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## Introduction

South West TAFE endorses and complies with the relevant legislation in regard to the promotion of equal opportunity for all persons. This forms the basis for the recruitment, development, and promotion of all staff and in the selection and education of all students.

The Institute believes that as an employer and educator it has a responsibility to eliminate any source of discrimination on the basis of any factors not related to work or student performance.

## Relevant legislation

South West TAFE recognises that as a tertiary education institution, its policies and practices will meet the requirements of equal opportunity and anti-discrimination legislation, in particular:

- **The Equal Employment Opportunity Act 1987 (Cmth)** requires certain Commonwealth authorities to promote equal opportunity in employment for women and persons in designated groups. It also prohibits the exclusion or preference of a person on the basis of race, colour, national or ethnic origin, nationality, sex, marital status, pregnancy, breastfeeding, transsexuality, age, sexual preference, status as a parent or carer, political conviction, religious belief, social origin or impairment.
- **The Equal Opportunity Act 2010 (Vic)** prohibits discrimination on any of the following: sex; sexuality; transsexuality; marital status; status as a parent or carer; pregnancy; race; religion or political conviction; impairment; membership or non-membership of an association or organisation of employers or employees; age; profession, trade, occupation or calling; or association.
- **Australian Human Rights Commission Act 1986 (Cmth)** (as amended) prohibits distinctions, exclusions or preferences on the grounds of: race; colour; sex; religion; political opinion; national extraction; social origin; age; medical record; criminal record; impairment; marital status; mental, intellectual or psychiatric disability; nationality; physical disability; sexual preference, or trade union activity.
- **The Racial Discrimination Act 1975 (Cmth)** (as amended) prohibits consideration of race, colour, descent or national or ethnic origin as grounds for discrimination.
- **Racial and Religious Tolerance Act 2001 (Vic) (RRTA)** prohibits conduct that incites hatred against, or serious contempt for, a person's racial or religious background. The Act covers public behaviour, including internet and email, which have the effect of inciting hatred, serious contempt for, or severe ridicule of people's racial or religious backgrounds and practices.
- **Sex Discrimination Act 1984 (Cmth)** (as amended) makes it unlawful to take into account sex, marital status or pregnancy in employment and in the provision of education, goods and services and accommodation. The Act also defines sexual harassment and renders such behaviour unlawful in employment and in education.
- **The Disability Discrimination Act 1992 (Cmth)** and the Disability Act 2006 (Vic) (as amended) aims to ensure that people with disabilities have the same rights and opportunities as all other Australians. The Act provides people with an opportunity to respond to unfair treatment because of disability.
- **The Disability Standards for Education 2005** These Standards are the Disability Standards for Education 2005. The standards specify how education and training are to be made accessible to students with disabilities. They cover the following areas: enrolment; participation; curriculum development, accreditation and delivery; student support services and elimination of harassment and victimization.  
  
The Act seeks to eliminate as far as possible, discrimination against people with disabilities. Under section 22 of the Act, it is unlawful for an educational authority to discriminate against a person on the ground of the person's disability or disability of any associates of that person.
- **Child Safe Standards, Ministerial Order No 870.** Children have the right to be safe and protected. These Standards set out the actions that education providers must take to meet the Child Safe Standards, and mandate arrangements to mitigate the risk of child abuse and implementation of a zero tolerance. The Ministerial Order places accountability for managing the risk of child abuse with education providers governing authorities.