

Compliance Focus

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

Policy

All prospective learners are treated equally and fairly. Learning Sphere commits to ensuring access to a learning environment that values diversity, is free from unlawful discrimination, harassment and promotes equity of opportunity under federal legislation, state funding contracts and VET regulatory bodies. This policy applies to all staff, contractors and learners.

The General Manager or nominated representative is responsible for the implementation and maintenance of this policy.

Fairness and equal opportunity are practiced for all potential learners regardless of their individual circumstances. These may include:

- Age or gender
- Cultural background
- Disability
- Language skills or literacy /numeracy levels
- Unemployment
- Location

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

Legislation

The business is committed to promoting and implementing the principles of the following federal 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)

Commitment

- Treat all learners fairly, courteously, and equally whether seeking enrolment when seeking enrolment into a course and providing information that ensures a clear understanding of their rights and obligations
- Promote inclusive practices and processes for all learners
- Integrate the principles of access and equity in all work practices
- Ensure learners are not discriminated against based on age, race, colour, religion, ancestry, national origin, gender, sexual orientation, marital status, veteran status, physical or intellectual disability
- Admission to courses and programs is based solely on the applicant meeting published entry criteria and the availability of places
- Ongoing review of policies, practices, structures, assumptions, and behaviours that may unintentionally contribute to disadvantage suffered by a group or individual
- Cases of unacceptable behaviour will be addressed utilising a fair procedure

Information Provided

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

- Entry, enrolment and eligibility requirements
- Qualification information, outcomes and pathways
- Applicable funding program being enrolled into
- Student support services including access to external services
- Fees and charges, including refunds
- RPL and credit transfers
- Complaints and Appeals procedures

Student Selection

Learning Sphere requires the following from prospective learners to ensure a fair, and transparent enrolment process.

- Verifiable USI
- Be prepared to have their language, literacy, and numeracy proficiency assessed
- Ensure that they have the necessary resources and support to undertake studies including access to computer and internet etc
- Provide evidence of eligibility for funding places
- Provide documentation for the purposes of credit transfer
- Discuss any adjustment needed through training adjustments for learners with a disability or require special consideration etc

Course Exclusion

A prospective learner may be excluded from course entry if:

- They do not satisfy any eligibility criteria as set out by the Funding provider
- They do not provide or participate in any of the required selection criteria
- The learner requires special services, facilities, or other provisions which would create unjustifiable hardship for the business to provide

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 people 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. It is any behaviour which is unwelcome, offends, humiliates, or intimidates a person and causes the work environment to become unpleasant. It can affect a person's ability to work due to stress and other health problems.

Sexual Harassment: Examples of sexual harassment may be unwanted touching, sexual innuendo, propositions, nude pictures, 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: Verbal harassment may include sexual comments, advances or 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, and emails etc.

Non-Verbal Harassment: Non-verbal harassment may include 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: Physical harassment may include unwelcome physical contact (kissing, hugging, pinching, patting, touching, or brushing up against a person), indecent or sexual assault or attempted assault.

Policy Overview

The aim of this policy is to remove barriers and open development opportunities for all learners by creating a training environment that is free from discrimination, harassment, bigotry, prejudice, racism, and offensive behavior.

- All learners will receive fair and equitable treatment in all aspects of training.
- All learners will receive equitable access to resources, facilities, equipment, training, and assessment to ensure the best potential outcome for success.
- Course entry requirements will be clearly outlined in all Training and Assessment Strategies and marketing material, allowing parties to be well informed during the course selection process. The enrolment process and the ability of a student to enrol is based on the student meeting the clearly outlined course pre-requisites.
- Learning Sphere will (where able) provide a range of education and support services to cater for learner needs and to support ongoing training or referral to other support services.
- Reasonable adjustments will be offered for those requiring aids, technology, extra time alternative assessment methods etc.
- Potential learners may be excluded under this policy if they are unable to meet the required standards of their chosen course or if their participation poses a safety risk to themselves or others.
- All staff are responsible to adhere to and be advocates for this policy. It will be disseminated across the business and incorporated into the learner and trainer handbooks and on the RTO website.
- The published Complaints and Appeals Policy provides learners an avenue to make a complaint or to appeal a decision (including assessment decisions)
- Ensure that all new employees are provided with a copy of this policy
- Ensure that learners are made aware of this policy via the Learner handbook, at enrolment and are informed of their rights to receive access and equity support.

Responsible Officer

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

Publishing details

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