



## DIVERSITY AND INCLUSION POLICY

<b>Last Review:</b> November 2024	<b>Constructed/Reviewed by:</b> Director of Risk and Compliance
<b>Next Review:</b> November 2026 (and every two years thereafter, or more frequently as required).	<b>Approval Required:</b> Executive
<b>Policy Number:</b>	<b>Implementation Date:</b> 20 November 2024

### 1. Statement of Context and Purpose

1.1 As an inclusive Anglican school, Mentone Grammar is a welcoming community that embraces staff, students and parents/carers with differing and varying needs. The School is committed to providing a safe and educationally supportive environment that values and encourages participation by all students and workers, regardless of any difference in culture, race, religion, sexuality, gender identity, physical and mental ability or otherwise.

1.2 Mentone Grammar’s Values are:

Caring, Respect, Integrity, Endeavour, Service, Discipline and Resilience which are embedded in the life of our School every day.

### 1.3 INCLUSIVITY STATEMENT

We strive to be inclusive, and welcome and respect all people.

We acknowledge the diversity of our School community and care for the safety of all within it; for it is through our differences, that we learn and grow together.

### 2. Scope

2.1 This policy applies to all Board members, the Principal, employees, volunteers, contractors, and other authorised personnel required to perform functions on the School's premises, or at School-organised activities and events. Collectively, these individuals are referred to as ‘staff’.

2.2 This policy extends to any other person who is engaged in student-connected work at the School, or that otherwise has direct and regular contact with the School’s students (whether supervised or not).

### 3. Reference Points/Background Papers

- Equal Opportunity Act 2010 (Vic)
- Sex Discrimination Act 1984 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Age Discrimination Act 2004 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Student Code of Conduct
- Grievance Policy
- Respectful Work Policy
- Staff Code of Conduct
- AGSV Diversity and Inclusion policy

- [Mature Minors and Decision Making: Policy | education.vic.gov.au](https://www.education.vic.gov.au/mature-minors-and-decision-making-policy)
- [LGBTIQA+ Student Support: Policy | education.vic.gov.au](https://www.education.vic.gov.au/lgbtiqa-student-support-policy)
- <https://www.education.gov.au/disability-standards-education-2005>

#### **4. Overview**

- 4.1 The School does not tolerate discrimination, sexual harassment, vilification and victimisation of any type, including racial or disability discrimination. The School promotes diversity and inclusion by:
- (a) Informing staff, students and parents/carers that discrimination, sexual harassment, vilification and victimisation is not acceptable, and can be unlawful;
  - (b) Providing information and training concerning non-discriminatory methods of teaching and learning;
  - (c) Equipping staff with knowledge, skills and understanding to enable all students at Mentone Grammar to participate in the full range of educational programs and services on the same basis, and to the same extent (regardless of race, religion, sexuality, disability, gender or otherwise);
  - (d) Ensuring staff and students are aware of appropriate actions to be taken if discrimination, sexual harassment, vilification or victimisation occurs;
  - (e) Promoting inclusion in our diverse community
  - (f) Offering parent educational sessions
  - (g) Establishing strategies and programs to ensure the safety of, and prevent the discrimination, sexual harassment, vilification and victimisation of students/staff from a culturally or linguistically diverse background, who identify as Aboriginal or Torres Strait Islander, or who have a disability;
  - (h) Ensuring the above-mentioned strategies and programs are communicated to staff, students and the broader School community;
  - (i) Encourage participation and empowerment in the development of these strategies;
  - (j) Considering culturally and linguistically diverse students, Aboriginal and Torres Strait Islander students, religious beliefs and students with a disability when developing and implementing policies and procedures related to child protection at the School; and
  - (k) Identifying students from culturally and linguistically diverse backgrounds, students who identify as Aboriginal and Torres Strait Islander
  - (l) As per our Enrolment Policy being committed to complying with our legal obligations regarding students with disabilities and supporting the National Disability Standards for Education. However, the School is not necessarily able to cater to every prospective student's needs.

#### **5. Culturally, Linguistically and Religiously Diverse Students**

- 5.1 Students from culturally, linguistically and religiously diverse backgrounds are those who identify as having particular cultural, linguistic or religious affiliations by virtue of their place of birth, ancestry or ethnic origin, religion, preferred language or language spoken at home or because of their parents' identification on a similar basis.
- 5.2 Mentone Grammar values and respects the racial, religious, cultural and linguistic diversity of our students and is committed to ensuring that the backgrounds of all students are sensitively recognised, catered for, celebrated and valued so that racial and cultural differences do not compromise a student's safety and wellbeing.

- 5.3 When supporting students from culturally, linguistically or religiously diverse backgrounds, it is critical that the School provides culturally and religiously appropriate support. Where possible, the School will work with relevant cultural and religious support groups, ensure that confidentiality of the family is maintained and engage an interpreter when communicating with the student's family. As per our enrolment policy English language requirements must be met for students.
- 5.4 Similarly, when supporting students who have been impacted by abuse, the School will consider appropriate measures to be taken for the welfare of the students, including additional support where appropriate given that the student's family may not be present to provide support within the home environment. Students from diverse backgrounds who have been impacted by abuse may also be experiencing trauma, dislocation and loss. Sensitive consideration should be given when determining how to support the student, and their family.

## **6. Aboriginal and Torres Strait Islander Students**

- 6.1 Mentone Grammar is built on the traditional lands of the Bunurong people of the Kulin Nation.
- 6.2 Mentone Grammar is committed to acknowledging, building and sustaining respect and understanding between Indigenous and non-Indigenous Australians. Our vision is for a School that values and celebrates Australia's First Nations heritage – where all students have respect for Aboriginal and Torres Strait Islander knowledge, culture and values.
- 6.3 Mentone Grammar has an ongoing commitment to enacting the recommendations of our Reconciliation Action Plan (RAP)
- 6.4 Mentone Grammar is committed to:
- (a) promoting Aboriginal and Torres Strait Islander cultural identity, to improve the wellbeing and educational outcomes of learners and students, in culturally safe environments, so they achieve and excel;
  - (b) increasing knowledge and understanding of all learners, students and staff about Aboriginal and Torres Strait Islander Peoples, and their histories, cultures and experiences;
  - (c) implementing consistent system-wide approaches for developing and maintaining culturally safe workplaces for Aboriginal and/or Torres Strait Islander staff.
  - (d) Working with indigenous elders to ensure their voice and perspectives are included in curriculum and co-curriculum programs

## **7. Students with a Disability**

- 7.1 Mentone Grammar is committed to complying with its legal obligations regarding students with disabilities and is an inclusive community. However, the school is not necessarily able to cater to every prospective student's needs.
- 7.2 The School is committed to its statutory obligations with respect to students with disability. This includes making reasonable adjustments for students with a disability so that they can participate in, and substantially benefit from, the School's educational program. Whether an adjustment is reasonable will depend on the information available about the student's additional needs, the adjustments required, and any practical or financial cost involved in providing those adjustments, and the interests of all parties affected (including those of the student with the disability, the School, staff and other students). Staff may require targeted training to assist students with specific disabilities.

- 7.3 The School also promotes inclusivity in practical ways, including by promoting respectful behaviours by students and staff which promote inclusivity.
- 7.4 Mentone Grammar will prepare and provide teachers with a Learner Profile for students with a disability(s). This document will be regularly reviewed, in consultation with staff, student and/or parents/carers, to ensure it fits the student's needs.  
In preparing the Learner Profile, the school will consider the following:
- (a) functional impact of the disability in accessing education on the same basis as peers
  - (b) appropriate reasonable adjustments, and specific strategies, to support the student's participation in education on the same basis as peers
  - (c) recommendations for specialists
  - (d) input from student (if appropriate) and parents
  - (e) feedback from teachers
  - (f) assessment data
  - (g) practicalities of the implementation of reasonable adjustments
  - (h) support and/or professional development requirements for teachers to implement the reasonable adjustments

## **8. Gender**

- 8.1 Schools must work with students affirming their gender identity to prepare and implement a student support plan.
- 8.2 The plan should be developed in consultation with the student and their parents or carers, where possible, and should be reviewed periodically to ensure that it reflects the needs of the student at the different stages of their transition, and at the different stages of their education.
- 8.3 It is important that the student is at the centre of creating their own support plan, and consulted in all decision making. In preparing the plan, the school should consider the following:
- (a) catering to the students' affirmed gender identity
  - (b) that the support plan reflects this policy
  - (c) adopting a common-sense approach
  - (d) developing the support plan over staggered sessions to allow time for trialling and opportunities for adjustments to occur
  - (e) the best timing to undertake a gender affirmation process, such as term break
  - (f) maintaining appropriate privacy and confidentiality – consider the privacy of the student, and only share information to those who have an appropriate reason to know. In consultation with the student and family, determine whether key staff members, such as mentor/year level coordinator or the physical education teacher, need to be advised in order to effectively support or teach the student. Make a list of the names of staff members who know of the gender identity change.
  - (g) the referencing of and recording of student's affirmed name, gender identity, and pronouns (he, she, they and so on)

- (h) the use of toilets, showers and change rooms that meet the needs of the student as well as taking into consideration other students.
- (i) the appropriate uniform that reflects the gender identity of the student and meets the school's dress or uniform code
- (j) developing a communications plan that includes what information staff members and other students need to know to best support the student
- (k) make plans to address potential community concerns, ensuring students' right to privacy is maintained
- (l) providing support to staff through professional learning and briefings on the arrangements for the student where appropriate
- (m) consider scheduling regular student support groups to support, guide and monitor the student's progress
- (n) Note: a letter from a gender identity specialist may be requested by the School to support them in developing the plan. This letter is not a conditional requirement for the School in providing support to the student, but it may help to ensure that schools can adequately discharge their duty of care to a student by planning appropriately. Gender identity specialists are available through Royal Children's Hospital and Monash Medical Centre

The School refers to the [LGBTIQA+ Student Support: Policy | education.vic.gov.au](https://www.education.vic.gov.au/lgbtiqa+student-support-policy)

Further support information is provided in Appendix A

## **9. Curriculum**

- 9.1 All curriculum is facilitated in a manner that promotes inclusivity. When developing and delivering curriculum around culture, ethnicity, gender, race, religion, disability, relationships and sexuality, teachers should avoid making generalisations and assumptions. Teachers will make every effort to be up to date with the most current resources and will promote inclusivity, acceptance, and care for all. In discussing sensitive topics, staff must be mindful not to impose their own personal beliefs or views on students, ensuring that all perspectives are respected, and that a balanced and neutral approach is maintained in the classroom.

## **10. Camps and Learning Journeys**

- 10.1 When determining Camps and Learning Journey arrangements, consultation will occur with the parents, student and other relevant staff appropriate for the student and situation such as Learning Enhancement staff, counselling staff, mentor (or similar if relevant) and the outdoor education organiser to discuss the student's needs or choices about the eating and sleeping arrangements, activities, toilets and change areas. There may be culturally sensitive, disability and/or gender considerations to be made.

## **11. Access to Sport**

- 11.1 Mentone Grammar supports the rights of all students to access the same opportunities to sport as their peers, and is committed to providing the same access, where appropriate, to school sport for all students regardless of sex, gender identity, race, culture, religious belief, age or disability.
- 11.2 Mentone Grammar follows the AGSV Diversity and Inclusion policy (details outlined in 11.3 below)

- 11.3 Students with disabilities:** Mentone Grammar will provide students with disabilities opportunities to play sport in settings where they may compete with students with or without disability, as reasonable and appropriate in the particular circumstances. Where reasonably practicable, Mentone Grammar will work with other schools (if appropriate) to make minor modifications to the rules at the first level of entry to better include all students. This will be done using a common-sense approach to competition.

Mentone Grammar will work with AGSV (where appropriate) to facilitate the existence of competition opportunities for students with a disability, and for pathways between school and community sport to be mirrored. Where the need arises, Mentone Grammar and the AGSV will decide what competition opportunities should be set up for students with a disability.

- 11.4 Gender identity and sex:** Mentone Grammar will endeavour to provide opportunities for all students to play sport competitively regardless of their gender identity or sex. Mentone Grammar has an inclusive approach to all students playing sport competitively and encourages and supports participation of trans and gender diverse students in sports and competitions. Participation in sport should be based on a person's affirmed gender identity and not the sex they were assigned at birth. This inclusive approach must be in consideration of all involved students, ensuring that the needs, rights, and wellbeing of every participant are respected and supported.

**Exemption: Competitive sporting activity:** AGSV recognises that some of its Member Schools are single-sex schools or have models where certain year levels are single-sex and may therefore organise sporting activities on that basis. It is against the law to discriminate against someone on the basis of their sex or gender identity in sport, unless an exception or exemption applies. Refusing or failing to select a student in a sporting team or excluding a student from participating in a sporting activity may constitute unlawful discrimination.

There may be circumstances where the exclusion of a student aged 12 years or over from a competitive sporting activity on the basis of sex or gender identity may not constitute unlawful discrimination. The law provides that in limited circumstances where the strength, stamina or physique of competitors is relevant in a single-sex competitive sporting activity, it may be lawful to exclude a student on the basis of their sex or gender identity.

General guidelines:

- Students under 12 years should generally be permitted to compete in sport competitions as the gender to which they identify, or in respect of students who identify as non-binary, the competition in which they elect to participate.
- Students 12 years and older will generally be permitted to compete in AGSV competitions as the gender to which they identify or in respect of students who identify as non-binary, the competition in which they elect to participate, subject to the following qualifications.
- Students may be excluded from participation in competitive sporting activities on the basis of their sex or gender identity only in the circumstances contemplated by this policy (or as otherwise contemplated by legislation) including single sex schools organising single sex sporting activities.
- In limited circumstances a student may be lawfully excluded from competing in a single sex competitive sporting activity on the basis of sex or gender identity where the strength, stamina or physique of competitors is relevant. However, the skill and competition level of the activities should be carefully considered when deciding whether it is appropriate to rely on this exception.

- The relevance of strength, stamina or physique will also depend on the sport. Where the school seeks to specifically exclude a student from a sporting activity based on sex or gender, it will then consider:
  - what evidence supports the relevance of strength, stamina and physique to the relevant sport;
  - how a student's participation might lead to unfair disadvantage;
  - safety of other students.
  - whether a student's individual circumstances give them a competitive advantage;
  - what impact exclusion would have on both the student and the school, as well as the competition;
  - consulting with the relevant national or state sporting organisation;
  - ensuring that any assessment is undertaken in a timely manner so that the student is not unnecessarily disadvantaged;
  - consulting with and providing the student (and student's parent or carer) with an opportunity to respond to any proposal to exclude them based on the exemption;
  - providing the student (and student's parent or carer) with reasons of any decision to exclude them; and
  - providing the student (and student's parent or carer) with an opportunity to seek a review of a decision to exclude them.

Primary decision-making authority in relation to the inclusion or exclusion of a student in accordance with this policy rests with the Principal (or their delegate).

## **12. Documentation and risk management:**

- 12.1 When working with individual students, communications with parents, staff and external agencies will be documented and stored in TASS under confidential notes or in the relevant section of the individual student records folder.
- 12.2 **Disability:** Mentone Grammar will store the following documentation in regard to disability, in the individual Student Record folder, and/or the School Management System TASS:
- Specialist reports
  - School based specialist assessments, interventions details and progress monitoring
  - Learner Profiles
  - Communication and consultation notes regarding disability and reasonable adjustments
  - Special provision documentation
- 12.3 **Gender: For students affirming their gender identity:** A risk management plan may also be completed to ensure that before, during and after affirmation, students will be supported in the best way possible. This should be completed with the counselling team, student and parent/carer as a minimum but might also include other relevant staff depending on the activity.

In general, the following steps will be followed once the students and parents/carers have requested support.

1. Parents/carers may be asked to provide the School with a letter from a medical professional/specialist or psychologist that outlines the appropriate recommendations from multiple specialists. This written communication is required so that the School can

plan appropriately and develop an individual plan to support the student (Appendix B outlines what could be included in the Individual Support plan).

2. Relevant stakeholders, including the student, their parents, specialists, and School staff will meet to formulate strategies and develop an individual support plan for the student whilst they are at the School.
3. The support plan will be trailed for an appropriate amount of time, reviewed and adjusted where necessary.
4. At all times, the School will aim to respect the privacy and confidentiality of the student so far as is reasonably practicable.

### **13. Confidentiality**

- 13.1 Information obtained in relation to a student's cultural or diversity status, and/or their disability will remain confidential and will only be disclosed for the purposes of supporting the student during their educational journey, to make reasonable adjustments, or in accordance with a lawful requirement.

### **14. Concerns and complaints**

- 14.1 Any concerns or compliances arising in respect of this policy are encouraged to be raised with the School in first instance. The School will respond to such concerns in accordance with its Grievances Policy.



## **Appendix A: Gender Considerations**

### **Counselling support: Gender**

Transitioning at school, or even developing a stronger understanding of one's gender identity, can be a very challenging time for students. Our school counsellors are up to date in the most recent approaches to supporting LGBTQI+ young people and can be utilised to provide assistance to help make it a less difficult time for young people. They can create support plans in conjunction with their medical and support team for individual students during their time of transition. They can also provide referrals to outside agencies if required. Support can also be given to other members of the Mentone Grammar community who are directly or indirectly associated with the individual student. This includes parents, siblings, and, with consent to disclose identity, other students and staff members.

### **Student name**

In accordance with the Education and Training Reform Act 2006, the school can only change a student's enrolled name if updated legal documentation reflecting the new name is provided. If a student's parents/carers have applied to change the student's name on their birth certificate and wish for the School to update their records accordingly, the School will require the student's parents/carers to provide a letter to the School requesting name and pronoun changes. It may also require parents/carers to provide the School with a letter from a medical professional/specialist or psychologist that outlines the appropriate recommendations from multiple specialists.

Once received, the School will be able to update the School data base, reporting procedures and arrange for new student ID cards to be made. The School will also require a copy of the student's new birth certificate reflecting their name change once it becomes available. Respecting a young person's request to change their name and pronoun is an essential part of validating and supporting their identity. Students may refer to themselves by an appropriate name of their choosing.

Students may request a change to their 'preferred name' and pronouns, supported by their parents, without the need for legal documentation for everyday school activities. The school requires written consent from the parents for this change. Upon receiving this consent, the school will update its database and reporting systems accordingly. Teaching staff will be informed of the change and provided with resources to support their understanding. It is important to note that legal documents, such as VCAA registration, must continue to use the name on the birth certificate unless a legal name change has been made and documented.

### **Parental Consent**

There may be circumstances in which students wish or need to undertake gender transition without the consent of their parent/s (or carer/s), and/or without consulting medical practitioners.

If no agreement can be reached between the student and the parent/s regarding the student's gender identity, or if the parent/s will not consent to the contents of a student support plan, it will be necessary for the school to consider whether the student is a mature minor.

If a student is considered a mature minor they can make decisions for themselves without parental consent and should be affirmed in their gender identity at school without a family representative/carer participating in formulating the school management plan.

The School can utilise the Department of Education's Mature Minors and Decision Making Policy [Mature Minors and Decision Making: Policy | education.vic.gov.au](https://www.education.vic.gov.au/mature-minors-and-decision-making-policy)

**Toilet and change room use**

The use of toilets and changing rooms by students will be assessed on a case-by-case basis in discussion with the individual student. This will be discussed with the School counsellors or Principal with the goal being to maximise social integration, minimise stigmatisation and ensure safety and comfort for all students. The options available to the student may include the use of unisex toilets or the student may prefer using the toilet of the gender with which they identify. Considerations will be made that best suit the student in supporting them to feel safe and comfortable when at school, along with the safety and wellbeing of the collective school community.

**Camp and Learning Journey considerations**

Attending camp/learning journeys has the potential to be highly complex. The School has the obligation to ensure the safety of all students including any students undergoing gender transition. The School cannot put students in a position of risk. The School cannot put students in a position of risk. As such, students undergoing gender transition must be able to satisfy the School that their choice of room does not pose a threat, real or perceived, to them or other students when at camp/learning journey. Any decisions around camps/learning journeys would form part of the Student Support Plan and, as such, be in agreement with the parents/carers of the gender transitioning student.

The School may not have the capacity to support students undergoing gender transition at camps due to the inability to provide private/appropriate accommodation and/or toilet facilities, in addition to the level of support the individual may require.

## Appendix B - General - Individual Support Plan

In conjunction with the student and their parents/carers, Campus Head (or their delegate), counsellors and the medical specialists/psychologists/psychiatrist, paediatrician's etc. will be involved in creating a school support plan that aims to ensure that the School appropriately responds to the student's needs and addresses any potential facilities and privacy questions. These plans will generally be developed over a number of meetings to allow time for trialling and the opportunity for review and adjustments to occur.

It is important that the student understands they are an active partner in the plan and actively follows the agreed decisions.

The process and considerations involved in developing individual support plans will be different depending on each student's particular preferences and needs. However, the following checklist may include:

- an outline of the student's gender orientation identity or expression,
- identifying current external supports that are in place,
- identifying potential School-based wellbeing support,
- identifying the student's or the parents'/carers' desired assistance from the School,
- considering the best timing to undertake any change of gender identity,
- considering the implementation of a student support group to support, guide and monitor the student's progress,
- outlining agreed arrangements in relation to toilet facilities, uniform and sport,
- outlining agreed adjustments necessary to learning programs (HPE, Learning Journeys) and any other requests the student has in relation to current programs,
- outlining agreed accommodation arrangements if the student is on an overnight excursion,
- considering the wellbeing of other students in the event the student's gender identity change becomes known and causes distress. This may include a student support referral process,
- determining which other staff members need to be advised to support or teach the student,
- listing the names of staff members who know of the gender identity change,
- identifying the main points of contact for both the student and the School community,
- delegating responsibilities and roles under the plan, and
- considering an appropriate communications strategy.

In the instance that the student is new to the School, one way to protect the student's privacy and confidentiality (if this is their wish) is generally to minimise the number of staff required to know the student's gender identity status. In some cases, this may be limited to the Principal, Wellbeing Co-Ordinator, mentor, and the Head of Campus. No one can assume that a staff member, extended family, or the student's social network is aware of the student's gender identity.