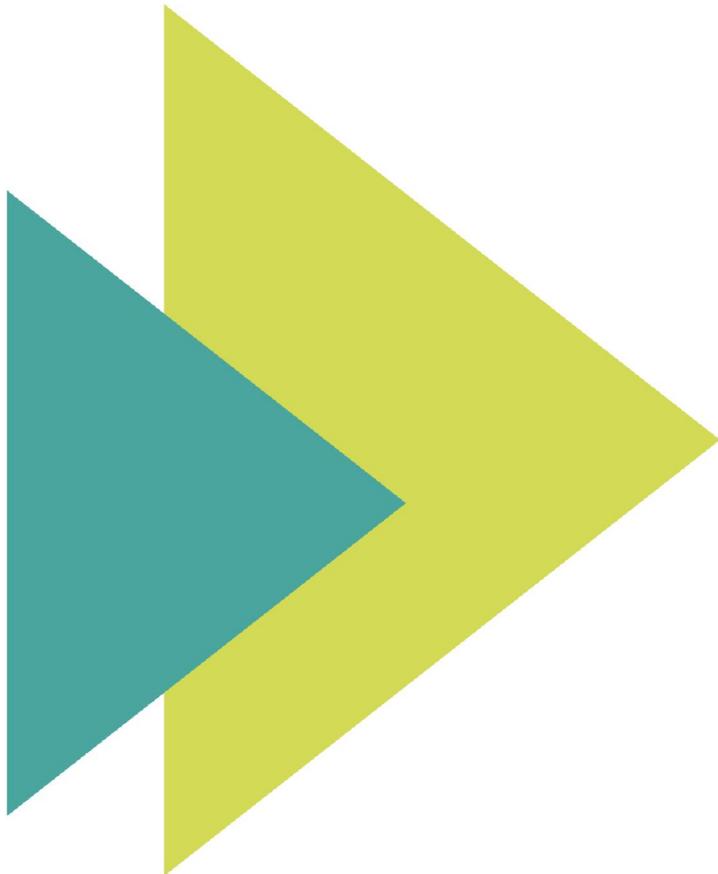




Australian Government
Tertiary Education Quality and Standards Agency



TEQSA's WORKPLACE DIVERSITY PROGRAM

2013-2016

Introduction

This Workplace Diversity Program represents the Tertiary Education Quality and Standards Agency's (TEQSA) commitment to providing a workplace that values the diversity of its employees.

Diversity refers to what makes us different, and includes a wide range of factors such as gender, age, ethnicity, cultural background, language, religion, disability, sexual orientation, marital status and family responsibilities.

People bring to the workplace different experiences and perspectives that enhances organisational capability, creativity and innovation. TEQSA aims to ensure that, as far as possible, the diverse backgrounds, experiences, skills and perspectives of all TEQSA's staff are recognised, valued and fully utilised.

Who we are and what we do

TEQSA is Australia's independent national regulator of the higher education sector. The Australian higher education sector comprises both public and private universities, Australian branches of overseas universities, and other higher education providers with and without self-accrediting authority.

Under the TEQSA Act, the functions and powers of TEQSA include:

- ▶ registering regulated entities as registered higher education providers
- ▶ accrediting courses of study
- ▶ investigating whether the TEQSA Act or its associated provisions have been or are being complied with, including by
 - ▶ conducting compliance assessments and quality assessments; and
 - ▶ conducting accreditation assessments of accredited courses.

Legal framework

Public Service Act 1999

Section 18 of the *Public Service Act 1999* (PSA) require agencies to establish a workplace diversity program to assist in giving effect to the APS Employment Principles.

The APS Employment Principles, set out in section 10 of the PSA, are as follows.

APS Employment Principles

- (1) The APS is a career-based public service that:
 - (a) makes fair employment decisions with a fair system of review; and
 - (b) recognises that the usual basis for engagement is as an ongoing APS employee; and
 - (c) makes decisions relating to engagement and promotion that are based on merit; and
 - (d) requires effective performance from each employee; and
 - (e) provides flexible, safe and rewarding workplaces where communication, consultation, cooperation and input from employees on matters that affect their workplaces are valued; and
 - (f) provides workplaces that are free from discrimination, patronage and favouritism; and

- (g) recognises the diversity of the Australian community and fosters diversity in the workplace.

Decisions based on merit

- (2) For the purposes of paragraph (1)(c), a decision relating to engagement or promotion is based on merit if:
 - (a) all eligible members of the community were given a reasonable opportunity to apply to perform the relevant duties; and
 - (b) an assessment is made of the relative suitability of the candidates to perform the relevant duties, using a competitive selection process; and
 - (c) the assessment is based on the relationship between the candidates' work-related qualities and the work-related qualities genuinely required to perform the relevant duties; and
 - (d) the assessment focuses on the relative capacity of the candidates to achieve outcomes related to the relevant duties; and
 - (e) the assessment is the primary consideration in making the decision.

Australian Public Service Commissioner's Directions 2013

The *Australian Public Service Commissioner's Directions 2013* (the APS Commissioner's Directions) outline the expectation that Workplace Diversity Programs will include measures aimed at eliminating employment related disadvantages on the basis of:

- ▶ being Aboriginal and/or Torres Strait Islander
- ▶ gender
- ▶ race or ethnicity
- ▶ disability
- ▶ being a member of a group that, from time to time, is identified as having an employment-related disadvantage.

Anti-discrimination legislation

The APS Commissioner's Directions require agencies to put in place measures directed at ensuring that all relevant anti-discrimination laws are complied with.

At the federal level, the following legislation is currently in place, which aims to protect people from certain kinds of discrimination.

- ▶ *Age Discrimination Act 2004*
- ▶ *Racial Discrimination Act 1975*
- ▶ *Sex Discrimination Act 1984*
- ▶ *Disability Discrimination Act 1992*
- ▶ *Australian Human Rights Commission Act 1986*

In addition, Victoria's anti-discrimination legislation – the *Equal Opportunity Act 2010* - similarly prohibits discrimination on the basis of specified characteristics in certain areas of public life.

There are two types of discrimination distinguished in anti-discrimination legislation at both the state and federal level. Direct discrimination happens when a person is treated unfavourably because of a certain attribute such as their age or disability.

Indirect discrimination occurs where a person imposes an unreasonable requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons with an attribute.

Other relevant TEQSA policies

The TEQSA Disability Action Plan 2013-2016 aims to promote the equitable participation of staff with a disability in the workplace and to remove barriers and provide improved access and services to people with a disability. The plan focuses on the four key priority areas of: physical accessibility; technological accessibility; employment; and communication and community engagement. TEQSA's Recruitment processes also support the employment of people with a disability by ensuring equal access to employment in TEQSA.

The TEQSA Enterprise Agreement provides flexibility provisions to support the different needs of staff.

The Program Responsibilities

Management and staff at TEQSA all have responsibilities in relation to promoting and supporting workplace diversity.

It is expected that all TEQSA Management and staff will:

- ▶ comply with the APS Act, including the APS Values and Employment Principles
- ▶ comply with anti-discrimination legislation
- ▶ be aware of the TEQSA Workplace Diversity Program and contribute to its achievement
- ▶ treat everyone fairly and with respect.

Managers also have additional responsibilities, which require them to:

- ▶ act to deal with discrimination or harassment if it is reported or observed
- ▶ comply with the merit principle in recruitment selection procedures
- ▶ incorporate workplace diversity principles into their team management practices
- ▶ recognise and utilise the diverse skills and knowledge of employees
- ▶ support employees who require reasonable adjustments
- ▶ support employees who seek flexible work arrangements, subject to operational requirements
- ▶ treat all employees and prospective employees fairly and with respect
- ▶ actively support and promote workplace diversity.

Objectives

TEQSA's Workplace Diversity Program will focus on the following objectives.

- ▶ Workplace diversity principles are integrated into TEQSA's organisational values
- ▶ TEQSA is a workplace that is free from discrimination and harassment
- ▶ The diversity of TEQSA employees is recognised, valued and utilised within the workplace
- ▶ TEQSA employees are supported to balance their work, family and other caring responsibilities effectively
- ▶ The diversity of the Australian community is reflected in strategies to attract, recruit and retain TEQSA employees.

Implementation

The Workplace Diversity Program will be made available to all TEQSA staff. Information about the program will also be incorporated into induction training for new staff.

Monitoring and Review

In accordance with the Australian Public Service Commissioner's Directions, TEQSA will:

- ▶ evaluate and report on the effectiveness and outcomes of its workplace diversity program each year (via TEQSA's Annual Report); and
- ▶ review the Workplace Diversity Program at least once every 4 years.

Action items

Objective 1: Workplace diversity principles are integrated into TEQSA's organisational values and work practices

What we will do	Who will do it	When	Measure
<ul style="list-style-type: none"> ▶ Include a commitment to workplace diversity in TEQSA Enterprise Agreement 	Managers and staff negotiating Enterprise Agreements	<ul style="list-style-type: none"> ▶ Included in the TEQSA Enterprise Agreement 2012-14. 	<p>TEQSA Enterprise Agreement incorporates a commitment to equity and diversity which includes:</p> <ul style="list-style-type: none"> ▶ <i>supporting an inclusive, safe, fair, productive and successful workplace that is free from discrimination and harassment;</i> ▶ <i>promoting equity in employment; and,</i> ▶ <i>ensuring that employment decisions are based on merit.</i>
<ul style="list-style-type: none"> ▶ Provide current and new staff with information and training on the APS Values, Employment Principles and Code of Conduct 	Human Resources	Completed June 2013 and ongoing	<ul style="list-style-type: none"> ▶ 100% of current staff provided with information and training on APS Values, Employment Principles and Code of Conduct ▶ 100% of new staff provided with information and training as part of induction process
<ul style="list-style-type: none"> ▶ Consider, and where appropriate incorporate, workplace diversity principles into future policies and procedures that will impact on TEQSA's work environment. 	Human Resources	Ongoing from 1 July 2013	<ul style="list-style-type: none"> ▶ Workplace diversity principles are considered and incorporated where appropriate in relevant TEQSA policies and procedures that impact on the work environment.
<ul style="list-style-type: none"> ▶ Consider and where appropriate include workplace diversity principles in future TEQSA Strategic and Operational Plans. 	Senior Management Team	July 2014 and ongoing	<ul style="list-style-type: none"> ▶ Workplace Diversity principles considered and where appropriate included in TEQSA Strategic and Operational Plans
<ul style="list-style-type: none"> ▶ Provide all staff with access to a copy of 	Human Resources	By 1 October 2013 and	<ul style="list-style-type: none"> ▶ The Workplace Diversity Program is placed

the Workplace Diversity Program		ongoing	on the intranet. Copy of program provided to all new staff as part of induction process
▶ Publish Workplace Diversity Program on TEQSA's website	Communications	Completed	▶ Workplace Diversity Program published on TEQSA website
▶ Raise staff awareness of workplace diversity through staff training	Human Resources	By January 2014	▶ Workplace diversity included as part of discrimination and harassment training for all staff

Objective 2: TEQSA is a workplace that is free from discrimination and harassment

What we will do	Who will do it	When	Measure
▶ Chief Commissioner will promote TEQSA policy of zero tolerance to discrimination, harassment and bullying	Chief Commissioner Human Resources	Ongoing	▶ Chief Commissioner formally promotes policy of zero tolerance to discrimination, harassment and bullying on an annual basis. ▶ Senior Management Team will receive a quarterly report on discrimination, harassment and bullying.
▶ Conduct anti-discrimination and harassment training for all Managers and staff	Human Resources	By January 2014	▶ Anti-discrimination and harassment training conducted for all Managers and staff. ▶ Anti-discrimination and harassment training included in induction session for all new staff. ▶ Refresher training conducted as needed.
▶ Promote and provide information about Harassment Contact Officer to TEQSA staff.	Human Resources	Ongoing	▶ Staff have access to information about the Harassment Contact Officer.
▶ Develop and implement discrimination,	Human Resources	By December 2013	▶ Discrimination, sexual harassment and

sexual harassment and bullying policy.			<p>bullying policy implemented.</p> <ul style="list-style-type: none"> ▶ Copy of Discrimination, sexual harassment and bullying policy emailed to all staff and published on TEQSA's intranet.
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Objective 3: The diversity of TEQSA employees is recognised, fostered and utilised within the workplace

What we will do	Who will do it	When	Measure
<ul style="list-style-type: none"> ▶ Use the HR information management system to enable staff to securely list their diversity data. 	Human Resources	Ongoing	<ul style="list-style-type: none"> ▶ Staff encouraged to update their diversity data on an annual basis.
<ul style="list-style-type: none"> ▶ Have consideration to the diversity of TEQSA staff when designing and implementing workplace initiatives. 	Senior Management Team, drawing on advice from Human Resources	Ongoing	<ul style="list-style-type: none"> ▶ Diversity consideration is routinely included in planning stages.
<ul style="list-style-type: none"> ▶ Draw on the diverse knowledge, skills and perspectives of TEQSA staff to support TEQSA operations. 	All staff	Ongoing	<ul style="list-style-type: none"> ▶ TEQSA Internal communications policy developed and implemented. ▶ Staff consultative mechanisms are utilised to seek staff feedback.
<ul style="list-style-type: none"> ▶ Investigate and implement reasonable adjustments for staff members on request where appropriate 	Human Resources	Ongoing	<ul style="list-style-type: none"> ▶ Reasonable adjustments provided to staff members on request where appropriate in a timely manner.
<ul style="list-style-type: none"> ▶ Continue to encourage participation and involvement of all staff on working groups and committees 	Managers	Ongoing	<ul style="list-style-type: none"> ▶ Participation and involvement of staff on working groups and committees sought through 'All Staff' emails

▶ Encourage staff to celebrate diversity events, such as Harmony Day, NAIDOC Week and Mental Health Week.	Human Resources	Ongoing	▶ Diversity events added to TEQSA Calendar
▶ Wherever possible, Managers will schedule activities such as meetings and training to maximise participation of employees	All Managers	Ongoing	▶ All staff activities held between hours of 9am and 5pm ▶ Team meetings held on days that a majority of staff members can attend

Objective 4: TEQSA employees are supported to balance their work, family and other caring responsibilities effectively

What we will do	Who will do it	When	Measure
▶ Include in Enterprise Agreement a principle supporting employees to balance their work and private commitments	Human Resources	Included in the TEQSA Enterprise Agreement 2012-2014	▶ TEQSA's 2012-14 Enterprise Agreement includes a principle underpinning the agreement: <i>assisting employees to balance their work and private commitments</i>
▶ Advise, support and promote to staff, options for flexible working arrangements as per the Enterprise Agreement, such as the Working from Home policy and part time work arrangements	Human Resources and Managers	Ongoing	▶ Staff provided with information about flexible work arrangements ▶ Managers support staff to utilise flexible working arrangements, subject to operational requirements
▶ Review flexible work arrangements through the TEQSA enterprise bargaining process	Managers and staff negotiating Enterprise Agreements	Ongoing	▶ Flexible work arrangements included in the TEQSA enterprise bargaining process
▶ Managers will discuss workload and work hours with staff and manage effectively	All managers	Ongoing	▶ Feedback from staff indicates that workloads and working hours are managed appropriately

▶ Promote and provide staff with access to Employee Assistance Program	Human Resources	Ongoing	<ul style="list-style-type: none"> ▶ Current staff provided with information about Employee Assistance Program ▶ New staff provided with information about Employee Assistance Program as part of induction process
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Objective 5: The diversity of the Australian community is reflected in strategies to attract, recruit and retain TEQSA employees.

What we will do	Who will do it	When	Measure
▶ Recruitment and selection procedures will be based on merit	Human Resources	Ongoing	▶ All TEQSA recruitment and selection procedures based on merit
▶ Review recruitment selection processes to identify strategies to recruit staff from diverse backgrounds	Human Resources	October 2013	▶ Recruitment selection processes reviewed and strategies identified to recruit staff from diverse backgrounds
<ul style="list-style-type: none"> ▶ Include a statement in recruitment advertising that encourages people with a disability to apply for employment with TEQSA ▶ Consider including in statement other groups identified as having an employment related disadvantage 	Human Resources	October 2013	<ul style="list-style-type: none"> ▶ Disability statement included in advertising ▶ Consideration given to including other groups identified as having an employment related disadvantage
<ul style="list-style-type: none"> ▶ Ensure recruitment information for potential job applicants is available in accessible formats on request ▶ Accept employment applications in different formats 	Human Resources	October 2013	<ul style="list-style-type: none"> ▶ Recruitment information available in accessible formats on requests ▶ Employment applications accepted in different formats

▶ Special leave made available to Indigenous Australian Employees for ceremonial purposes	Human Resources	Ongoing	▶ TEQSA Enterprise Agreement 2012-14 includes provision for leave for Indigenous employees for ceremonial purposes
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