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Diversity and Equal Opportunity Policy

Version	Approved by	Approval date	Effective date	Modifications
1.0	Dean	15 August 2019	15 August 2019	New Policy
2.0	Dean	1 September 2019	1 September 2019	Revision
3.0	VP of Quality, Technology and Innovation	22 November 2023	22 November 2023	Revision

1. Purpose

This policy affirms SSBM’s commitment to providing a work and study environment that is characterised by equality, respect and collegiality.

2. Scope

- a. This policy applies to all members of the SSBM community when they are engaged in work- or study-related activities at any location or online.
- b. This policy also applies to those undertaking work or study in offshore locations, to the extent that the policy is consistent with the relevant law in the local jurisdiction.
- c. In the case of harassment or discrimination that occurs while undertaking work placements in other organisations, SSBM may, where appropriate, taking into account the host organisation’s applicable policies and processes, suspend, cease or otherwise modify its policies and processes for investigating and resolving such complaints.

3. Policy Statement

3.1 Key principles

- a. SSBM values and celebrates the social and cultural diversity that is reflected in its community.

- b. The SSBM will make every effort to ensure that it is, as far as reasonably possible, free of unlawful discrimination and harassment, in accordance with all legislative obligations.

3.2 Equal opportunity

- a. Equality of opportunity is achieved through both proactive measures and appropriate responses to address behaviours or structures that have an inequitable effect.
- b. The SSBM may establish policies, programs and other mechanisms designed to assist members of disadvantaged groups to gain access to opportunities for education and employment, in accordance with relevant law.
- c. Key elements in SSBM's equal opportunity approach are as follows:
 - i. recognising, valuing and respecting the social, cultural and linguistic diversity of the SSBM community, including people of diverse genders and sexualities, people from diverse racial, national and religious backgrounds, people with disabilities, women, and Indigenous people
 - ii. providing fair and equitable access to conditions and benefits of employment for all staff, and access to education for all students
 - iii. a commitment to taking reasonable and proportionate action to redress any disadvantage caused by unequal access to employment and education
 - iv. providing information about basic rights and providing mechanisms for redressing complaints.

3.3 Unlawful discrimination

- a. It is unlawful to discriminate, unless a stated exemption exists, on the basis of the following protected characteristics as found in Swiss legislation:
 - sex
 - gender (including gender identity and gender expression)
 - sexuality
 - intersex status
 - pregnancy or the perception that a person may become pregnant
 - association with a child
 - breastfeeding status
 - marital or relationship status
 - caring responsibilities
 - identity of spouse or domestic partner
 - disability
 - race, colour, descent, national or ethnic origin
 - age
 - political opinion

- religion
 - religious appearance or religious dress
 - personal association with a person who is identified by any of the listed attributes
 - social origin
 - irrelevant medical record
 - irrelevant criminal record
 - trade union activity
 - any combination of the above
- b. Differentiation between people on the basis of a difference that is not a protected characteristic is lawful.
 - c. Anyone found to be engaging in unlawful discrimination may be subject to sanctions by the SSBM. In the case of staff or students this may include disciplinary action and in the case of other entrants or persons otherwise connected with the SSBM it may include preclusion from SSBM grounds or activities.

3.4 Vilification and Victimisation

- a. SSBM will not tolerate vilification of any individual or group for any reason, including in any learning, teaching, research, intellectual or public debate or other academic or other SSBM activity.
- b. SSBM will not tolerate victimisation in any form of:
 - i. a person who lodges a complaint in respect of a matter under this policy
 - ii. a person who provides information about a matter under this policy; or
 - iii. any other person involved in investigating or adjudicating the complaint.
- c. Disciplinary action will be taken against anyone who vilifies, retaliates against or victimises a person as outlined in a. and b. above.

4. Responsibilities

- a. Managers, supervisors and teaching staff have a primary role for ensuring that unlawful discrimination and harassment, victimisation, and vilification occurs as little as possible at the SSBM or is addressed if it does occur.
- b. The Dean of the SSBM has responsibility for addressing institutional-level breaches of this policy.

5. Complaints

- a. Any complaints about breaches of this policy will be dealt with seriously, confidentially and in a timely manner.
- b. People who have a concern regarding unlawful discrimination, vilification or harassment are encouraged to seek advice and support in the first instance from the Quality Assurance Department.

- c. Student complaints may be made in accordance with the Student Complaints Policy and supporting procedures.
- d. Staff complaints may be made in accordance with the Staff Grievances provisions in the SSBM's associated policy and procedures.
- e. Any person has the right at any time to refer a complaint to a relevant external agency.

6. Definitions

Discrimination	<p>Unlawful discrimination is discrimination based on any characteristic listed as protected by state legislation, and which has the purpose or effect of disadvantageous individuals on the basis of their protected characteristics.</p> <p>There are two forms of discrimination:</p> <ul style="list-style-type: none"> a. Direct discrimination, which occurs when people are treated less favourably because they belong to a particular group or category of people that share a protected characteristic, for example, people with a disability or people of a particular ethnicity. It also includes treating someone unfairly because of a stereotype about a particular group or category of people to which they belong. b. Indirect (or systemic) discrimination exists when there is a requirement (a rule, policy, practice or procedure) that is the same for everyone, but which has an unequal or disproportionate effect or result on a particular group or groups that share a protected characteristic. Unless this type of requirement is reasonable in all the circumstances, it is likely to be indirect discrimination.
Harassment	<p>Unlawful harassment means any form of behaviour that takes place in circumstances in which a reasonable person, having regard to all circumstances, should have anticipated the possibility that the person, or group of people, who is (are) subject to the harassment would be offended, humiliated or intimidated.</p>
Victimisation	<p>Victimisation means treating someone unfairly because they have acted on the rights given them by this policy, or because they have supported someone else who acted upon those rights.</p>
Vilification	<p>Vilification is behaviour that incites hatred, serious contempt for, or revulsion or severe ridicule of a person or group of people because of their race or religion.</p>
Protected characteristic	<p>Any characteristic of a person that is defined in law as being an unlawful ground for discrimination. Different pieces of legislation may include different characteristics.</p>
SSBM community	<p>For the purposes of this policy, SSBM community includes:</p> <ul style="list-style-type: none"> • enrolled students, including cross-institutional students and students on exchange from another institution • employees and exchange staff • contractors and consultants performing work on SSBM sites or on behalf of the SSBM • visiting academics or persons with academic status

	<ul style="list-style-type: none">• any volunteer in the workplace and study environment.
Work- and study-related activities	Work- and study-related activities are any activities that relate to a person's employment / work commitment, involvement with or status as a student or other connection with the SSBM. This includes activities that take place away from SSBM sites, such as field trips, conferences, Work-Integrated Learning placements, work placements, work-related social events and email, online and social media activities.