

Access and Equity Policy and Procedures

Reference

1. AQTF Essential Conditions and Standards for Continuing Registration (Standard 2 – “The RTO adheres to principles of access and equity and maximises outcomes for its clients).
2. Commonwealth Government’s, ‘Charter of Public Service in a Culturally Diverse Society’.

Policy

Prahran Community Learning Centre Inc. (*hereafter known as PCLC or the RTO*) recognises the importance of access and equity and is committed to ensuring that its practices are inclusive and will not unreasonably prevent anyone from accessing its services or participating in learning, regardless of gender, socioeconomic background, disability, ethnic origin, age, race, marital status, pregnancy, religion, political opinion, criminal record or trade union activity. PCLC holds fairness, integrity and responsibility as core values.

Scope

This policy relates to the provision of all training and support services offered by PCLC to its students. In addition all staff, contractors employed or engaged by PCLC obliged to comply with this policy.

Responsibility

The Principal Executive Officer (*hereafter known as PEO*) is responsible for ensuring compliance with this policy and its associated procedures and systems and must ensure that staff act accordingly and all students are made aware of their rights and responsibilities pursuant to this policy.

Definition

1. **Access** is concerned with providing equality and opportunities for all people without discrimination to participate in training and assessment programs offered by PCLC.
2. **Equity** is a term used to cover issues relating to access to, participation in and achievement of outcomes in VET. It is concerned with ensuring that all staff and students participate and benefit to the same level.
3. **Bullying** is defined as any on-going anti-social or unreasonable behaviour that offends, degrades, intimidates or humiliates staff and students and has the potential to create a risk of health, safety and wellbeing.
4. **Discrimination** can be direct, indirect or systemic
 - a) **Direct discrimination** takes place when a person, organisation or group of persons is treated less fairly than others on the basis of stereotyped beliefs or views.
 - b) **Indirect discrimination** is treating everyone the same, but when the same treatment has an unfair effect on more people of a particular group than people outside the group.
 - c) **Systemic discrimination** is a term that describes discrimination of a certain type (eg sex, race, homosexuality) that is widespread, persistent and which entrenches inequality

PCLC is an equal opportunity RTO and does not discriminate against its target groups in either recruiting or training. PCLC’s target groups are defined as

- a) People with disability;
 - b) Aboriginals and Torres Strait Islanders;
 - C) People from Non-English speaking backgrounds;
 - d) Women;
 - e) People from rural and remote areas, if applicable;
 - f) People in transition and other special groups (*ie people re-entering the workforce, long term unemployed, sole parents, people with literacy problems, and those who have been institutionalised*)
5. **Harassment** is any uninvited, unwelcome behaviour of a sexual or racial nature (*which may be physical, verbal or visual and/or written including electronic formats*), requests for sexual favours, or any other form of unsolicited or unwelcome conduct of another person.
Workplace harassment which is unwelcome, offends, humiliates or intimidates a person and causes the work/learning environment to become unpleasant. If a person is harassed, then their ability to do their work is affected as they often become stressed and suffer health problems. Harassment may result from behaviour which is not intended to offend or harm, such as jokes or unwanted attention however this does not mean that it is lawful.
 6. **Victimisation** is the less favourable treatment of someone compared to their peers because, in good faith, have complained (*whether formally or otherwise*) that someone has been bullying or harassing them or

harassing someone else, because they may have supported someone to make a complaint or have given evidence in relation to a complaint.

Procedure

PCLC will ensure that the learning environment is free from harassment, discrimination and victimisation. In keeping with this commitment, PCLC has a positive duty to ensure:

1. That staff, students and clients are made aware of access and equity as part of the induction process;
2. Adherence to privacy and confidentiality requirements;
3. The development of products, policies, systems and procedures are informed by access and equity principles;
4. Academic policies and procedures are in place which support the principles of access and equity;
5. Continual improvement and renewal of policies and procedures to meet legislative changes and student feedback;
6. Promotion of programs in a manner that includes and reflects the diverse client base and ensures that all prospective students are well informed on the options available to meet their individual needs;
7. That those groups traditionally under-represented in the vocational education and employment have the opportunity to participate and achieve the same outcomes as others;
8. The identification of any special needs students have, such as for disability support or for foundation skills training, to assist the student to meet the requirements of their nominated course;
9. The collection of data on customer satisfaction with service quality;
10. That it consult with students, staff and the community to ensure that a wide range of views are available for consideration in planning and decision making;
11. **Admission and Enrolment Procedures:** To ensure that the recruitment and admission process is bias-free and not discriminatory, PCLC
 - a) Uses the same recruitment and admission process for all applicants;
 - b) Bases admission to courses solely on availability of places and the applicant satisfying qualification/course and funding entry requirements (*where applicable*);
 - c) Provides applicants with adequate information and support to enable them to select the most suitable programs for their needs; and
 - d) Ensures that their staffs are not offering incentives to individuals to induce them to undertake government subsidised training.
12. **Course Design:** To ensure that all training and assessment materials developed by PCLC are inclusive of a range of student needs, the RTO:
 - a) Considers issues relating to access and equity when specifying course entry requirements;
 - b) Offers flexible course design to provide multiple entry and exit points or pathways through the course, including credit transfer and recognition of prior learning, *if appropriate*;
 - c) Takes into account the requirements of students with a disability;
 - d) Provides inclusive and non-discriminatory learning materials;
 - e) Ensure satisfactory language, literacy and numeracy requirements are consistent with the level of the qualification/course through it Interview and Pre-Training Review.
13. **Assessment:** PCLC provides assessment process that is fair, valid, reliable and flexible through:
 - a) Recognition of previous acquired skills and knowledge;
 - b) Adequate information on course and unit/module assessment;
 - c) Adapting assessment to meet student needs, and giving the student the right to appeal an assessment or recognition decision;
 - d) Giving all students an equal opportunity to demonstrate competence.
14. **Support for those with special needs:** Reasonable adjustment is provided to those with a disability or special needs according to individual circumstances. This means providing the appropriate services and/or facilities for student learning and assessment. Special consideration may be granted if, through compelling and compassionate circumstances (*eg illness, bereavement or personal trauma*), a student is prevented from completing an assessment or sitting a test, or believes that their performance in an assessment event has been affected by the incident.

Complaints and Appeals

Individuals who believe that they have been treated unfairly are encouraged to use the RTO's students Complaints and Appeals procedure, which is available on the RTO's website. Complaints and appeals are addressed in a fair and equitable manner in accordance with stated procedures.

Response to breaches of policy

Confidentiality is essential for appropriate and impartial resolution of a complaint and to minimise adverse effects on the victim. Accordingly staff, students and clients should respect the confidentiality of the parties involved and not publicly make or repeat allegations, or defame the alleged offender.

If a member of PCLC believes that he or she is being subjected to a breach of this policy, the individual must personally and immediately notify the Senior Member of PCLC, which may either be the Principal Executive Officer, Education Manager, or the Client Services Officer.

An investigation in a confidential manner will be instigated to determine whether a breach or policy discrepancy exists, and if so the impact of that breach or deficiency and how the policy should be amended to eliminate the breach or deficiency. If appropriate, actions and corrective measures will be implemented. Persons who commit acts of intimidation and harassment will be required to immediately discontinue such conduct and will be counselled or/and disciplined.

PCLC will not victimise or treat any person unfairly for making a complaint.

References

PCLC must comply with the following legal authority:

1. Education and Training Reform Act 2006 (VIC) [incorporating amendments as at 1st January 2014] www.legislation.vic.gov.au
2. Education and Training Reform Amendment Act 2013(VIC) www.legislation.vic.gov.au
3. PCLC must comply with the following Commonwealth and State anti-discrimination legislation
 - a) Racial Discrimination Act 1975(Clth)
 - b) Sex Discrimination Act 1984(Clth)
 - c) The Australian Human Rights Commission (Clth)
 - d) Victorian Equal Opportunity and Human Rights Commission
 - e) Age Discrimination Act 2004 (Clth)
 - f) Disability Discrimination Act 2006 (Clth)
 - g) Racial Discrimination Act 1975 (Clth)
 - h) Sex Discrimination Act 1984 (Clth)
 - i) Australian Privacy Principles Act 2014 (Clth)
 - j) Commonwealth Privacy Act 1998(Clth)
 - k) Equal Opportunity Act 1995 (VIC) [incorporating amendments as at 1st December 2008]
 - l) Racial and Religious Tolerance Act 2001 (VIC)
 - m) Multicultural Victoria Act 2004 (VIC)
 - n) Whistleblowers Act 2001(VIC)
 - o) Charter of Human Rights and Responsibilities Act 2006(VIC)
 - p) Information Privacy Act 2000(VIC)
 - q) Health Records Act 2001 (VIC)
 - r) Freedom of Information Act 1982 (VIC)
 - s) Public Records Act 1973 (VIC)
 - t) Disability Act 2006 (VIC)
 - u) Disability Standards for Education Act 2005 (Clth)

VERSION CONTROL AND CHANGE HISTORY

<i>Document Title</i>	<i>Version No.</i>	<i>Key Words</i>	<i>Date</i>	<i>Author</i>	<i>Approved by</i>	<i>Amendment</i>
Access and Equity Policy and Procedures	One	Access and equity	05/14	Education Compliance Manager	Principal Executive Officer	N/A