QA-POL-0029 – AIICT Access and Equity Policy

1. Purpose

This policy is provided on behalf of the RTO, Everthought College of Construction (ECOC) trading as Australian Institute of ICT (AIICT), AIICT as a commitment to providing and maintaining training services that reflect fair and reasonable opportunity for all students, regardless of their diversity; allowing everyone to freely participate in the learning environment free from discrimination, harassment, bullying and vilification.

2. Policy Statement

AIICT is committed to providing quality training and assessment products and services in compliance with the Standards for Registered Training Organisations 2015 (SRTOs).

AIICT promotes, encourages and values equity and diversity with regard to students. AIICT will ensure services offered are provided in a fair and equitable manner to all students, free from bias.

AIICT is committed to providing flexible learning and assessment options, allowing students alternatives which recognize the diversity of their individual needs and circumstances aiding them in their learning goals.

AIICT will ensure:

   a) all training and assessment policies and procedures incorporate access and equity principles;

   b) all learners have equitable access to the benefits of training and assessment irrespective of their gender, age, race, religion, culture, linguistic background, marital status, geographic location, socio-economic background, disability, sexual preference, family responsibility or political conviction;

   c) all nominations and enrolments into training courses and programs will be conducted at all times in an ethical and responsible manner, ensuring fairness and compliance with Equal Opportunity legislation; and

   d) all learners/students have equitable access to training resources, facilities, equipment, support services, information, training and assessment personnel, materials, assessment opportunities, training opportunities.

3. Definitions

   3.1   The following words and expressions have the following specific meaning, as in the Standards for Registered Training Organisations (RTOs) 2015.

Access and equity means policies and approaches aimed at ensuring that AIICT is responsive to the individual needs of students whose age, gender, cultural or ethnic background, disability, sexuality,

language skills, literacy or numeracy level, unemployment, imprisonment or remote location may present a barrier to access, participation and the achievement of suitable outcomes.

3.2   Discrimination

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 polices 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.

3.3   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.

3.4   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, or email content
d)   Obscene telephone calls
e)   Wolf whistles

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

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3.5   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

3.6   Non-Verbal Harassment

Examples of non -verbal harassment include, but are not limited to:
a)   Leering
b)   Putting offensive material on notice boards, computer screen savers and emails
c)   Wolf whistling
d)   Nude or pornographic posters or content
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

3.7   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

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4. Policy Principles

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

4.1 Access and Equity Principles

a) AIICT abides by access and equity principles.

b) AIICT will respect a student's right to privacy, confidentiality and be sensitive to student needs.

c) AIICT provides equal opportunity for all learners and is 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.

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

e) AIICT 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.

f) AIICT seeks to create a learning environment where all students are respected and can develop their full potential.

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

h) 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.

i) 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.

j) All perceived deficiencies in the Access and Equity Policy are to be documented, assessed and reviewed by AIICT.

k) AIICT will demonstrate its commitment by:

    i. Selecting students 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.

4.2 Equal Opportunity

AIICT 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.

4.3 Special Needs/Considerations

a) Students intending to enrol for training with AIICT are encouraged to inform AIICT if they have any disability, physical or other impairment which may adversely affect their ability to successfully undertake training and assessment. This is to ensure that AIICT is able to provide any assistance to support the student during their studies.

b) Students are encouraged to discuss with AIICT 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.

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

d) Students with a disability must 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.

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4.4 Language, Literacy and Numeracy

a) Each Training Package sets a minimum requirement in language, literacy and numeracy skills of learners, with which AIICT must abide.

b) AIICT makes appropriate concessions for language, literacy and numeracy issues of students where these concessions do not compromise the requirements of the relevant Training Package and the integrity, equity and fairness of assessment.

c) Where a student 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, AIICT will provide appropriate advice and support to the student 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 student's course of study.

4.5 Harassment

a) Harassment will not be tolerated at AIICT. If harassment occurs, the person responsible will be subject to disciplinary procedures. Disciplinary action will be taken against any staff or student involved in such behaviour. This may include termination of employment and removal of the student from the training course.

b) Serious cases of harassment may constitute a criminal offence and will be referred to the relevant authorities.

c) AIICT will not tolerate behaviour which is considered to be sexual harassment and expects all staff, contractors and students to treat each other with dignity and respect.

4.6 Bullying and Violence

a) AIICT will not tolerate bullying or violent behaviour and expects all staff, contractors and students to treat each other with dignity and respect.

b) AIICT recognises bullying and violence demeans and infringes the rights of individuals and groups, damaging the work and learning environment.

4.7 Vilification

a) AIICT will not tolerate behaviour which vilifies another person and expects all staff, contractors and students to treat each other with dignity and respect.

4.8 Complaints

a) AIICT 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.

b) 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.

c) Those responsible for advising, conciliating or investigating a complaint must act fairly and impartially. They will 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.

d) All staff, students and contractors involved with the AIICT 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.

e) AIICT acknowledges that it is of paramount importance and in the best interests of all parties that confidentiality is maintained during these procedures.

f) AIICT encourages the reporting of behaviour that breaches equal opportunity policy, but will not tolerate vexatious or frivolous complaints.

4.9 Victimisation

a) In order for complaints to be brought forward, complainants must feel secure in the knowledge that the AIICT procedures will be followed without fear of reprisal.

b) AIICT will not victimise or treat any person unfairly for making a harassment complaint.

c) AIICT will not tolerate behaviour of victimisation of another person and expects all staff, contractors and students to treat each other with dignity and respect.

d) Any complaint or concern of victimisation will be treated in the same manner as a complaint of discrimination, sexual harassment or vilification.

5. AIICT Responsibilities

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

AIICT will:
* Maintain policies and procedures for equal opportunities for all staff, contractors and students;
* Disseminate policies and procedures to staff, contractors and students;
* Examine all policies and practices, as they affect staff, contractors and students to ensure the elimination of discrimination and harassment;
* Ensure that there is no discrimination against any individual student or group of students 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 students;
- Establish and maintain mechanisms to deal with complaints.

5.1 AIICT Training Manager Responsibilities

The AIICT Training Manager is responsible for student equity.

The AIICT Training Manager will not condone nor engage in discriminatory/harassing behaviour.

The AIICT Training Manager 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 AIICT Training Manager and Manager(s) are to ensure staff act according to this policy and all students are made aware of their rights and responsibilities pursuant to this policy.

The AIICT Training Manager will maintain the confidentiality of all complaints. If the AIICT Training Manager 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.

5.2 Staff, Contractors and Students Responsibilities

AIICT staff, contractors and students have the responsibility to:

- Act to prevent harassment, discrimination and victimization against others;
- Respect differences among other staff, students 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 it the person being harassed decides to lodge a complaint;
- Observe site rules or behaviour guidelines set by AIICT 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 students to have their say, balanced with the responsibility to listen to others and allow others to have their say.

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

6. Legislation

This policy reflects our commitment to the following legislation:

Commonwealth:

    a) Age Discrimination Act 2004

    b) Disability Discrimination Act 1992

    c) National Vocational Education and Training Regulator Act 2011 (NVR Act)

    d) Racial Discrimination Act 1975

    e) Sex Discrimination Act 1984

Australian Capital Territory:

    a) Disability Services Act 1991

    b) Discrimination Act 1991

New South Wales:

    a) Anti-Discrimination Act 1977

    b) Vocational Education and Training Accreditation Act 1990

Northern Territory:

    a) Anti-Discrimination Act 1992

Queensland

    a) Anti-Discrimination Act 1991

    b) Vocational Education, Training and Employment Act 2000

South Australia:

    a) Equal Opportunity Act 1984

    b) Training and Skills Development Act 2008

Tasmania:

    a) Anti-Discrimination Act 1998

    b) Sex Discrimination Act 1994

    c)   Training and Workforce Development Act 2013

Victoria:

    a)   Disability Act 2006

    b)   Education and the Education and Training Reform Act 2006

    c)   Equal Opportunity Act 2010

Western Australia:

    a)   Equal Opportunity Act 1994

    b)   Vocational Education and Training Act 1996

7. Records Management

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

8. Monitoring and Improvement

All Access and Equity practices are monitored by the AIICT Training Manager of AIICT and areas for improvement identified and acted upon.