacities. • The freedom of academic staff to participate in professional or representative academic bodies. • The freedom of students to participate in student societies and associations.
Protected Attribute	<p>Protected attributes are drawn from anti-discrimination legislation in Australia. These attributes include, but are not limited to:</p> <ul style="list-style-type: none"> • Age • Breastfeeding • Employment activity • Gender identity and expression • Disability • Industrial activity

	<ul style="list-style-type: none"> • Sexual activity • Marital or relationship status • Parental or carer status (carer responsibilities) • Physical features • Political belief or activity • Pregnancy • Profession, trade or occupation • Race (including colour, nationality, ethnicity or social origin) • Religious belief or activity • Sex or intersex status • Sexual orientation • An expunged homosexual conviction • A spent conviction • Personal association with a person who is identified by reference to any of the above attributes
Disability	Disability as defined in the Disability Discrimination Act (1992) Cth. This includes physical, sensory, perceptual, mental and intellectual disability, chronic illness or medical conditions.
Discrimination	<p>Refers to unfavourable treatment based on actual or assumed protected attributes. In determining whether or not a person discriminates, the person's motive is irrelevant.</p> <p>Direct discrimination is when a person treats or proposes to treat a person unfavourably, because of a protected attribute.</p> <p>Indirect discrimination occurs when an unreasonable requirement, condition or practice is imposed that will disadvantage someone with a protected attribute, and it is not reasonable to have these conditions imposed.</p>
Gender-based violence	Gender-based Violence means any form of physical or non-physical violence, harassment, abuse or threats, based on gender, that results in, or is likely to result in, harm, coercion, control, fear or deprivation of liberty or autonomy.
Sexual assault	Any unwanted sexual acts or sexual contact that happened in circumstances where a person was either forced, threatened, pressured, tricked, or no effort was made to check whether there was consent to the act, including in circumstances where a person was asleep or affected by drugs or alcohol.
Sexual harassment	Is where a person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the other person; or engages in any unwelcome conduct of a sexual nature in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the other person would be offended, humiliated or intimidated.

Racial and Religious Discrimination	<p>Discrimination based on race, ethnicity or religious belief or activity includes, but is not limited to, antisemitism, Islamophobia, anti-Indigenous discrimination, and xenophobia.</p> <p>Antisemitism: The International Holocaust Remembrance Alliance (IHRA) working definition of antisemitism states that: “Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.” This definition is used as a guide to understanding antisemitism. The Working Definition on Combatting Antisemitism endorsed by Universities Australia provides further guidance to understanding antisemitism.</p> <p>Islamophobia: According to Australia’s Special Envoy to Combat Islamophobia, there is no universally accepted definition of Islamophobia. It is an umbrella term that means a number of things. Some define it as anti-Muslim hatred, anti-Muslim sentiment and anti-Muslim prejudice. Increasingly, many academics, activists and community leaders define it as anti-Muslim racism. Institutionalised and systemic Islamophobia involves policies, practices, and norms within organisations and systems that unfairly disadvantage Muslims, reinforce stereotypes, and perpetuate discrimination.</p> <p>Anti-Indigenous discrimination (also referred to as anti-Indigenous racism) is recognised as a distinct form of racism targeting Aboriginal and Torres Strait Islander peoples. It stems from historical injustices of colonisation, dispossession, and assimilation, and continues to manifest in prejudice, unequal treatment, and systemic inequities faced by Indigenous communities.</p> <p>Xenophobia is commonly defined by international human rights bodies as the irrational fear, hatred, or mistrust of individuals perceived as foreign or outside one’s own community. It frequently manifests in hostility toward immigrants or people from different cultural backgrounds, leading to social exclusion and discrimination.</p>
Racial and Religious Vilification	<p>Occurs where a person engages in conduct that incites hatred, serious contempt, revulsion or severe ridicule against another person or group of people, because of their race or religious belief or activity.</p>
Reasonable Adjustment	<p>This term is used to describe actions or changes which may be required to enable staff and student participation on an equitable basis to other staff and students. Lack of provision of reasonable adjustment might constitute discrimination.</p> <p>Adjustments may be necessary where the interaction between the learning and working environment and certain student/staff personal characteristics or circumstances has a negative impact on staff/student participation or achievement. Such characteristics and circumstances include having a disability, carer responsibilities, cultural or religious obligations, having English as a second language.</p>

	There is no set definition of what is a 'reasonable' adjustment. Each situation needs to be considered in its own circumstances and on its own merits.
Learning Access Plan (LAP)	A tool used by Federation University's Accessibility Services to communicate recommended reasonable adjustments for students with a disability.
Flexible working arrangements	Are forms of reasonable adjustments that can be requested by staff who are carers, have a disability, are 55 or older, are experiencing domestic violence, as covered by the Commonwealth <i>Fair Work Act 2009</i> .
Freedom of speech	The freedom of staff, students, and invited visitors to the University to express lawful opinions publicly, without undue restriction.
Inclusive practices	Are practices that anticipate and accommodate the needs of a diversity of people, and which result in learning and working activities and environments being accessible by all people, to the greatest extent possible, minimising the need for adjustments to respond to individual needs.
Vicarious liability	Refers to the University's responsibility for the behaviours of its staff, students and other individuals associated with the University unless it takes all reasonable steps to prevent discrimination and harassment.
Victimisation	Is where a person subjects (or threatens to subject) another person to any detriment because that person has made (or might make) a complaint in relation to these Guidelines or is involved (or might be involved) in the resolution of a complaint, including as a witness. Victimisation includes physical, visual, verbal and non-verbal behaviour.
Other individuals associated with the University	Includes persons (other than staff and students) holding an honorary, visiting or adjunct appointment, and external members of the University Council, boards, committees or other University bodies, as well as those volunteers, consultants and contractors who are legally bound by the policies and procedures of the University.
Governance Bodies	Are University Council and its Committees and Academic Board and its Committees.
Staff member	Is any person who is an employee of the University. This includes full-time, part-time, sessional or casual staff.
Student	Any person enrolled as a student in a course or unit of the University. This includes, but is not limited to, full-time, part-time, block-mode or distance education students, VET students and those enrolled at Partner Providers. Student may also include a former student.

Guidelines statement

Federation University Australia is committed to providing equal opportunity and freedom from discrimination, harassment and vilification for all members of the University community, and to creating an environment which reflects and values the social and cultural diversity within the University community and the communities it serves.

The University will not tolerate discrimination, gender-based violence, sexual assault, sexual harassment, racial or religious vilification or victimisation, as defined in these Guidelines, in any University activities.

The University will take proactive, reasonable and proportionate measures to eliminate discrimination, gender-based violence, sexual assault, sexual harassment, vilification and victimisation within University activities, and recognises the potential for the University to be vicariously liable if all such measures have not been taken.

The University will provide reasonable adjustments/flexible working arrangements to the learning and working environment as required, and will use inclusive practices wherever practicable, to ensure that all people have equal opportunity to access and participate in University activities.

The University will use its best endeavours to reflect and value the diversity of the University community and the communities it serves in its learning materials, publications, publicity, and when recognising the contributions of individuals to the University and the broader community, and to ensure that the University's learning materials, publications and official documents use inclusive and non-discriminatory language.

The University acknowledges the systemic disadvantage that affects participation and progression in University activities by some members of the University community and the communities it serves. The University will take proactive steps to redress this. As part of this, the University will put in place measures to have the composition of governance bodies, and staff and student populations better reflect the diversity within the communities served by the University. This may involve the implementation of special measures that lawfully discriminate between groups of individuals for the purpose of realising substantive equality for members of a group with a particular attribute.

Particular focus will be given to the development of measures to advance equality and respect for Aboriginal and Torres Strait Islander students and staff, as expressed in the University's Statement on Reconciliation, and to the promotion of workplace gender equality.

The University will ensure that it has in place procedures to deal with any alleged breaches of these Guidelines fairly and expeditiously.

Responsibility

- Chief Operating Officer (as the Approval Authority) is responsible for monitoring the implementation, outcomes and scheduled review of these guidelines.
- Director, People and Culture (as the Document Owner) is responsible for maintaining the content of these guidelines as delegated by the Chief Operating Officer.

Complaints

Any person who believes that they have experienced a breach of these Guidelines may make a complaint under the relevant university procedure, not limited to the procedures under Supporting Documents below. Further information and supports can be located on [Federation University's Safer Communities webpage](#).

Promulgation

The [Equal Opportunity and Valuing Diversity Guidelines](#) will be communicated throughout the University via an Announcement Notice via FedNews and on the 'Recently Approved Documents' page on the 'Policies, Procedures and Forms @ the University' website to alert the University-wide community of the approval.

Supporting documents

- [Students and Support for Students Policy](#)
- Statement of Reconciliation
- [Discrimination Complaints \(Students\) Procedure](#)
- [Sexual Harm Response Procedure \(Students\)](#)
- [Family and Domestic Violence Procedure](#)
- [Child Safe Procedure](#)
- [Student Misconduct Procedure](#)
- [Staff Grievance Procedure](#)
- [Complaints Management Procedure](#)
- [Staff Code of Conduct](#)
- [Information Technology Services Operations Manual- Use of Computing and Communication Facilities and, Information Security](#)
- [Study Adjustment and Course Flexibility Guidelines](#)
- [Accessibility Learning Access Plan \(LAP\) Procedure](#)
- [University Collective Agreement](#)
- [Federation University Australia Statute 2021](#)
 - Part 6 - Division 4 - Student misconduct
- [Federation University Australia \(Students\) Regulation 2022](#)
 - Part 5 - Student misconduct
- [Academic Freedom and Freedom of Speech Policy and Procedure](#)