

Policy name:	MR2 Access and Equity	Version:	4.0
Policy owner:	Head of Marketing		
Approved by:	CEO		
Approved date:	October 2019	Review date:	November 2023

SECTION 1 - INTRODUCTION

PURPOSE

This policy outlines the RTOs commitment to ensuring the process of recruiting learners is non-discriminatory and provides training services which are accessible to all eligible individuals and meet the diverse needs of our learners, irrespective of their age, gender, disability, country of birth, race, religion, culture, language, literacy and numeracy skills, employment status or other backgrounds.

In line with the Standards for Registered Training Organisations (RTOs) 2015 – Standard 4 & 5 the RTO ensures that potential learners are aware of the programs and support services provided, the responsibilities and obligations of the RTO and the delivery and assessment structures to enable an informed decision to enrol and commence training.

SCOPE

This policy applies to all employee, partners and associates of Practical Outcomes (21857) in relation to learner recruitment and access to its courses and other services. This policy relates to the following legislation: *Australian Consumer Law, Anti-Discrimination Act, Equal Opportunity Act and Disability Act* in each State and Territory.

This policy includes all regulatory requirements that fall under the RTOs obligations as a registered training organisation.

DEFINITIONS

Access - in an education environment access relates to entry into a course and includes ensuring a learner is not discriminated against through the selection process. It also includes working within State and Federal government eligibility criteria, the RTO must make its training and assessment services available to everyone, free from any form of discrimination and irrespective of a person's age, gender, disability, country of birth, language, race, creed, religion, culture or other background.

AQF Level – Australian Qualifications Framework. The AQF is the national policy for regulated qualifications in Australian education and training. It incorporates the qualifications from each education and training sector into a single comprehensive national qualifications framework which has identified qualifications as meeting academic levels (Level 1 – 10).

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

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.

Equity – in an education environment, equity means that training and assessment services will be delivered on the basis of fair treatment for all learners. Equity is not about treating everyone the same, it's about ensuring that all learners having an opportunity to reach their potential and gain their qualification no matter which pathway they take or the assistance that they require.

Non-Verbal Harassment - Examples of non-verbal harassment include, but are not limited to:

- a) Leering (e.g. staring at a woman's breasts)
- b) Putting offensive material on notice boards, computer screen savers and emails
- c) Wolf whistling
- d) Nude or pornographic posters
- e) Displaying sexist or racist cartoons or literature
- f) Demoting, failing to promote, or transferring someone because they refuse requests for sexual favours
- g) Following someone home from work
- h) Standing very close to someone or unnecessarily leaning over them
- i) Mimicking someone with a disability
- j) Practical jokes that are unwelcome
- k) Ignoring someone, or being cold and distant to them
- l) Crude hand or body gestures

Physical Harassment - Examples of physical harassment include, but are not limited to:

- a) Unwelcome physical contact such as kissing, hugging, pinching, patting, touching, or brushing up against a person
- b) Indecent or sexual assault or attempted assault
- c) Hitting, pushing, shoving, spitting, or throwing objects at a person
- d) Unfastening a person's attire

RTO – means the Practical Outcomes (21857)

Sexual Harassment - The most common form of harassment is sexual harassment. Examples of sexual harassment include, but are not limited to:

- a) Unwanted touching
- b) Sexual innuendo propositions
- c) Nude pin-ups and posters
- d) Obscene telephone calls
- e) Wolf whistles

Sexual harassment can occur among peers or co-workers, and in subordinate-supervisor, supervisor-subordinate or staff-learner, learner-staff, learner-learner situations.

Verbal Harassment - Examples of verbal harassment include, but are not limited to:

- a) Sexual comments, advances or propositions
- b) Lewd jokes or innuendos
- c) Racist comments or jokes
- d) Spreading rumours
- e) Comments or jokes about a person's disability, pregnancy, sexuality, age or religion
- f) Repeated questions about one's personal life
- g) Belittling someone's work or contribution in a meeting
- h) Threats, insults or abuse
- i) Offensive obscene language
- j) Obscene telephone calls, unsolicited letters, faxes and emails

Workplace Harassment - 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 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.

SECTION 2 - POLICY

- The RTO makes available to potential learners accurate and factual information with regards to its accredited and non-accredited courses, services and learner support mechanisms.
- The RTO offers training and assessment to all potential learners regardless of ethnicity, gender, age, and marital status, and sexual orientation, physical or intellectual impairment and treats all learners and potential learners fairly and without discrimination.
- Perspective learners have the opportunity to access the RTOs training and assessment services on a fair and equitable basis.
- Each potential learner receives a copy of the Learner Handbook electronically prior to enrolment which contains information on the RTOs role and responsibilities, course information, fees and charges, relevant policies and procedure and learner support services available.
- The RTO follows learner selection processes to assist the potential learner through ensuring the course they are applying for is most suitable for them and one they will achieve completion. These processes include a Pre Training Review, Language, Literacy and Numeracy Assessment (LLN) and Federal and State funding eligibility.
- The RTO's learning environment is free from discrimination, harassment and bullying.

Harassment

- Harassment will not be tolerated at Practical Outcomes. If harassment occurs, the person responsible will be subject to disciplinary procedures. Disciplinary action will be taken against any staff or learner involved in such behaviour. This may include termination of employment and removal of the learner from the training course.
- Serious cases of harassment may constitute a criminal offence.
- Practical Outcomes will not tolerate behaviour which is considered to be sexual harassment and expects all staff, contractors and learners to treat each other with dignity and respect.

Bullying and Violence

- Practical Outcomes will not tolerate bullying or violent behaviour and expects all staff, contractors and learners to treat each other with dignity and respect.
- Practical Outcomes recognises bullying and violence demeans and infringes the rights of individuals and groups, damaging the work and learning environment.
- Practical Outcomes will not tolerate behaviour which vilifies another person and expects all staff, contractors and learners to treat each other with dignity and respect.

Learner Support

- The RTO recognises that certain individuals face barriers to participation and achievement in training and employment, such as people with disabilities, people from non-English speaking backgrounds, those with low levels of Language, Literacy or Numeracy, Indigenous Australians, rural and remote learners, long term unemployed and other disadvantaged groups.
- Wherever possible RTO seeks to provide training and assessment opportunities to people facing such barriers and will endeavour to provide additional mentoring and support to promote successful outcomes for learners. Additional support may be in form of pre-employment job-

readiness training, pre-vocational assistance with language literacy and numeracy support and the securing of suitable host workplaces if applicable to the qualification.

- All staff of the RTO will receive training in respect of this Policy and to update their skills in supporting learners who may face barriers to participation and achievement in training, assessment and employment. The RTO delivers training and assessment using the principles of competency based training and assessment and will ensure learning materials are non-discriminatory and take into account the requirements of all learners in their design.
- Learners are assessed through a wide range of tasks and activities to ensure reliability and validity to ensure the learner is assessed on their ability to perform tasks and to ensure they have the skills and knowledge relevant to industry standards including foundation skills.
- Where the learning and assessment design is not suitable for the learner, the RTO will make reasonable adjustments to accommodate the learner.

Special Needs/Considerations

- Learners are encouraged to discuss with Practical Outcomes any 'special needs' and/or 'reasonable adjustments' to the study environment which they consider are necessary or would assist them in the performance of their studies, prior to enrolment.
- Practical Outcomes, in collaboration with the Learner, will assess the potential for the learner to successfully complete the training which may include flexible delivery options to optimise the ease and benefit of the learners' learning. However, no compromise to the integrity of the assessment against competency will be allowed.
- Learners with a disability are required to have the ability to fulfil the core requirements of the units of competency to attain the relevant award. However, it is recognised that flexibility in arrangements may need to be implemented.

Language, Literacy and Numeracy

- Each Training Package sets a minimum requirement in language, literacy and numeracy skills of learners, with which Practical Outcomes must abide.
- Practical Outcomes makes appropriate concessions for language, literacy and numeracy issues of learners where these concessions do not compromise the requirements of the relevant Training Package and the integrity, equity and fairness of assessment.
- Where a Learner is deemed, either prior to enrolment or throughout the training program, to possess a lower level of language, literacy or numeracy than is the minimum requirement for the requirements of the Training Package, Practical Outcomes will provide appropriate advice and support to the Learner regarding further learning options. At times, further language or literacy development or remedial assistance may be required to be completed prior to the continuation or completion of the Learner's course of study.

Victorian Skills First Program

- In order for a learner to be granted Skills First funding they must meet the eligibility criteria. Please refer to the EN2 Application and Enrolment Policy for full eligibility criteria.
- The RTO provides training services in line with anti-discrimination and equal opportunities laws.

- Each learner is assessed for suitability and eligibility during the Pre Training Review and LLN Assessment. The Pre Training Review is a vital part of the application process and contribute to the business process of establishing evidence of suitability and entry into a course.
- For entry into a Skills First funded course the potential learner must:
 - Demonstrate that the course aligns with their aspirations and job/career goals
 - Demonstration academic, physical and emotional capabilities to undertake the course, for example undertaking the Certificate IV in Ageing Support requires the learner to be physically capable to perform duties in a residential facility and be emotionally stable to cope with situations such as palliative care.
 - Display LLN skills to the ACSF level of the qualification.
 - Be prepared and comfortable with the delivery strategies.
 - Demonstrate digital and online capacity where applicable.
- The RTO ensures that the course that the learner enrolls into the most suitable course for that learner.

Note: where the training and/or assessment methods are not suitable for the learner The RTO will apply reasonable adjustments where practicable.

- The RTO accepts the monetary penalty for each incomplete or inadequate Pre Training Review as applied by the Department. The current penalty is \$200 per incomplete or inadequate Pre Training Review.

SECTION 3 - LEGISLATIVE CONTEXT

Name	Section
Standards for RTOs 2015	Part 3: Standard 4.1 & Standard 5
Victorian Skills First Program	Clause 4.2 a) & b) Sch 1 Part A, Clause 5.1 – 5.6
Queensland PQS Program	PQS Policy 2017-18 Performance Standard 4

SECTION 4 - RELATED DOCUMENTS

Name	Document Type
Learner Handbook	Manual
Pre Training Review and LLN	Form
Eligibility Declarations (per State)	Form
Student Application Form	Form
EN2 Application and Enrolment Policy	Policy
OR1.1.1 Legislation Listing	Supporting Document

SECTION 5 - VERSION CONTROL

Version #	Approval Date	Approved by	Details
1	19 June 2017	Julie Elvidge	Review of policy and update of approvers name
2	25 January 2018	Chris Lugg	Entire document review
3	November 2018	Marcus Sellen	Entire document review. Included VSL and state specific policies.
4	10 October 2019	Marcus Sellen	Updated address
4.1	November 2022	Aruna Joshi	Removed QLD references