

<b>Policy name:</b>	SP5 Access and Equity Policy	<b>Version:</b>	5.1
<b>Policy owner:</b>	National Operations Manager		
<b>Approved by:</b>	Tash Hartig, Head of Compliance and Continuous Improvement		
<b>Approved date:</b>	July 2018	<b>Review date:</b>	July 2019

## SECTION 1 - INTRODUCTION

### PURPOSE

The purpose of this Policy is to provide the framework for providing and maintaining training services that reflect fair and reasonable opportunity for all clients, regardless of their diversity; allowing everyone to freely participate in the learning environment free from discrimination, harassment, bullying and vilification.

In line with the Standards for Registered Training Organisations 2015 – Standard 4 & 5 Practical Outcomes ensures that potential learners are aware of the programs and support services provided, the responsibilities and obligations of Practical Outcomes 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 legislations listed in this document, refer Section 3 of this document.

This policy includes all regulatory requirements that fall under the Practical Outcomes 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 Practical Outcomes 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** - occurs when a person is treated less favourably than others due to the person's circumstances, characteristics or beliefs.

#### a) Direct Discrimination

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**

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

**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, supervisorsubordinate or staff-student, student-staff, student-student situations.

**Practical Outcomes** – Practical Outcomes (21857)

**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** - 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

Practical Outcomes will not accept any form of discrimination and we will apply the following principles in support of access and equity:

### Access and Equity Principles

- The Practical Outcomes makes available to potential learner accurate and factual information with regards to its accredited and non-accredited courses, services and learner support mechanisms.
- Each potential learner receives a copy of the Student Handbook electronically prior to enrolment which contains information on the Practical Outcomes role and responsibilities, course information, fees and charges, relevant policies and procedure and student support services available.
- The Practical Outcomes follows learner selection processes to assist the potential learner through ensuring the course they are applying for is most suitable and appropriate for them and one they will have the best chance to successfully complete.
- Each learner undergoes a Pre Training Review which includes Language Literacy and Numeracy Assessment prior to enrolment to assist us to determine the amount and type of support the learner may require to successfully complete your studies, refer *EN2 Application and Enrolment Policy*.
- Where the learning and/or assessment methods are not suitable for the learner, the Practical Outcomes will make reasonable adjustments to accommodate the learner or recommend a different method if available, refer to *Training and Assessment Policy*. Where the available methods do not suit the learner, the Practical Outcomes will advise the learner and make a recommendation they seek alternative provider who may be able to accommodate their training and assessment needs.
- Practical Outcomes abides by access and equity principles.
- Practical Outcomes will respect a client's right to privacy, confidentiality and be sensitive to client needs.
- Practical Outcomes provides equal opportunity for all learners and is responsive to the individual needs of clients 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, clients will be asked to identify personal needs or circumstances that may exist and for which they may require additional support (See Enrolment Policy).
- Practical Outcomes will ensure that all staff, employees, and contractors have access to the information and support needed to prevent discrimination, sexual harassment, bullying and violence, victimization, and vilification or to deal with it appropriately if it occurs.
- Practical Outcomes seeks to create a learning environment where all learners are respected and can develop their full potential.
- All clients 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.
- All perceived deficiencies in the Access and Equity Policy are to be documented, assessed and reviewed by the Director Practical Outcomes.
- Practical Outcomes will demonstrate its commitment by:
  - i. Selecting learners according to a fair and non-discriminatory process
  - ii. Making its training relevant for a diverse student population
  - iii. Providing suitable access to facilities and resources
  - iv. Providing appropriate support services
  - v. Providing appropriate complaints procedures
  - vi. Consulting with relevant industry groups
  - vii. Raising staff, contractor and student awareness of equity issues.

## Equal Opportunity

- Practical Outcomes is an equal opportunity company and does not discriminate against or favour target groups in either recruiting or training, unless prescribed by funding contracts.
- Target Groups are defined as:
  - Aboriginal and Torres Strait Islanders;
  - People with a disability;
  - People from non-English speaking backgrounds;
  - People in transition and other special groups (i.e. people re-entering the workforce, long term unemployed, sole parents, people with literacy problems, and those who have been institutionalised);
  - Women;
  - People from regionally isolated communities.

## Special Needs/Considerations

- All learners
- Clients intending to enrol for training with Practical Outcomes are requested prior to enrolment to advise Practical Outcomes if they have any disability, physical or other impairment which may adversely affect their ability to successfully undertake training and assessment.

- Clients 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.



Practical Outcomes, in collaboration with the Client, will assess the potential for the Client to successfully complete the training which may include flexible delivery options to optimise the ease and benefit of the Clients' learning. However, no compromise to the integrity of the assessment against competency will be allowed.

- Clients with a disability are required to have the ability to fulfil the core requirements of the units of Competence 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 clients where these concessions do not compromise the requirements of the relevant Training Package and the integrity, equity and fairness of assessment.
- Where a Client 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 Client 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 Client's course of study.

### 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 client involved in such behaviour. This may include termination of employment and removal of the client 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 clients 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 clients 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.

### Vilification

- Practical Outcomes will not tolerate behaviour which vilifies another person and expects all staff, contractors and clients to treat each other with dignity and respect.

### Complaints

- Practical Outcomes encourages informal resolutions of discrimination, sexual harassment, bullying and violence, victimization, and vilification grievances in the first instance, as close to the source as possible, with the option of conciliation or investigation of the complaint if necessary.

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- Complaints will be investigated in a confidential manner and action will be taken to ensure that the discrimination/harassment stops. Appropriate warning or disciplinary action will be taken where harassment is found to have occurred.

Those responsible for advising, conciliating or investigating a complaint must act fairly and impartially, they must act without bias and avoid any conflict of interest the respondent must be given a fair opportunity to know the case against him or her and to be given the opportunity to make a considered response.

- All staff, clients and contractors involved with the Practical Outcomes complaint procedures will be treated with respect and courtesy. Enquiries and complaints will be dealt with in a sensitive, equitable, fair, and confidential manner. All attempts will be made to deal with matters expeditiously while ensuring all parties are provided with sufficient time to prepare and or respond.
- Practical Outcomes acknowledges that it is of paramount importance and in the best interests of all parties that confidentiality is maintained during these procedures.
- Practical Outcomes encourages the reporting of behaviour that breaches equal opportunity policy, but will not tolerate vexatious or frivolous complaints.

## Victimisation

- In order for complaints to be brought forward, complainants must feel secure in the knowledge that the COMPANY NAME procedures will be followed without fear of reprisal.
- Practical Outcomes will not victimise or treat any person unfairly for making a harassment complaint.
- Practical Outcomes will not tolerate behaviour of victimisation of another person and expects all staff, contractors and clients to treat each other with dignity and respect.
- Any complaint of victimisation will be treated in the same manner as a complaint of discrimination, sexual harassment or vilification.

## Practical Outcomes Responsibilities

Practical Outcomes has a legal and moral obligation to provide equal opportunity in an environment free from discrimination for staff, contractors and clients to ensure that discrimination/harassment does not occur in the workplace.

Practical Outcomes will:

- Maintain policies and procedures for equal opportunities for all staff, contractors and clients;
- Disseminate policies and procedures to staff, contractors and clients;
- Examine all policies and practices, as they affect staff, contractors and clients to ensure the elimination of discrimination and harassment;
- Ensure that there is no discrimination against any individual client or group of clients or staff, in access to facilities, products and services;
- Educate staff and contractors on the general goals and philosophy of equal opportunity together with the rationale for policies and practices which are adopted;
- Eliminate sexist and other discriminator language from all publications and discourage the use of such language in all printed material and in the speech of its staff, contractors and clients;
- Establish and maintain mechanisms to deal with complaints.

## Director Responsibilities

- Practical Outcomes Director and Managers are responsible for client equity.
- The Director will not condone nor engage in discriminatory/harassing behaviour.  
The Director is responsible for ensuring that all staff are aware of this policy and that complaints will be dealt with in accordance with the terms of the Complaints and Appeals Policy.
- The Director(s) and Manager(s) are to ensure staff act according to this policy and all clients are made aware of their rights and responsibilities pursuant to this policy.
- The Director will maintain the confidentiality of all complaints. If the Director feels that they are not the appropriate person to deal with the complaint, they will refer the matter to either a member of the management team or an external independent party for review and/or action.

## Staff, Contractors and Clients Responsibilities

Practical Outcomes staff, contractors and clients have the responsibility to:

- Act to prevent harassment, discrimination and victimization against others;
- Respect differences among other staff, clients and contractors, such as cultural and social diversity;
- Treat people fairly, without discrimination, harassment or victimization;
- Respect the rights of others;
- Respect people's rights to privacy and confidentiality;
- Refuse to join in with these behaviours;
- Supporting the person in saying no to these behaviours;
- Acting as a witness if the person being harassed decides to lodge a complaint;
- Observe site rules or behaviour guidelines set by Practical Outcomes Trainers/Assessors;
- Behave in a manner that does not interfere with the learning of others; and
- Conduct themselves in a responsible manner while in training;
- Ensure the rights of all clients to have their say, balanced with the responsibility to listen to others and allow others to have their say.

If a Practical Outcomes staff, contractor or client feels harassed, bullied or otherwise a victim of unwelcome behaviour, the staff, contractor or client is encouraged to inform the person where the behaviour is unwanted, unacceptable and/or offensive. If the staff, contractor or client feels unable to approach the person, or if the behaviour continues following their request that the behaviour cease, the Director Practical Outcomes should be contacted.

## Records Management

All documentation from regarding complaints concerning Access and Equity matters are maintained in accordance with Records Management Policy. (See Records Management Policy)

## Monitoring and Improvement

All Access and Equity practices are monitored by the Director Practical Outcomes and areas for improvement identified and acted upon. (See Continuous Improvement Policy)



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### 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
Education and the Education and Training Reform Act 2006 (Victoria)	
Age Discrimination Act 2004 (Commonwealth)	
Disability Discrimination Act 2009 (Commonwealth)	

Name	Section
Racial Discrimination Act 1975 (Commonwealth)	
Sex Discrimination Act 1984 (Commonwealth)	
Equal Opportunity Act 2010 (Victoria)	
Disability Act 2006 (Victoria)	

## SECTION 4 - RELATED DOCUMENTS

Name	Document Type
Student 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	24 January 2011	Marcus Sellen	Document creation
2	11 February 2014	Marcus Sellen	Change of format, issue a new policy number, update of legislation information, review and update policy content, inclusion of LLN information and Pre Training Review
3	19 June 2017	Julie Elvidge	Review of policy and update of approvers name
4	24 April 2018	Tash Hartig	Entire document review
5	20 July 2018	Tash Hartig	Document re-write
5.1	9 September 2021	Gary Engelhardt	Updated address