

# ACCESS AND EQUITY POLICY and PROCEDURE

## POLICY

The purpose of this Policy is to provide a frame of reference in 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.

We ensure that student selection criteria are non-discriminatory and provide fair access to training for the disadvantaged. Additionally, we will liaise with agencies and government departments for assistance in matters of language, literacy and numeracy difficulties. Key 2 Learning College 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.

Every potential student who is seeking enrollment to a VET course, and who meets the entry requirements (where applicable) as prescribed by the relevant nationally endorsed Training Package will be accepted onto any training program within Key 2 Learning’s College scope of registration.

Key 2 Learning College will provide a flexible learning approaches for all students where possible. Key 2 Learning College offers students confidential and professional internal personal support services, providing students with an opportunity to discuss any issues of concern within a supportive environment. Any support related to issues and concerns are treated in the strictest of confidence.

Students enrolled through Government funded initiatives may be eligible for Additional Support Funding to assist with specific learning or assessment needs.

If external assistance is required, the College can put the student in contact with the relevant counselling and support services in the Canberra region. Students that may require external services for counselling or support may incur costs for those services.

Key 2 Learning College will ensure:

- Key 2 Learning endorses the National Equity Strategy (NES) by incorporating the principles of equity into all programs.
- All Key 2 Learning employees are instructed in their responsibilities regarding Access and Equity principles.
- Enrolment procedures will, therefore, be free of discrimination and, if an individual does not meet entry requirements, all attempts are made to assist them to identify alternative courses of action.
- All training and assessment policies and procedures incorporate access and equity principles;
- All students 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;
- 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
- All students/students have equitable access to training resources, facilities, equipment, support services, information, training and assessment personnel, materials, assessment opportunities, training opportunities.

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## Affirmative Action Strategies and Considerations

Cohort	Strategies and Considerations
Aboriginal and Torres Strait Islander (ATSI)	<ul style="list-style-type: none"> <li>• Through marketing and promotion encourage Aboriginal and Torres Strait Islanders to enroll in Key 2 Learning College programs (PP039)</li> <li>• Provide information and advice in regard to support services at Pre-Enrolment and through the Student Course Handbook</li> <li>• Provide information on additional funded services available</li> <li>• Ensure Trainers/staff understand cultural requirements including language, customs, and community structure. This will be undertaken annual during performance appraisals and professional development.</li> <li>• Employ ATSI staff where appropriate.</li> <li>• Consult with ATSI Elders from the local area and surrounds to create networks and provide leadership to students.</li> </ul>
Culturally and Linguistically Diverse and Older people	<ul style="list-style-type: none"> <li>• Through marketing and promotion encourage CALD people to enroll in Key 2 Learning College programs (PP039) however make the information clear in regard to VET guidelines and outcomes required for the programs</li> <li>• Provide information and advice in regard to support services at Pre-Enrolment and through the Student Course Handbook</li> <li>• Provide information on additional funded services available</li> <li>• Ensure that Trainers are appropriately trained in understanding the needs of CALD people.</li> <li>• All staff to ensure that they consider service needs of refugees, migrants and people from other countries with English as a second language and those who are aged or are veterans.</li> <li>• Provide access to translators if applicable</li> </ul>
Disability	<ul style="list-style-type: none"> <li>• Through marketing and promotion encourage people with a disability to enroll in Key 2 Learning College programs (PP039) however make the information clear in regard to VET guidelines and outcomes required for the programs</li> <li>• All facilities of the College are 9B compliant to ensure physical access</li> <li>• Students are encouraged to inform Key 2 Learning College staff of disability at enrolment and provide written verification of disability.</li> </ul>

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	<ul style="list-style-type: none"> <li>Provide information and advice in regard to support services at Pre-Enrolment and through the Student Course Handbook</li> <li>Provide information on additional funded services available.</li> <li>Where appropriate be able to provide alternative assessment and special considerations.</li> <li>Provide Reasonable Adjustment may include but is not restricted to:               <ul style="list-style-type: none"> <li>The use of adaptive/assistive technology (equipment and software designed for use by people with a disability)</li> <li>Educational support</li> <li>Alternative assessment methods</li> <li>Learning and assessment aids such as papers in large print or the use of scribes or interpreters</li> <li>Extra time to complete a course or assessment.</li> </ul> </li> </ul>
People from rural or remote areas	<ul style="list-style-type: none"> <li>Through marketing and promotion encourage people from rural or remote areas to enroll in Key 2 Learning College programs (PP039) however make the information clear in regard to VET guidelines and outcomes required for the programs.</li> <li>People from rural or remote areas will need to re locate to the location of the Campus delivering the program. Key 2 Learning College will endeavor to support these students with access to information on accommodation needs.</li> </ul>
LGBTIQ	<ul style="list-style-type: none"> <li>Ensure all staff that work with students from LGBTIQ community have appropriate training on the understanding of the studnets needs</li> <li>All staff to use appropriate and respectful language and do not assume heterosexuality or binary gender identification.</li> <li>Provide information and advice in regard to support services at Pre-Enrolment and through the Student Course Handbook</li> <li>Provide information on additional funded services available.</li> </ul>

**Definitions**

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 VET is responsive to the*

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*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.*

**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 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**

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.

**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-student, student-staff, student-student 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

**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

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- 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

**Policy Principles**

Key 2 Learning College will not accept any form of discrimination and we will apply the following principles in support of access and equity:

**Access and Equity Principles**

- a) Key 2 Learning College abides by access and equity principles.
- b) Key 2 Learning College will respect a student’s right to privacy, confidentiality and be sensitive to student needs.
- c) Key 2 Learning College provides equal opportunity for all students 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
- f) Key 2 Learning College 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 the Operations and Compliance Manager
- k) Key 2 Learning College 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

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- v. Providing appropriate complaints procedures
- vi. Consulting with relevant industry groups
- vii. Raising staff, contractor and student awareness of equity issues.

### Equal Opportunity

Key 2 Learning College 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

- a) Students intending to enrol for training with Key 2 Learning College are requested prior to enrolment to advise Key 2 Learning College if they have any disability, physical or other impairment which may adversely affect their ability to successfully undertake training and assessment.
- b) Students are encouraged to discuss with Key 2 Learning College 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) Key 2 Learning College, 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 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

- a) Each Training Package sets a minimum requirement in language, literacy and numeracy skills of students, with which Key 2 Learning College must abide.
- b) NURSING AND MIDWIFERY BOARD OF AUSTRALIA'S (NMBA) ENGLISH LANGUAGE SKILLS REGISTRATION STANDARDS - From 1 July 2018 all applicants must demonstrate English language competency via one of the following pathways options to provide evidence of meeting the NMBA English language skills registration standard.
- c) Key 2 Learning College 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.
- d) 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, Key 2 Learning College 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 course of study.

### Harassment

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- a) Harassment will not be tolerated at key 2 Learning College. 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.
- c) Key 2 Learning College 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.

**Bullying and Violence**

- a) Key 2 Learning College will not tolerate bullying or violent behaviour and expects all staff, contractors and students to treat each other with dignity and respect.
- b) Key 2 Learning College recognises bullying and violence demeans and infringes the rights of individuals and groups, damaging the work and learning environment.

**Vilification**

- a) Key 2 Learning College will not tolerate behaviour which vilifies another person and expects all staff, contractors and students to treat each other with dignity and respect.

**Complaints**

- a) Key 2 Learning College 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 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.
- d) All staff, students and contractors involved with the Key 2 Learning College 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) Key 2 Learning College acknowledges that it is of paramount importance and in the best interests of all parties that confidentiality is maintained during these procedures.
- f) Key 2 Learning College encourages the reporting of behaviour that breaches equal opportunity policy but will not tolerate vexatious or frivolous complaints.

**Victimisation**

- a) In order for complaints to be brought forward, complainants must feel secure in the knowledge that College procedures will be followed without fear of reprisal.
- b) Key 2 Learning College will not victimise or treat any person unfairly for making a harassment complaint.
- c) Key 2 Learning College 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 of victimisation will be treated in the same manner as a complaint of discrimination, sexual harassment or vilification.

**Key 2 Learning College Responsibilities**

Key 2 Learning College 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.

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Key 2 Learning College 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.

### Staff, Contractors and Students Responsibilities

Key 2 Learning College 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 if the person being harassed decides to lodge a complaint;
- Observe site rules or behaviour guidelines set by 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 a Key 2 Learning College staff, 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 Key 2 Learning College should be contacted.

### Legislation

This policy reflects our commitment to the following legislation:

1. National Vocational Education and Training Regulator Act 2011 (NVR Act) – Commonwealth
2. Commonwealth
3. Age Discrimination Act 2004 (Commonwealth)
4. Disability Discrimination Act 2009 (Commonwealth)
5. Racial Discrimination Act 1975 (Commonwealth)
6. Sex Discrimination Act 1984 (Commonwealth)
7. Discrimination Act 1991 (Australian Capital Territory)
8. Disability Services Act 1991 (Australian Capital Territory)

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**Records management**

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

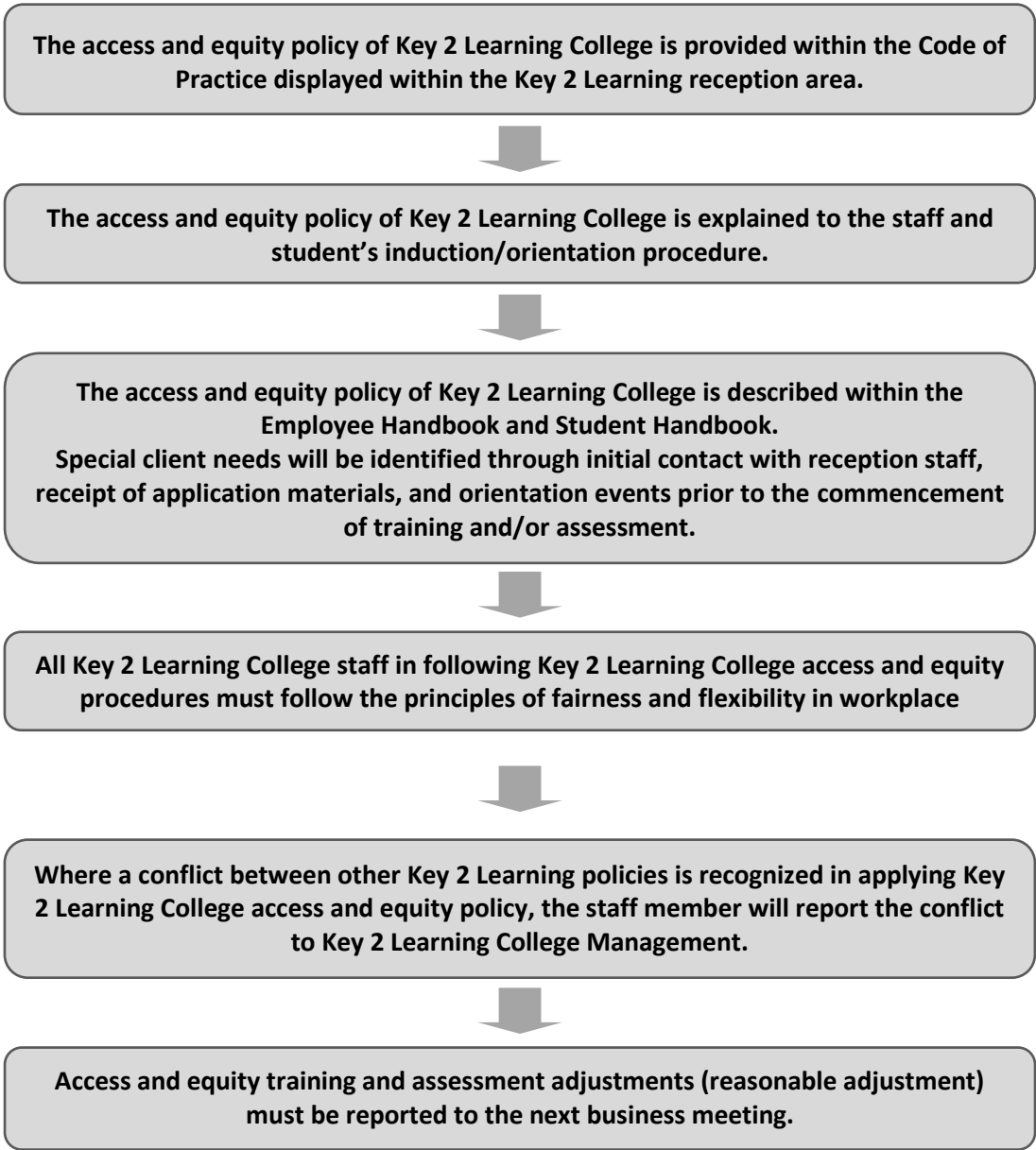
**Monitoring and Improvement**

All Access and Equity practices are monitored by the Operations and Compliance Manager at Key 2 Learning College and areas for improvement identified and acted upon. (See Continuous Improvement Policy)

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