Cardinia Shire Council
Social Justice and Equity Policy 2019 – 2023

Table of Contents

Cardinia Shire Council acknowledges the Shire as being the land of the Traditional Owners, the Bunurong and the Wurundjeri people. Council pays its respects to their elders both past and present.

Summary

Vision

Cardinia Shire Council recognises the importance of supporting diversity in our vibrant and growing communities. Our diversity is highly valued and a source of great strength and resilience. Promoting an inclusive municipality that respects human rights, celebrates diversity and fosters participation in all aspects of community life is central to our goal of achieving better outcomes for every resident.

Purpose

Council's Social Justice and Equity Policy 2019 -2023 (the policy) provides a framework to uphold the human rights of our diverse communities and promote the social justice principles of participation, access and equity in all aspects of community life.

The policy also unifies the Disability Access & Inclusion Policy and the Cultural Diversity Policy and is supported by a suite of action plans that focus on specific areas of diversity:
- Disability, Access and Inclusion Action Plan 2017 - 2021
- Reconciliation Action Plan 2015 - 19
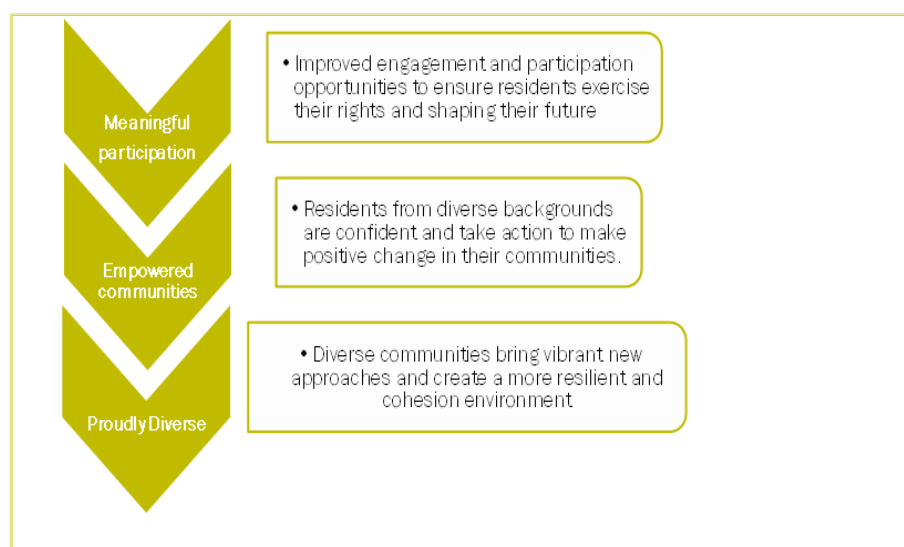- Cultural Diversity Action Plan 2015 – 19
- LGBTIQ+ Action Plan 2019

Guiding Principles

The principles listed below will guide the decisions taken and support the commitment of addressing social justice and equity during the life of this policy. Consideration should also be given to each of the principles in the day-to-day activities undertaken by council to ensure that our organisational culture is inclusive of all of our residents.

The principles include:
- Equitable participation
- Enhanced accessibility
- Inclusive places & spaces
- Leadership & advocacy

Goals

Meaningful participation
- Improved engagement and participation opportunities to ensure residents exercise their rights and shaping their future

Empowered communities
- Residents from diverse backgrounds are confident and take action to make positive change in their communities.

Proudly Diverse
- Diverse communities bring vibrant new approaches and create a more resilient and cohesion environment

1. Vision

Cardinia Shire Council recognises the importance of supporting diversity in our vibrant and growing communities. Our diversity is highly valued and a source of great strength and resilience. Promoting an inclusive municipality that respects human rights, celebrates diversity and fosters participation in all aspects of community life is central to our goal of achieving better outcomes for every resident.

2. Purpose

Council's Social Justice and Equity Policy 2019 -2023 (the policy) provides a framework to uphold the human rights of our diverse communities and promote the social justice principles of participation, access and equity in all aspects of community life..

The policy recognises firstly that there are dimensions of structural disadvantage in our communities and that groups are discriminated against and marginalised because of race, ethnicity, (dis)ability and sexuality and secondly it gives precedence to specific cohorts who are at greater risk of exclusion from social, economic and political life because of accessibility and discrimination.

Underpinning this policy is a commitment to work towards an organisational culture that:
- views social wellbeing as a priority
- ensures everyone has access to council resources and services
- includes all residents as equals, without discrimination, and
- values and encourages people's participation in decision making about their lives and their community

The policy also unites and strengthens some of council's existing policies and action plans by adopting an intersectional approach in addressing discrimination and promoting diversity and inclusion. Intersectionality recognises that no aspect of a person's identity is experienced in isolation, but rather shaped by interactions between different personal attributes such as ethnicity, gender, sexuality, disability, migration status and disability.

The social justice and equity policy will:
- provide for consistency in council's approach to inclusion and diversity
- recognise the complexity of addressing discrimination for those who experience multiple disadvantage
- encourage more efficient use of resources by working collaboratively, both in and out of council on local, shared priorities across separate portfolio areas
- support areas of council to genuinely meet our human rights obligations

3. Scope

The policy acknowledges that communities are all different and that within our diverse communities there will be residents that have limited access to the resources and opportunities needed to participate fully in society. These groups more often than not, experience a complex mix of economic, social, health and early-life disadvantage and are at the greatest risk of being excluded from social, economic and political life.

This policy provides for diverse groups, with the aim to sustain council's existing commitments to overcome disadvantage and discrimination for residents from all ages and life stages within the cohorts below:

- Aboriginal and Torres Strait Islanders

Council acknowledges Aboriginal and Torres Strait Islander (A&TSI) peoples as First Australians and recognises their culture, history, diversity and their deep connection to the land. Dispossession of land, culture and language has created long-term systemic disadvantage for A&TSI communities and they experience high levels of racial discrimination.

- People from migrants, refugees and asylum seeker backgrounds

There are a number of barriers to participation for migrants and refugees including written and oral communication, recognition of skills and qualifications, lack of cultural awareness and racism discrimination. Trauma and torture experienced by refugees fleeing civil wars also creates barriers to participation.

- People with a disability

Approximately one in five residents has a disability and most people will experience some kind of disability during their lives. Disability discrimination is one of the most frequent subjects of inquiries and complaints reported to the Human Rights Commission, as it can prevent people from participating in community life and enjoying other human rights.

- LGBTIQ+ community

People in the lesbian, gay, bisexual, trans, intersex and gender diverse (LGBTIQ) community continue to face discrimination and equality issues in many areas of life, despite decades of equal opportunity laws in Victoria. Prejudice and discrimination are major contributors to the development of stress-related psychiatric disorders such as depression, anxiety, suicide and substance abuse among same-sex, intersex and transgender diverse people.

The policy is supported by a suite of action plans that focus on specific areas of diversity:
- Disability, Access and Inclusion Action Plan 2017 - 2021
- Reconciliation Action Plan 2015 - 19
- Cultural Diversity Action Plan 2015 – 19
- LGBTIQ+ Action Plan 2019

4. Legislative context

International legislation
The United Nations General Assembly adopted the *Universal Declaration of Human Rights* in 1948. The declaration has become a foundation document that has inspired numerous legally binding international human rights laws including:
- International Covenant on Civil and Political Rights
- International Covenant on Economic, Social and Cultural Rights
- Convention on the Elimination of All Forms of Racial Discrimination
- Convention on the Rights of Persons with Disabilities

Federal legislation and policies
The *Australian Human Rights Commission Act 1988* and other legislation at a national level relevant to this policy include the:
- Racial Discrimination Act 1976
- Disability Discrimination Act 1992
- Closing the Gap Strategy 2008

Cardinia Shire Council Social Justice & Equity Policy

- Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013
- National Disability Insurance Scheme 2013
- People of Australia – Australia's Multicultural Policy 2011
- National Disability Strategy 2010-2020

State legislation and policies

The *Victorian Charter of Human Rights Responsibilities 2006* contains 20 human rights to promote and protect the values of freedom, respect, equality and dignity. Specific rights that the Charter protects include that:
- Everyone is entitled to equal and effective protection against discrimination
- Everyone has the right to take part in public life
- People are entitled to be respected for their different family, religious or cultural backgrounds
- Aboriginal and Torres Strait Islander people hold distinct cultural rights

Other relevant Victorian legislation includes:
- Victorian Racial & Religious Tolerance Act 2001
- Disability Act 2006
- Multicultural Victoria Act 2011

Local government responsibilities

The *Local Government Act 1989* provides the framework for the establishment and operation of Victorian councils. This includes the responsibility to serve communities for the good of all and states a number of objectives including:
- "to ensure that services and facilities provided by the Council are accessible and equitable" [3C(2 e));
- "fostering community cohesion and encouraging active participation in civic life"[3D (2f)]

The Public Health and Wellbeing Act 2008 requires Councils to protect, improve and promote public health and wellbeing in the community.

Victorian Disability Act 2006 - Section 38 of the Act requires councils to develop and report on Disability Action Plans that promote four key outcomes:
- (i) Reduced barriers to people with a disability in accessing goods, services and facilities;
- (ii) Reduced barriers to people with a disability in obtaining and maintaining employment;
- (iii) Greater inclusion and participation of people with a disability in the community;
- (iv) Tangible changes in attitudes and practices that discriminate against people with a disability.

Cardinia Shire Council

Creating the Future – Council Plan 2018 sets out a range of actions to meet Council's vision and plan with a "key focus for Council is to reflect the views of its diverse communities in key decision making processes. Our community is changing both geographically and culturally. We are committed to strengthening our engagement with the community to provide valuable input that informs our decisions" (P.9)

Liveability Plan 2017 - 29 provides a clear framework for public health planning within the Shire. The Plan's vision is that Cardinia Shire is a liveable, resilient community where the environment flourishes and residents are healthy, included and connected. This policy aligns to the 'social equity' element within the framework, which strives to achieve social equity across the seven liveability domains of active travel, education, employment, food, health and social services, housing and open spaces and places. We know that greater equity across

these domains can result in greater health and social outcomes for individuals and the community.

5. Guiding Principles

The principles listed below will guide the decisions taken and support the commitment of addressing social justice and equity during the life of this policy. Consideration should also be given to each of the principles in the day-to-day activities undertaken by council to ensure that our organisational culture is inclusive of all of our residents.

The action plans that relate to this policy will individually address these principles through initiatives that provide for greater participation, accessibility and inclusion at a personal and societal level.

5.1 Equitable participation

i)   Engagement – a healthy community is an active and participatory one where people can engage in different ways and have genuine opportunity for meaningful input into shaping their own futures.

ii)   Economic participation - supports workplace diversity by creating an inclusive environment that values and respects employee's individual differences and the varied experience and points of view they offer.

iii)   Decision-making - ensures all residents have the opportunity to exercise their rights, while overall improved participation will allow everyone to better shape their own futures and that of their communities.

5.2 Enhanced accessibility

Ensuring information and services are provided in a way that all residents can access will increase residents participation in a range of activities and programs that could be improve their social connectedness and wellbeing.
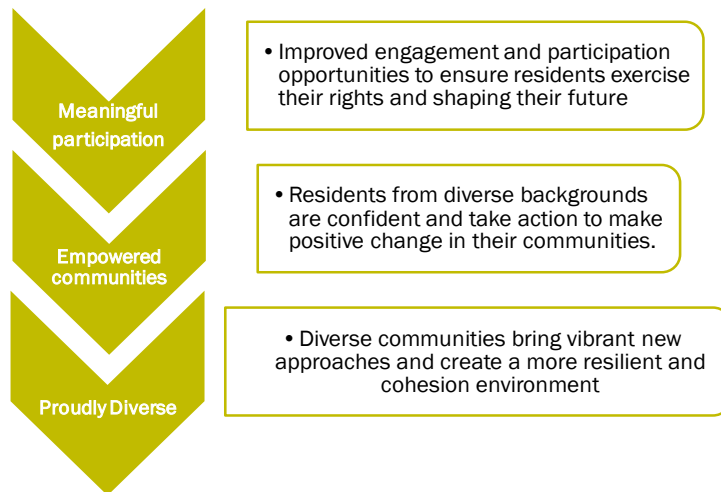
5.3 Inclusive places and spaces

Planning for and providing welcoming, safe and culturally appropriate places and spaces will encourage those from diverse backgrounds to access Council owned and managed public spaces.

5.4 Leadership and advocacy

As the closest government tier to community, council is well positioned to advocate for and promote social justice and wellbeing while addressing discrimination and marginalisation of its residents from diverse backgrounds.

6. Goals

- Improved engagement and participation opportunities to ensure residents exercise their rights and shaping their future
  - Meaningful participation

- Residents from diverse backgrounds are confident and take action to make positive change in their communities.
  - Empowered communities

- Diverse communities bring vibrant new approaches and create a more resilient and cohesion environment
  - Proudly Diverse

The policy promotes social justice and equity by working towards three pivotal goals:

6.1 Meaningful participation

Facilitating processes for improved engagement and participation of all forms will ensure all of our residents have the opportunity to exercise their rights and participate meaningfully in shaping their own futures.

6.2 Empowered communities

Supporting an empowered community where residents from diverse backgrounds are confident and feel they have the ability to influence decisions, take action and make positive changes in their communities.

6.2 Proudly diverse

Bringing together people of various backgrounds and different life experiences generates new ideas, perspectives and practices. Together our different approaches make a stronger and more vibrant community and create an environment for greater social harmony and cohesion.

7. Monitoring evaluation and review

Community consultations were held to inform this policy. The feedback highlighted some key areas that will assist in improving the social wellbeing and sense of belonging of our diverse communities. These areas pertain to council's community engagement processes, information dissemination, imagery that reflects diversity and welcoming and accessible facilities. To date a new community engagement planning tool has been developed and the remaining key areas listed above will be addressed in the action plans that support this policy.

Each of the four action plans will be evaluated against the policy goals (and desired outcomes) to measure its success in relation to improved access to information and participation in Council's decision making processes. The policy will be reviewed on a four-year basis in line with the Community Strengthening Business Unit policy protocol.

Appendix 1

Community Profiles

Aboriginal & Torres Strait Island people

Aboriginal and Torres Strait Islanders (A&TSI) now make up almost 1 percent of Cardinia Shire's population, which is double the proportion recorded 10 years ago. Latest census data (2016) reports that there were 782 A&TSI people living in Cardinia Shire. Over the last ten years, there has also been a significant increase of A&TSI people aged 50+ age group that the census recorded as 105 or 13 percent of the Shire's total population of A&TSI residents.

Across Cardinia Shire, the City of Casey and comparison regions, there is a consistently higher incidence of A&TSI residents who have a disability for which they require assistance with a core activity[i].

People with a disability who need assistance with a core activity
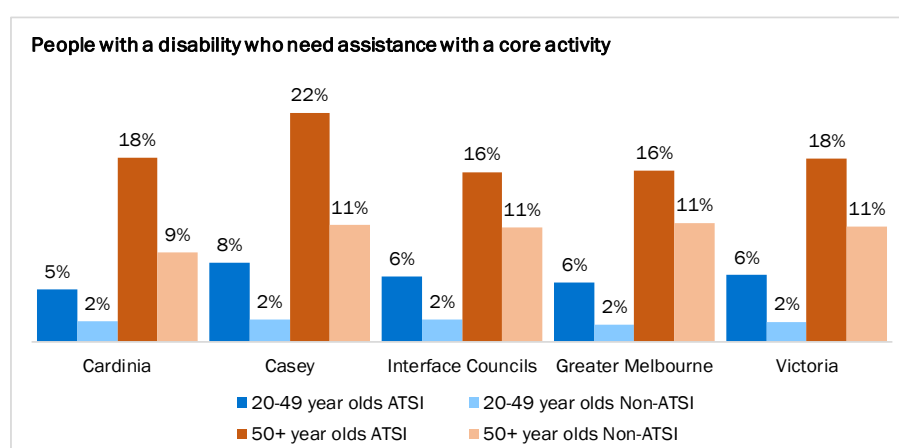
People from migrant, refugees and asylum seeker background

The census data (2016) recorded 17,839 residents who were living in Cardinia Shire were born overseas and 14 percent arrived in Australia within five years prior to 2016. Since the previous census in 2011 there has been notably high increases in residents who were born in Southern and Central Asia and Sub-Saharan Africa; more so than Southern and Eastern Europe. From 2006 to 2016, there were notable increases in residents from the following ancestries:

Ancestry	Population 2006	Population 2016	Percentage change
Indian	207	2,117	923%
Sinhalese	198	1,212	512%
Chinese	242	1,065	340%
Filipino	171	852	398%
Mauritian	158	638	304%
Sudanese	15	565	3,667%

Cardinia Shire Council Social Justice & Equity Policy

Approximately 20 percent of 18+year old Cardinia Shire residents speak languages other than English in their homes and of those 34 percent or just over one third speak English not well or not at all.[ii]

LGBTIQ+ community

While LGBTIQ+ people are as diverse as the rest of the population, Australian society has generally regarded heterosexuality as the most acceptable sexual orientation. This means that LGBTIQ+ people have historically been marginalised and discriminated against. For many this discrimination has resulted in isolation, loss of employment, family and friends and reduced access to services. Many older LGBTIQ+ Australians have lived through a time when disclosing their sexual orientation or gender identity resulted in imprisonment and forced medical 'cures'.

The strong correlation and causal relationship between the discrimination of sexual minorities and poorer mental health outcomes is well documented.

The Australian Bureau of Statistics (ABS) found homosexual/bisexual people are:
- Twice as likely to have a high/very high level of psychological distress (18.2% vs. 9.2%).
- Almost three times as likely to have had suicidal thoughts (34.7% vs. 12.9%).
- Five times as likely to have had suicidal plans (17.1% vs. 3.7%).
- Four times as likely to have attempted suicide (12.6% vs. 3.1%).
- Twice as likely to have no contact with family or no family to rely on for serious problems (11.8% vs. 5.9%).
- Four times more likely to have ever been homeless (12% homosexual/bisexual vs. 2.9% heterosexual).
- More likely to be a current cigarette smoker (35.7% vs. 22%)
- More likely to have had a chronic condition in the last 12-months (51.3% vs. 46.9%)[iii]

People with a disability

Despite people with a disability contributing productively in society, Victorians with a disability are more likely to experience discrimination and stigma, live in poverty, have poorer health, lower levels of educational attainment and be unemployed.[iv] As a result, people with a disability are less likely to reach their full potential, and or, be actively involved in social, economic and civic life.

The Australian Bureau of Statistics (2012) estimated that 4.2 million Australians, 18.5% of the population live with a disability, the incidence of disability increasing with age. A disability is generally defined as a condition that may restrict a person's mobility, sensory or mental functions to undertake or perform a task in the same way as a person who does not have a disability.[v]

Disabilities affect people in different ways. While many people associate 'disability' with someone who uses a wheelchair, the application of disability is much broader. The Disability Discrimination Act (1992) identifies and defines the following categories of disability:

- Physical – affects a person's mobility or dexterity
- Intellectual – affects a person's ability to learn
- Psychiatric – affects a person's thinking processes and behaviours
- Sensory – affects a person's ability to hear or see
- Neurological including ABI – results in the loss of some mental or bodily functions
- Physical disfigurement
- Learning disability

Cardinia Shire Council Social Justice & Equity Policy

- Immunological – the presence of organisms causing disease in the body

While some people are born with a disability, many people acquire a disability, approaching or as part of adult life, because of an accident, illness, genetic condition or as part of the aging process. Along with different disability 'types' it is also acknowledged that disability may be experienced alongside other barriers to participation, such as gender, age, sexuality, language and culture.

It is predicted that Cardinia Shire will continue to experience significant population growth over the next twenty years. Cardinia Shire's current population (2017) is estimated to be 99,192, of which approximately 17 percent, or 16,465 of all residents report living with a disability. By 2036, Cardinia Shire's population is estimated to reach 180,308, an overall increase of 82 percent. Reflecting this trend will be a corresponding increase in the number of our residents living with a disability.[vi]

Cardinia Shire Council Social Justice & Equity Policy

Appendix 2

Policy definitions

Intersectional Approach

Individuals are complex and are shaped by interactions between different personal attributes such as race, class, sexuality, disability, migration status and religion. These interactions occur within a context of connected systems and power structures such as policies, governments, and the media.

An intersectional approach assists us to understand the connections between structures that shape diverse populations. It also enables a more effective and efficient response than a 'one-size fits all' approach for solving social inequities. People can experience both privilege and oppression, depending on what specific situation or context they are in. Individuals are also members of different groups at once that often overlap, and may face exclusion on the basis of one or more characteristic or identity. By adopting an intersectional approach, we can respond more appropriately to these experiences.[vii]

Accessibility

Within this policy context, accessibility refers to council services, programs, information and facilities being available to all of our residents. It also refers specifically to the design of services, products or environments for people regardless of ability, language or socio economic status. Accessibility also includes the concept of *Universal Design*, which is the process of creating products or environments that are usable by people with the widest possible range of abilities, operating in the widest possible range of situations.[viii]

Diversity

Diversity refers to the variety of differences between people. It means understanding that each individual is unique, and recognizing our individual differences. These can be along the dimensions of race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, religious beliefs, political beliefs, or other ideologies. Harnessing the potential of our diversity requires acceptance and respect. It is based on an understanding that each individual is unique, and recognition of our individual differences.[ix]

Equality

Equality affirms that all human beings are born free and equal, having the same rights and are entitled to the same level of respect.[x]

Equity

Equity means that council services and programs should deliver outcomes for diverse communities on par with those that other members of our community can expect to receive.[xi]

Human Rights

Human rights are universal and affirm the inherent right of all people to be treated with respect, equality and dignity. Human rights are the basic freedoms and protections that people are entitled to simply because they are human beings. The *Universal Declaration of Human Rights (1948)* recognises that 'the inherent dignity of all members of the human family is the foundation of freedom, justice and peace in the world'. It declares that human rights are universal – to be enjoyed by all people, no matter who they are or where they live. The Universal Declaration includes civil and political rights, like the right to life, liberty, free speech and privacy. It also includes economic, social and cultural rights (including religion), like the right to social security, health and education. [xii]

Victorian local governments are obliged to comply with the *Victoria Charter for Human Rights and Responsibilities 2006*. The Charter requires the Victorian Government, public servants,

Cardinia Shire Council Social Justice & Equity Policy

local councils, Victoria Police and other public authorities) to act compatibly with human rights, and to consider human rights when developing policies, making laws, delivering services and making decisions. Therefore, no matter which state or local government agency the community is dealing with, the same human rights apply.[xiii]

Inclusion
An inclusive society is based on the fundamental values of equity, equality, social justice, human rights and freedom, as well as on the principles of respect and acceptance of difference. An individual who experiences inclusion has access to resources, opportunities and capabilities to learn, work (including paid, voluntary or family/carer responsibilities), engage and have a voice in decisions that affect them.[xiv]

Participation
Participation is about meaningful engagement with the community to enable people from the identified priority groups to genuinely participate in shaping their own futures. Community participation relies on Council having a good knowledge of people living in the municipality, communicating effectively and responding appropriately to individuals and communities.

Social Justice
Social justice recognises that everyone should have the opportunity to experience the same economic, political and social rights, regardless of race, socioeconomic status, gender or other characteristics. A socially just community is one in which there is:
- Access (greater equality of access to information and services)
- Equity (overcoming unfairness caused by unequal access to economic resources and power)
- Rights (equal effective legal, industrial and political rights)
- Participation (expanded opportunities for real participation in the decisions that govern their lives).[xv]

[i] Australian Bureau of Statistics (2016) Aboriginal and Torres Strait Islander Community Profiles by Local Government Areas
[ii] Cardinia Shire Council id Profile (2016) – Multicultural Profile for Cardinia.docx. Available at https://profile.id.com.au/cardinia/
[iii] Australian Bureau of Statistics (2007), National Survey of Mental Health and Wellbeing (additional unpublished analysis). Extract from Press Release: "LGBTI Community Left Out of Health Reform" (National LGBT Health Alliance, April 2010).
[iv] State Disability Plan 2017-2020 Available at http://www.statedisabilityplan.vic.gov.au/
[v] Australian Bureau of Statistics (2012) Survey of Disability, Aging & Carers
[vi] Cardinia Shire Council id Profile (2016) Available at https://profile.id.com.au/cardinia/
[vii] Adapted from Institute Intersectionality Research and Policy https://www.sfu.ca/mpp/centre_for_public_policy_research/iirp.html
[viii] Universal Design Principles Available at http://universaldesignaustralia.net.au/7-principles-of-universal-design/
[ix] Diversity and Inclusion Available at https://globaldiversitypractice.com/what-is-diversity-inclusion/
[x] Adapted from the Convention on the Elimination of all forms of Discrimination, CEDAW 1979
[xi] Multicultural Access and Equity Policy Toolkit, Australian Government Available at https://www.dss.gov.au/sites/default/files/documents/03_2014/qrg_overview.pdf
[xii] What are human rights?, United Nations Human Rights – Office of the High Commissioner http://www.ohchr.org/EN/Issues/Pages/WhatareHumanRights.aspx
[xiii] The Victorian Charter for Human Rights and Responsibilities 2006 Available at https://www.humanrightscommission.vic.gov.au/the-charter
[xiv] UNESCO. Consultations of the Director-General with Member States. Social Inclusion, Social Transformations, Social Innovation: What role for UNESCO in 2014-2021, 2012.
[xv] Social Justice Principles 2012 Available at https://vcoss.org.au/

Cardinia Shire Council Social Justice & Equity Policy