

# Equity, Diversity and Inclusion Rule

## Section 1 - Purpose and Scope

(1) This Rule provides an overarching statement of the University of New England's commitment to equity, diversity and inclusion as one of the foundations of excellence in teaching, research and community service.

(2) This Rule applies to all UNE Representatives and Students of the University of New England.

## Section 2 - Rule

(3) UNE recognises that fostering diversity benefits the University community and results in a safe, innovative and prosperous environment. UNE strives to build a vibrant community which respects the inherent dignity of the individual and values the unique knowledge, skills, abilities, life skills and competencies that each person can contribute to learning and their workplace.

(4) UNE is dedicated to providing an environment that upholds the principles of social justice without fear of discrimination, harassment or bullying, where all students, employees and others participating in our community are treated with dignity, courtesy and respect.

(5) UNE acknowledges that societal historic and ongoing disadvantage has created barriers to access and progression for some groups in the community and will work to become part of the solution of this inequality. UNE is committed to our social and community responsibilities in line with the principles founded on the Universal Declaration of Human Rights.

(6) UNE recognises that many members of its community experience multiple forms of prejudice and discrimination and that improved equity and diversity can only be achieved if the intersectional lived experience of our staff and students are considered.

(7) Each member of the UNE community is recognised and valued for their diversity. The significance of Aboriginal and/or Torres Strait Islander as Australia's First Peoples is particularly acknowledged.

(8) UNE is committed to promoting equity, diversity and inclusion by providing an environment that values and understands diversity in society. UNE will promote and support diversity and inclusion in all its activities, through the following:

- a. Fostering a culture that embraces equity in employment, education and research with a particular focus on gender equity and Aboriginal and/or Torres Strait Islander inclusion;
- b. Zero tolerance for discrimination, sexual harassment, victimisation or vilification and the provision of accessible avenues for resolving complaints. Resolution processes will be fair, consistent, transparent and timely;
- c. Zero tolerance of hate advocacy;
- d. Meeting our requirements in relation to modern slavery;
- e. Continuous review of employment practices including: recruitment, retention, performance management, promotions, talent identification and identification of high potentials, succession planning, training and development, resignations and key performance indicators for managers and remuneration;

- f. Providing training on inclusion and diversity to UNE Representatives and students;
- g. Promoting the participation of people from diverse backgrounds through the implementation of the [Gender Representation on Decision Making and Advisory Committees Policy](#);
- h. Encouraging UNE Representatives and students to communicate in ways that are inclusive and reflect UNE's commitment to valuing diversity. UNE's publications and official documents will use inclusive and non-discriminatory language; and
- i. Working towards making digital content, services and systems as accessible to as many people as possible. Our online content aims, where possible, to conform to the current version of the Web Content Accessibility guidelines (WCAG).
  - i. For learning content at UNE, digital accessibility is considered in the [Online Learning Resources Policy](#) and the Course Design Framework.

(9) UNE operationalises all objectives identified in this Rule through the Equity, Diversity and Inclusion Procedure, the UNE Acknowledgment of Country Guideline, the UNE Inclusive Language Guideline and Representation Action Plans and targeted strategies.

(10) This rule should be read in conjunction with the following legislation, standards and codes:

- a. [Age Discrimination Act 2004](#) (Cth)
- b. [Anti-Discrimination Act 1977](#) (NSW)
- c. [Australian Human Rights Commission Act 1986](#) (Cth)
- d. [Child Protection \(Working with Children\) Act 2012](#) (NSW)
- e. [Disability Discrimination Act 1992](#) (Cth)
- f. [Disability Standards for Education 2005](#) (Cth)
- g. [Fair Work Act 2009](#) (Cth)
- h. Government Sector Employment Act 2013 (NSW)
- i. [Heritage Act 1977](#) (NSW)
- j. [Higher Education Standards Framework \(Threshold Standards\) 2021](#) (Cth)
- k. [Higher Education Support Act 2003](#) (Cth)
- l. Higher Education Support Amendment Act 2023 (Cth)
- m. [Modern Slavery Act 2018](#) (Cth)
- n. [Modern Slavery Act 2018](#) (NSW)
- o. [Multicultural NSW Act 2000](#) (NSW)
- p. [Racial Discrimination Act 1975](#) (Cth)
- q. Racial Hatred Act 1995 (Cth)
- r. [Sex Discrimination Act 1984](#) (Cth)
- s. [Tertiary Education Quality and Standards Agency Act 2011](#) Domain 2 Learning Environment: Standard 2.2 – Diversity and Equity (Cth)
- t. United Nations Convention on the Rights of Indigenous Peoples
- u. United Nations Declaration on the Rights of Persons with Disabilities
- v. [Workplace Gender Equality Act 2012](#) (Cth)

## Part A - Roles and Responsibilities

(11) Each UNE Representative and student is responsible for ensuring they uphold the principles in this Rule.

Role	Responsibility
Vice-Chancellor and Chief Executive Officer (VC&CEO)	The VC&CEO has the ultimate responsibility for equity, diversity and inclusion policies, practices and programs across the University.
UNE Representatives	UNE Representatives are expected to have an understanding of equity, diversity and inclusion and responsibility for the implementation of such within their sphere of activities.
Equity, Diversity and Inclusion Advisory Committee (Equity Committee)	The Equity, Diversity and Inclusion Advisory Committee provides oversight and guidance on the University's performance in equity, diversity, inclusion and belonging to the VC&CEO and the UNE Executive Team. The Equity Committee makes recommendations, through the Chairperson, to the executive sponsor, the UNE Executive Team and UNE's governance bodies, including the Audit and Risk Committee, on matters relating to equity, diversity, inclusion and belonging in education and employment at UNE.
Chief Operating Officer (COO)	The COO has responsibility for staff equity, diversity and inclusion matters.
Deputy Vice-Chancellor (DVC)	The DVC has responsibility for student equity, diversity and inclusion matters.
Director People and Culture (DirP&C)	The Director People and Culture (DirP&C) is authorised to make procedures and guidelines for the operation of this Rule. The procedures and guidelines must be compatible with the provisions of this Rule.
Executive Principal Student Experience (EPSE)	The EPSE is is authorised to make procedures and guidelines under this Rule that are student related. The procedures and guidelines must be compatible with the provisions of this Rule.
Committee Chairs	Committee Chairs are responsible for ensuring compliance with the <a href="#">Gender Representation on Decision Making and Advisory Committees Policy</a> .

## Section 3 - Authority and Compliance

(12) The Vice-Chancellor and Chief Executive Officer, pursuant to Section 29 of the [University of New England Act](#), makes this University Rule.

(13) UNE Representatives and students must observe it in relation to University matters.

(14) The Director People and Culture is authorised to make procedures and guidelines for the operation of this University Rule. The procedures and guidelines must be compatible with the provisions of this Rule.

(15) The Executive Principal Student Experience is authorised to make procedures and guidelines under this Rule that are student related. The procedures and guidelines must be compatible with the provisions of this Rule.

(16) This Rule operates as and from the Effective Date.

(17) Previous Rule on Equity and Diversity (17) and related documents are replaced and have no further operation from the Effective Date of this new Rule.

(18) Notwithstanding the other provisions of this University Rule, the Vice-Chancellor and Chief Executive Officer may approve an exception to this Rule where the Vice-Chancellor and Chief Executive Officer determines the application of the Rule would otherwise lead to an unfair, unreasonable or absurd outcome. Approvals by the Vice-Chancellor and Chief Executive Officer under this clause must:

- a. be documented in writing;
- b. state the reason for the exception; and

- c. be registered in the approved UNE electronic Records Management System (RMS) in accordance with the [Records Management Rule](#).

## Section 4 - Quality Assurance

(19) The Deputy Vice-Chancellor (DVC) and Director People and Culture will regularly monitor and report to the VC&CEO on the operation and effectiveness of this Rule.

(20) The Deputy Vice-Chancellor (DVC) and Director People and Culture will be required to provide an annual attestation to Audit and Risk Committee on compliance with the Rule, and to report breaches of the Rule in accordance with the [Compliance Rule](#) and [Compliance Procedures](#).

## Section 5 - Definitions Specific to this Rule

(21) Intersectionality - refers to the ways in which different aspects of a person's identity can expose them to overlapping forms of discrimination and marginalisation.

(22) Hate Advocacy - means advocacy, promotion or incitement, in any form, of the denigration, hatred or vilification of a person or group of persons, as well as any harassment, insult, negative stereotyping, stigmatisation or threat in respect of such a person or group of persons and the justification of all the preceding types of expression, on the ground of race, colour, descent, national or ethnic origin, age, disability, language, religion or belief, sex, gender, gender identity, sexual orientation and other personal characteristics or status. Also referred to as 'Hate Speech' by the European Commission against Racism and Intolerance, see [www.humanrightsguide.sk/en/themes/freedom-of-expression-media/freedom-of-expression/hate-speech](http://www.humanrightsguide.sk/en/themes/freedom-of-expression-media/freedom-of-expression/hate-speech).

## Status and Details

<b>Status</b>	Not Yet Approved
<b>Effective Date</b>	To Be Advised
<b>Review Date</b>	To Be Advised
<b>Approval Authority</b>	Vice-Chancellor and Chief Executive Officer
<b>Approval Date</b>	6th August 2024
<b>Expiry Date</b>	Not applicable
<b>Unit Head</b>	Kirsten Clayton Director People and Culture
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## Glossary Terms and Definitions

**"UNE Representative"** - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

**"Student"** - Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.

**"Research"** - Is the creation of new knowledge and/or the use of existing knowledge in a new and creative way so as to generate new concepts, methodologies, inventions and understandings. This could include synthesis and analysis of previous research to the extent that it is new and creative (defined by the Australian Research Council).

**"Effective Date"** - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.

**"Aboriginal and/or Torres Strait Islander"** - Is a person who is of Australian Aboriginal and/or Torres Strait Islander descent, identifies as an Australian Aboriginal and/or Torres Strait Islander person, and is accepted and known as an Australian Aboriginal and/or Torres Strait Islander person by the community in which they have lived.