



Diversity and Inclusion Policy – Employees and Volunteers

Document number: PO2020-038

Approval

| | | | |
|---------------|--|-------------|------------|
| Policy owner | Executive Director, Corporate Services | | |
| Approved by | Executive Leadership Team | | |
| Date approved | 01.12.2020 | Review date | 01.12.2022 |

Contents

| | |
|---|----|
| Purpose | 3 |
| Scope..... | 3 |
| Related policies | 4 |
| Policy principles | 4 |
| Roles and responsibilities | 7 |
| Review..... | 9 |
| Further assistance..... | 9 |
| References | 9 |
| Approval and amendment history | 9 |
| Appendix 1: Definitions..... | 10 |
| Appendix 2: Procedures relevant to the Diversity and Inclusion Policy | 15 |

Purpose

1. The Society of St Vincent de Paul (NSW) and the company titled the St Vincent de Paul Society NSW (together the Society) are committed to creating a diverse and inclusive environment for all Society Personnel (members, volunteers and employees), the people we assist, visitors and members of the public.
2. The purpose of this policy is to:
 - provide a framework that actively encourages and promotes diversity and inclusion across the Society
 - ensure the Society's operations are informed and guided by human rights standards and anti-discrimination legislation and that it delivers services and employment free from discrimination
 - provide a set of guidelines that ensure Society Personnel, contractors, visitors and the people we assist are provided with an environment that is free from all forms of discrimination.
3. This policy outlines the responsibilities the Society and Society employees and volunteers have to:
 - provide equal employment opportunities to all prospective and current employees
 - provide equal opportunities to all prospective and current volunteers
 - promote a fair and equitable work environment free from all forms of discrimination
 - provide equal access to services and assistance
 - comply with all relevant anti-discrimination legislation
 - create and maintain an environment in which diversity is valued, human dignity is respected and people are treated equitably, consistent with Catholic Social Teaching.

Scope

4. This policy applies to all Society employees and volunteers.
5. This policy informs all parties of their rights and responsibilities in relation to diversity and inclusion.
6. This policy applies:
 - to any discrimination experienced and/or witnessed by any person including, but not limited to: members, volunteers, employees (including all levels of seniority), contractors, people we assist, customers and members of the public
 - to the behaviours and actions of any person including, but not limited to: members, volunteers, employees (including all levels of seniority), contractors, people we assist, customers and members of the public
 - at all sites owned and managed by the Society, including any activities undertaken offsite as part of Society operations, such as staff meetings and events
 - in connection with all Society activities and operations, even if they occur outside normal working hours and/or on work-related travel

- at Society and public events, for example at conferences and Society-related social functions
- on social media where Society employees and volunteers interact with colleagues or clients and their actions may affect them either directly or indirectly.

Related policies

7. This policy relates to all areas of the Society's business and operations and as such should be read in conjunction with all other policies, particularly the Society's Code of Conduct and Respectful Workplace Policy. See Appendix 2 for details of related procedures.

Policy principles

8. The Society recognises that Australia's diversity enriches us all and enriches our society as a whole.
9. The Society is unified and guided by our commitment to creating a society transformed by compassion and built on justice. Our commitment to diversity and inclusion is guided by our Key Values: commitment, compassion, respect, integrity, empathy, advocacy, and courage.
10. The Society recognises and respects the culture, customs and rights of Aboriginal and Torres Strait Islander peoples. One of the ways we do this is by ensuring that traditional land owners/custodians are recognised when conducting events and significant meetings. Society Personnel must ensure that a Welcome to Country, an Acknowledgement of Country or a Prayer of Acknowledgement is conducted at all formal meetings and gatherings.
11. The Society has a deep commitment to a world that promotes inclusion and participation and rejects all forms of discrimination. A community free from discrimination is better able to tackle problems like economic and social disadvantage and to improve the health and wellbeing of everyone.
12. The Society values diversity because we know when people from different backgrounds, with different lived experiences and points of view work together, we create the most value – for our people, the people we assist and for society.
13. The Society respects all forms of diversity and is committed to the inclusion of all, including Society Personnel, the people we assist, visitors, and members of the public. The Society strives to provide a physically and psychologically safe environment that is free from all forms of discrimination.
14. The Society has a longstanding commitment to equality and welcomes all people regardless of: race, ethnicity, colour, nationality, religion or spiritual belief, sex, gender diversity, intersex status, sexual orientation, marital/relationship status or family composition, pregnancy or potential pregnancy, caring responsibilities, disability, age, health status, residency status, irrelevant criminal record, political opinion, trade union membership or activity, or association with someone who has, or is assumed to have, any of these characteristics.
15. The Society is sensitive to the needs and requirements of people from diverse backgrounds, is responsive to their individual circumstances, and takes steps to ensure equal and substantive access, including through the provision of personalised solutions.

16. Society employees and volunteers must treat everyone with dignity, respect and courtesy (see Respectful Workplace Policy).
17. The Society does not tolerate discrimination or treating people less favourably under any circumstance, including anyone who raises a concern regarding discrimination, bullying, harassment, unacceptable or disrespectful behaviours.
18. The Society endeavours to:
 - ensure that all new, or substantially revised, programs or policies are assessed for their equity and their direct and indirect impact on people from vulnerable or marginalised communities (for example, Aboriginal and Torres Strait Islanders, people with disability, people from culturally and linguistic backgrounds, and LGBTIQ+ people)
 - consult with people from diverse backgrounds impacted by new, or substantially revised, programs and policies, where possible
 - ensure that all programs have an engagement strategy developed in partnership with people from vulnerable or marginalised communities
 - provide information in languages other than English and through a range of accessible mediums and formats, where necessary and feasible
 - ensure that its feedback and complaints management system is accessible and enables people, regardless of their background or particular circumstances, to raise concerns and have their issues addressed.
19. The Society promotes diversity at all levels throughout the organisation, including in the membership of its Board, committees and working groups.
20. The Society respects diversity and promotes inclusion in all areas of its operations, particularly in access to services, employment and information.

Services

21. The Society delivers programs and services that are accessible, responsive to people's needs and deliver equitable outcomes, regardless of a person's background (see Client Access and Eligibility Policy and Client-Centred Service Delivery Policy).
22. The Society does not tolerate treating anyone less favourably or adversely, or discrimination of anyone seeking to access our services.
23. As a service provider, the Society will:
 - design and deliver programs that provide equitable access to everyone who is entitled to them, free of all forms of discrimination; this may include the provision of language assistance, interpreters, easy-read versions and other communications aids, and the right to an advocate, where required or requested
 - make every reasonable effort to inform and engage people, regardless of their background, of the services available, eligibility requirements, and how they can access them
 - where possible, regularly consult with people we assist about the accessibility, cultural safety, design and the quality of services
 - monitor the access and equity of its programs.

24. Wherever possible, the Society will collaborate with diverse community networks and services to deliver individualised services to a client, where the client has consented to that involvement.

Employment

25. The Society is committed to building a workforce that is reflective of the people and communities we seek to assist.

26. The Society maintains and promotes a positive workplace culture of inclusion where diversity is valued, people are free from all forms of discrimination, feel proud of who they are and bring their whole selves to work.

27. As an employer, the Society ensures all people have equal access to:

- recruitment and selection processes
- opportunities for promotion or temporary higher duties
- flexible work conditions
- supervision
- reimbursement or compensation
- professional development and training.

28. The Society will ensure that all employees and volunteers have access to cultural awareness and diversity training to ensure they develop the knowledge and skills to work effectively with anyone, regardless of their background.

29. The Society will ensure that consideration is given to diversity and inclusion in the design and delivery of all training programs for Society employees and volunteers.

Preventative and responsive

30. The Society has a preventative and responsive approach to diversity and inclusion. The Society:

- promotes appropriate standards of behaviour consistent with the Society's values at all times
- prevents discrimination or less favourable treatment through education, training and performance management
- ensures that all Society employees and volunteers understand their rights and responsibilities
- encourages reporting of discrimination, by affected parties and witnesses
- takes all reports seriously
- treats all reports in a fair, objective, unbiased and non-judgmental manner
- responds promptly and impartially if and when discrimination is reported
- respects and protects the privacy and confidentiality of all parties, to the extent possible.

Positive measures

31. The Society is committed to achieving genuine equality of opportunity and outcomes for all. In recognition of past inequalities and barriers, the Society may at times support some groups of people so that they have similar access to opportunities as others in the community. Such special measures may include, but are not limited to, the creation of recruitment strategies for Aboriginal and Torres Strait Islanders and people with disability.

Data collection

32. In order to monitor and achieve diversity and inclusion of services, the Society encourages people we assist to provide information relating to: date of birth, gender, gender diversity, sexual orientation, first language or language spoken at home, Aboriginal and/or Torres Strait Islander background, South Sea Islander background, disability, ethnic/cultural background, and religion (the collection of data may vary depending on the relevance and the service delivery context).
33. The Society collects voluntary demographic information from employees and volunteers in the following areas: gender, disability, Aboriginal and/or Torres Strait Islander background, and cultural and linguistic diversity.
34. The Society protects the privacy of individuals when collecting personal information (see Privacy Policy).

Roles and responsibilities

35. It is the obligation and responsibility of all Society employees and volunteers to:
 - ensure they are aware of, and understand, this policy
 - embrace and promote diversity and an inclusive workplace
 - treat everyone in the workplace with dignity, respect and courtesy
 - behave in a responsible and professional manner, including maintaining confidentiality, listening and responding appropriately to the views and concerns of others
 - ensure they do not promote or act in a manner that would be considered discriminatory under this policy or any relevant legislation
 - where appropriate, suggest ways in which practices, systems and procedures could be improved to reduce the likelihood of discrimination occurring
 - take seriously any incidents of discrimination or exclusion that they experience or witness and report them promptly.
36. In addition, all managers and supervisors must:
 - celebrate diversity and promote inclusion
 - engage in the promotion and implementation of the Society's Diversity and Inclusion strategies and initiatives
 - promote a respectful workplace, which does not tolerate any form of discrimination and be a role model through their own behaviours
 - understand the rights and responsibilities of Society employees and volunteers with respect to this policy
 - understand the potential impact of discrimination and exclusion on the broader workplace
 - ensure that all applicable anti-discrimination legislation is observed
 - take immediate and appropriate action if they become aware of any behaviour that could be considered discriminatory pursuant to this policy or any relevant legislation
 - treat all complaints seriously and confidentially and refer to relevant related policy and procedure depending on the circumstances (for example, Recruitment Policy,

Respectful Workplace Policy or Client Access and Eligibility Policy – see Appendix 2 for full list of related policies and procedures)

- if a matter is, or may constitute, disrespectful behaviour, bullying or harassment refer the matter immediately to Employment Relations by emailing the Respectful Workplace email address: RespectfulWorkplace@vinnies.org.au
- ensure that Society employees and volunteers within their area of responsibility regularly participate in training about their obligations and responsibilities in relation to respecting diversity and promoting inclusion.

37. In addition, Employment Relations Partners must:

- raise awareness in the workplace about the Society's policies and procedures in relation to diversity and inclusion
- ensure all employment related processes (recruitment, promotion, flexible work, professional development) are implemented in a manner consistent with this policy
- treat any complaint of discrimination seriously
- act promptly to ensure all employees and volunteers concerned feel safe, included and free to be themselves in the workplace
- maintain confidentiality of those who report and/or have experienced discrimination, to the extent possible
- ensure procedural fairness for all relevant parties
- communicate the process, progress and outcomes to all relevant parties
- maintain accurate records
- provide information about available support services and external complaints processes, for example, Employee Assistance Program, and if appropriate, services offered by the union or other employee representative bodies
- conduct formal internal investigations, as required.

38. In addition, the Director, People Strategy and Development must:

- develop and implement a Diversity and Inclusion Strategy including but not limited to: diversity, recruitment and development strategies, and utilising employee and volunteer demographic data to support diversity and inclusion activities
- ensure that adequate support (including provision of information, clear instructions, training, and necessary resources) is provided to managers/supervisors
- analyse material breaches and compliance weaknesses for systemic trends and ensure that any adverse trends are addressed
- report to Executive Director, Corporate Services and the People and Culture Committee of the Board on trends and remedies
- advise the Executive Director, Corporate Services of legislative, system or operational changes required to be reflected in this policy.

39. In addition, the Executive Director, Corporate Services must:

- engage external investigator for formal investigation, where required
- keep the CEO, and the People and Culture Committee of the Board informed of any significant issues, investigations and proactive initiatives.

Review

40. This policy and its implementation will be reviewed every two years, or on a needs basis as required to align with legislative or practice changes.

Further assistance

41. Society employees and volunteers should speak with their manager or supervisor regarding any questions about the implementation of this policy.

42. Feedback regarding the implementation of this policy can be provided to the Executive Director, Corporate Services.

References

43. Legislation and regulations relevant to this policy include:

- *Age Discrimination Act 2004* (Cth)
- *Anti-Discrimination Act 1977* (NSW)
- *Australian Human Rights Commission Act 1986* (Cth)
- *Crimes Act 1900* (NSW)
- *Crimes (Domestic and Personal Violence) Act 2007* (NSW)
- *Criminal Code Act 1995* (Cth)
- *Disability Discrimination Act 1992* (Cth)
- *Fair Work Act 2009* (Cth)
- *Privacy Act 1988* (Cth) including the *Australian Privacy Principles*
- *Privacy and Personal Information Protection Act 1998* (NSW)
- *Racial Discrimination Act 1975* (Cth)
- *Racial Hatred Act 1995* (Cth)
- *Sex Discrimination Act 1984* (Cth)
- *Work Health and Safety Act 2011* (NSW)
- *Work Health and Safety Regulation 2017* (NSW)

Approval and amendment history

| Version | Approval authority | Date | Amendment summary |
|-------------------|---------------------------|-----------|-------------------|
| Doc # PO2020-0 | Executive Leadership Team | 1/12/2020 | NA |

Appendix 1: Definitions

1. Relevant definitions include:

| | |
|------------------------|---|
| Access | Access means that barriers should not impede the delivery of programs and services to those who are entitled to receive them. |
| Bullying | Workplace bullying is <i>repeated</i> and <i>unreasonable</i> behaviour directed towards a person or a group of people that <i>creates a risk to health and safety</i> . (<i>WHS Act 2011 and Fair Work Act 2009</i>). See Respectful Workplace Policy for more details. |
| Complainant | A complainant is any individual making a complaint. |
| Cultural Safety | Cultural safety is achieved when an environment is inclusive and safe for everyone: where there is no challenge or denial of their identity, of who they are, what they need, and how they need it. It is about shared respect, shared meaning, shared knowledge and experience of learning, living and working together with dignity and truly listening. Services that are culturally safe recognise their clients' identities and life experiences and incorporate their world views, beliefs and values into their client-centred responsive service delivery. |
| Discrimination | Discrimination is treating, or proposing to treat, someone less favourably because they have, or are assumed to have, a particular characteristic protected by law. Personal characteristics or attributes protected under federal and state law include: race, ethnicity, colour, nationality, religion or spiritual belief, sex, gender diversity, intersex status, sexual orientation, marital/relationship status or family composition, pregnancy or potential pregnancy, caring responsibilities, disability, age, health status, residency status, irrelevant criminal record, political opinion, trade union membership or activity, or association with someone who has, or is assumed to have, any of these characteristics. Discrimination is prohibited in the following areas of public life relevant to the Society: <ul style="list-style-type: none"> • Employment – recruitment, promotion, at work, leaving work • Goods and services – access to all Society services • Accommodation – access to all Society accommodation services. Discrimination may be: <ul style="list-style-type: none"> • <i>Direct</i> – when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law • <i>for example</i>: <ul style="list-style-type: none"> ▪ <i>a worker is refused a promotion because they are 'too old'</i> ▪ <i>a worker is harassed or humiliated because of their race.</i> |

| | |
|---------------------------------|--|
| | <ul style="list-style-type: none"> • <i>Indirect</i> - when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law, for example: <ul style="list-style-type: none"> ▪ <i>if redundancy is decided based on people who have had a worker's compensation claim rather than on merit</i> ▪ <i>if the only way into a public building is by stairs, as people with disability who use wheelchairs would be unable to enter the building.</i> |
| Diversity | <p>The concept of diversity recognises that each person has different characteristics and experiences which make them unique. Each individual brings with them a diverse set of perspectives and work/life experiences.</p> <p>Diversity describes the variation in personal, physical, and social characteristics, such as age, gender, ethnicity, religion, disability, sexual orientation, education, and national origin.</p> <p>Embracing and promoting diversity is about empowering people by respecting and appreciating what makes them who they are. When we respect and value each individual for who they are, regardless of their background, the power of diversity and inclusion is realised.</p> |
| Equal opportunity | <p>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 goods and services. Equal opportunity law aims to promote everyone's right to equal opportunities; eliminate, as far as possible, discrimination and sexual harassment; and provide redress for people whose rights have been breached. (See Discrimination)</p> |
| Equity | <p>Equity means that Society programs and services must deliver outcomes for all people, regardless of their, background.</p> |
| Gender diversity | <p>'Gender diverse' is an umbrella term that includes all the different ways gender can be experienced and perceived. It can include people questioning their gender, those who identify as trans/transgender, genderqueer, non-binary, gender nonconforming and many more.</p> |
| Harassment | <p>Workplace harassment is any behaviour that:</p> <ul style="list-style-type: none"> • is unwelcome and unsolicited • the person considers to be offensive, intimidating, humiliating or threatening, and • a reasonable person would consider to be offensive, humiliating, intimidating or threatening. <p>See Respectful Workplace Policy for more details.</p> |
| Hostile work environment | <p>A hostile work environment exists when someone's behaviour within a workplace creates an environment that is difficult or uncomfortable for another person(s) to work in.</p> |

| | |
|-----------------------------|--|
| Inclusion | <p>Inclusion refers to the practices an organisation implements to ensure everyone can participate in the workplace, enabling their differences to coexist in a mutually beneficial way. The goal of inclusion strategies is to ensure everyone feels accepted, welcomed and treated equally. Inclusive practices may involve making reasonable adjustments to ensure the workplace or service is accessible, regardless of a person's background.</p> <p>Inclusion is a sense of belonging. Inclusive workplace cultures ensure people feel respected and valued for who they are as an individual or group.</p> |
| Inclusive practices | <p>Inclusive practices help to provide culturally safe services to clients of the Society by ensuring that clients are engaged in ways that suit their individual needs. Inclusive practices recognise the right of all people to access services and acknowledge that some people will require information, support or working relationships that are different to what other people require to promote participation. Inclusive practices may involve making adjustments to the service environment for client benefit.</p> |
| Intersex status | <p>'Intersex status' is a protected attribute under the <i>Sex Discrimination Act 1984</i>. Under the Act 'intersex status' means the status of having physical, hormonal or genetic features that are:</p> <ul style="list-style-type: none"> • neither wholly female nor wholly male • a combination of female and male, or • neither female nor male. |
| LGBTIQA+ | <p>'LGBTIQA+' is commonly used to refer collectively to people who are lesbian, gay, bisexual, transgender, intersex, queer/questioning, asexual, and many other terms (such as non-binary and pansexual) that people use to describe their experiences of their gender, sexuality, and physiological sex characteristics.</p> |
| Positive measures | <p>Positive measures are sometimes referred to as 'special measures' or 'positive discrimination'. Positive measures aim to foster greater equality by supporting groups of people who face, or have faced, entrenched discrimination so they can have similar access to opportunities as others in the community.</p> |
| Protected attributes | <p>Protected attributes are those aspects that are protected by federal and state discrimination legislation. In other words, the grounds of discrimination that are prohibited. These include: race, ethnicity, colour, nationality, religion or spiritual belief, sex, gender diversity, intersex status, sexual orientation, marital/relationship status or family composition, pregnancy or potential pregnancy, caring responsibilities, disability, age, health status, residency status, irrelevant criminal record, political opinion, trade union membership or activity, or association with someone who has, or is assumed to have, any of these characteristics.</p> |
| Respect | <p>'To show esteem, regard, or consideration for.'</p> <p>(Macquarie Dictionary)</p> |

| | |
|-----------------------------------|--|
| Sexual harassment | <p>Sexual harassment is a specific and serious form of harassment. It is unwelcome behaviour of a sexual nature, which could be expected to offend, humiliate or intimidate a person. Sexual harassment may be physical, verbal or written.</p> <p>See Respectful Workplace Policy for further details.</p> |
| Society Personnel | <p>The Society people to whom the Respectful Workplace Policy applies, including members, volunteers, employees, office holders and Directors.</p> |
| Unacceptable behaviour | <p>Unacceptable behaviours at work include disrespectful behaviours, bullying, harassment, discrimination and vilification.</p> <p>Unacceptable behaviour may involve unlawful discrimination or harassment (e.g. sexual harassment), however, discrimination or harassment by itself does not necessarily constitute workplace bullying.</p> |
| Unreasonable behaviour | <p>Unreasonable behaviour is behaviour that a reasonable person, having considered the circumstances would see as unreasonable, including behaviour that is victimising, humiliating, intimidating, or threatening.</p> |
| Vexatious | <p>Any action that is brought without sufficient grounds, and in order to cause annoyance or harm.</p> |
| Victimisation | <p>Victimisation is subjecting or threatening to subject someone to detrimental treatment because they have asserted their rights under equal opportunity law, raised a concern, made a complaint, assisted someone else to make a complaint, refused to do something because it would be discrimination, harassment or victimisation of another person.</p> <p>Victimisation is against the law, a serious breach of this policy and may result in formal disciplinary action against the perpetrator.</p> <p>The Society has a zero tolerance approach to victimisation.</p> |
| Vilification | <p>Vilification is abusive disparaging speech or writing (hate speech) against an individual or group of people. Vilification is a public act that threatens or incites violence, hatred, serious contempt for, or revulsion or severe ridicule of a person or group of people.</p> <p>In Australia there are legal protections against vilification based on colour, ethnicity, national origin, or race. In NSW there are also protections against vilification based on homosexuality, transgender status and HIV/AIDS status.</p> |
| Workplace (also 'at work') | <p>Workplace applies to all sites owned and managed by the Society, including any activities undertaken offsite as part of Society operations, such as home visitations.</p> <p>Workers are covered by Fair Work Commission, WHS and anti-discrimination laws when bullying, harassment or discrimination occurs 'at work'. According to the WHS Act Explanatory Memorandum 'the primary duty of care is tied to the work activities wherever they occur and is not limited to the confines of a physical workplace'.</p> |

| | |
|--|---|
| | Aligned with this definition of 'at work', the workplace also includes remote work, attendance at work-related conferences or functions, and attendance at client or other work-related events, including retreats and social events. |
|--|---|

Appendix 2: Procedures relevant to the Diversity and Inclusion Policy

There are no specific procedures attached to the Diversity and Inclusion Policy. Rather the following policies and procedures should be followed in relevant circumstances:

- For matter relating to Reconciliation see:
 - Reconciliation Action Plan
 - Aboriginal and Torres Strait Islander Cultural Protocol
- For matters relating to employment see:
 - Recruitment Policy
 - Stronger Together Policy
 - Managing Underperformance Policy
 - Counselling and Disciplinary Policy
- For matters relating to workplace health and safety see:
 - Workplace Health and Safety Policy
- For matters relating to workplace behaviours/grievances see:
 - Respectful Workplace Policy
 - Workplace Concerns (Employee) Policy
- For matters relating to access to services see:
 - Client Access and Eligibility Policy
 - Client-Centred Service Delivery Policy
 - Client Charter Policy
- For matters relating to social media see:
 - Social Media Policy
- When a member of the public or a person we assist is the complainant see:
 - Feedback and Complaints Policy.