

Access, Equity and Fair Treatment Policy and Procedure



Compliance Focus

ASQA Standards: Clauses, 1.3, 1.7, 5.1, 5.2, 8.5

National Code: Section D, Standard 2, Standard 6

Policy Purpose

The purpose of this policy and its associated procedure is to outline and ensure that all prospective students who are applying to study are treated equally and fairly, regardless of whether they are funded or are Fee for Service. This Policy also explains the commitment to ensuring access to a learning environment that values diversity, is free from harassment and unlawful discrimination and promotes equity of opportunity.

Policy Scope

This policy applies to all staff and contractors who deliver training to students enrolled in a full or part qualifications. All staff are to adhere to this policy and associated procedures.

Legislation

The business is committed to promoting and implementing the principles of the following Acts:

- Disability Discrimination Act (1992)
- Disability Standards for Education (2005)
- Age Discrimination Act (2004)
- Sex Discrimination Act (1984)
- Anti-Discrimination Act (1977)
- Fair Work Act (2009)
- Disability Services Act (1993)

Policy Statements

The following Policy statements are an overarching view of the process to ensure obligations under State and Federal Legislation, Funding Body contracts and VET Regulatory Body requirements are met. A clear and concise procedure to guide staff on maintaining compliance on daily tasks to support the policy statements.

1. Commitment

To ensure the following:

- Treat all prospective students fairly, courteously, and equally when seeking enrolment into a course
- Treat all current students fairly, courteously, and equally by providing policies, procedures, and processes to ensure a clear understanding of rights and obligations
- Equal opportunity and promoting inclusive practices and processes for all students
- Integrating the principles of access and equity in all work practices
- Ensure students are not discriminated against based on age, race, colour, religion, ancestry, national origin, gender, sexual orientation, marital status, veteran status, physical or intellectual disability
- Cases of unacceptable behaviour will be addressed according to procedural fairness and natural justice
- Admission to courses and programs is based solely on the applicant meeting published entry criteria and the availability of places
- Review of policies, practices, structures, assumptions, and behaviours that may contribute to the disadvantages suffered by discriminated groups

2. Information Provided

Prospective and current students will be provided adequate information that is timely, effective, open, and transparent. During the application stage, the following is covered:

- Entry procedure requirements

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- Student eligibility, enrolment, and orientation procedures
- Course information
- Qualification outcomes and pathways
- Smart and Skilled Program Funding or other Funding (as applicable)
- Student support services including access to external services
- Fees and charges, including refunds
- RPL and credit transfers
- Complaints and Appeals procedures

3. Student Selection

The following takes place when prospective students undertake the pre-enrolment process:

- Ascertain academic suitability to undertake the course
- Sight originals or certified copies of previously held qualifications
- Confirm USI (or application for a USI)
- Assess language, literacy, and numeracy proficiency
- Review that prospective student have the necessary support to undertake studies including access to computer and internet etc
- Ascertain citizenship or residency status to ensure eligibility for funding places
- Ensure the recruitment and admission process is bias-free and non-discriminatory
- Reasonable accommodation for special needs through training adjustments for students with a disability or require special consideration etc

4. First Nations People Consultation

Consultation with appropriate elders for guidance as appropriate in supporting any student who self-recognises as an Aboriginal or Torres Strait Islander.

5. Course Exclusion

A prospective student is excluded from course entry if:

- They have a criminal history, which affects the requirement of the course or placement of the vocational area being studied
- They do not satisfy the academic and eligibility criteria as set out by the Funding provider
- The student requires special services, facilities, or other provisions which would create unjustifiable hardship for the business to provide

Policy Overview

We are committed to practicing fairness and providing an equal opportunity for all current and potential students to access and participate in learning. Regardless of age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment, or remote location that may present a barrier to access, or any other perceived differences. We will ensure that our practices are as inclusive as possible and do not unreasonably prevent any students from accessing our services.

We will address access and equity matters as a normal part of operating activities. This policy is to be used to integrate access and equity principles into all training and assessment activities conducted.

Practicing these policies will guarantee that any student who meets our entry requirements will be accepted into any training program. If any student or staff member have issues or questions regarding access and equity, or believes they have been treated unfairly, they will be directed to our complaints process.

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Policy

1. The aim is to remove barriers and to open development opportunities for all students by creating a workplace and training environment that is free from discrimination, harassment, bigotry, prejudice, racism, and offensive behaviour
2. All students will receive fair and equitable treatment in all aspects of training and any employment opportunities without regard to political affiliation, race, colour, religion, national origin, sex, marital status, or physical disability
3. Students will receive equitable access to resources, facilities, equipment, training, and assessment opportunities to ensure the best potential outcome for success, no matter where or how they are studying
4. Entry requirements to courses will be clearly outlined in all Training and Assessment Strategies and marketing material, allowing parties to be well informed during the course selection process
5. Entry requirements may include material, academic, physiological, and psychological requirements considered to be pre-requisite for enrolling candidates. The enrolment process and the ability of a student to enroll is based on the student meeting these pre-requisites
6. On the basis of the criteria levels established for enrolment in each course, the RTO may provide a range of education and support services to cater for students needs and to support ongoing training
7. Allowable reasonable adjustments may be offered for those requiring aids, technology, extra time alternative assessment methods etc.
8. A person may be excluded under this policy if they are unable to meet occupational health and safety standards or if their participation poses a safety risk to themselves or others
9. All staff are responsible to adhere to and be advocates for this policy
10. This policy will be widely disseminated across the business and incorporated into the student handbook, employee handbook and or on the website
11. We have published a Complaints and Appeals Policy which provides students and other avenues to make a complaint or to appeal a decision (including assessment decisions)
12. The CEO / General Manager or nominated representative is responsible for the implementation and maintenance of this policy

Definitions

Discrimination: Discrimination occurs when a person is treated less favourably than others due to the person's circumstances, characteristics, or beliefs.

Direct Discrimination: Direct discrimination takes place when a person, organisation or group of persons is treated less fairly than others based on stereotyped beliefs or views.

Indirect Discrimination: Indirect discrimination includes rules, practices, or policies which appear to be non-discriminatory and equally applicable but operate in such a way that certain groups of people are excluded without just cause.

Workplace Harassment: Workplace harassment is repeated, and unreasonable behaviour directed towards an individual or group of workers that creates a risk to health and safety. Harassment is any behaviour which is unwelcome, offends, humiliates, or intimidates a person and causes the work environment to become unpleasant. If a person is being harassed, then their ability to do work is affected as they often become stressed and suffer health problems.

Sexual Harassment: Examples of sexual harassment include, but are not limited to unwanted touching, sexual innuendo propositions, nude pin-ups and posters, obscene telephone calls, wolf whistles etc. Sexual harassment can occur among peers or co-workers, and in subordinate-supervisor, supervisor-subordinate or staff-student, student-staff, student-student situations.

Verbal Harassment: Examples of verbal harassment include, but are not limited to sexual comments, advances or

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propositions, lewd jokes or innuendos, racist comments or jokes, spreading rumours, comments or jokes about a person's disability, pregnancy, sexuality, age or religion, repeated questions about one's personal life, belittling someone's work or contribution in a meeting, threats, insults or abuse, offensive obscene language, obscene telephone calls, unsolicited letters, faxes and emails etc.

Non-Verbal Harassment: Examples of non-verbal harassment include, but are not limited to: putting offensive material on notice boards, computer screen savers and emails, wolf whistling, nude or pornographic posters, displaying sexist or racist cartoons or literature, demoting, failing to promote, or transferring someone because they refuse requests for sexual favours, following someone home from work, standing very close to someone or unnecessarily leaning over them, mimicking someone with a disability, practical jokes that are unwelcome, ignoring someone, or being cold and distant to them, crude hand or body gestures etc.

Physical Harassment: Examples of physical harassment include but are not limited to unwelcome physical contact such as kissing, hugging, pinching, patting, touching, or brushing up against a person, indecent or sexual assault or attempted assault. We will not accept any form of discrimination and we will apply the following principles in support of access and equity.

Access and Equity Principles

We will at all times respect a student's right to privacy, confidentiality and be sensitive to student needs.

We will provide equal opportunity for all students and are responsive to the individual needs of students whose gender, pregnancy, race, marital status, sexuality, age, family/carer responsibilities, disability, transgender, political conviction, cultural or ethnic background, linguistic background, religious belief, geographic location, socio-economic background, employment/unemployment, imprisonment may present a barrier to access, participation and achievement of suitable outcomes.

At enrolment, students will be asked to identify personal needs or circumstances that may exist and for which they may require additional support.

We will seek to create a learning environment where all students are respected and can develop their full potential.

All students are given fair and reasonable opportunity to attend and complete training.

All staff are given fair and reasonable opportunity to participate in relevant decision-making processes and the allocation of resources and services as required to fulfil their duties and responsibilities.

Deficiencies will be investigated to determine whether a breach or policy deficiency exists. Should a discrepancy be proven, the impact of that breach or deficiency will be identified along with how the policy should be amended to eliminate the breach or deficiency in the future.

We will demonstrate our commitment by:

- Selecting students according to a fair and non-discriminatory process
- Making our training relevant for a diverse student population
- Providing suitable access to facilities and resources
- Providing appropriate support services
- Providing appropriate complaints procedures
- Consulting with relevant industry groups
- Raising to staff, contractors and students, awareness of equity issues

Procedure

Step 1: Upon induction the new employee is provided with a copy of the policies and procedures which they must read, understand, and adhere to.

Step 2: Students are made aware of this policy via the student handbook at enrolment or induction and are informed of their rights to receive access and equity support.

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Other Related Policies and Procedures

- Complaints and Appeals Policy and Procedure
- Student Entry Policy
- Privacy Policy

Responsible Officer

The responsible officer for the implementation of this Policy is the General Manager.

Publishing details

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