POLICIES AND PROCEDURES

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Approved By:	Inderjit Singh	**Approved By Signature:**	

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ACCESS AND EQUALITY POLICY & PROCEDURE

POLICY

Policy

This policy seeks to create a training and education environment free from all forms of discrimination and harassment, including sexual harassment.

Access and equity covers three broad areas: Discrimination, Harassment and Affirmative Action. Each of these areas is supported by legislation at the State or Federal level; this includes but is not limited to the following:

- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Anti-Discrimination Act 1977 (NSW)
- Work Health and Safety Act 2011 (NSW)
- Disability Standards for Education 2005 (Cth)
- Commonwealth Racial Discrimination Act 1975
- Commonwealth Sex Discrimination Act 1984
- Commonwealth Disability Discrimination Act 1992
- Commonwealth Racial Hatred Act 1995
- Disability Services and Inclusion Act 2023 (Cth)

Scope

The policy applies to all the staff, existing and prospective students of Intertrain.

This policy is intended to guide the equitable access to educational programs offered under the RTO to such groups including but not limited to:

- People from culturally diverse backgrounds;
- Indigenous Australians;
- Unemployed individuals;
- People living with disabilities;
- People from rural and remote areas; and
- Members of disadvantaged groups.

Intertrain will integrate access and equity principles into all training and assessment activities it conducts or is conducted on its behalf.

Responsible Parties

All Intertrain staff – including contractors and those in a third-party arrangement are responsible for the control and implementation of this policy. Students are also responsible for adhering to the Access and Equality policy and procedure.

Definitions

Access and Equity principles include:

- Equity for all people through the fair and appropriate allocation of resources
- Equality of access for all people to appropriate quality training and assessment services
- Increased opportunity for people to participate in training

Disadvantaged groups may include the following groups who traditionally have been under-represented in Vocational Education and Training (VET):

- People with a disability
- Aboriginals and Torres Strait Islanders
- Women
- People from non-English speaking backgrounds
- People in rural and remote areas
- Long term unemployed

Discrimination can be direct, indirect or systemic.

Direct discrimination Direct discrimination is any action which specifically excludes a person or group of people from a benefit or opportunity, or significantly reduces their chances of obtaining it. An action that is based on irrelevant reasons or circumstances such as personal characteristics (e.g. gender, ethnic origin) is direct discrimination.

Indirect discrimination Sometimes the rules, practices and decisions made by a person or organisation treat people the same (in a way that actually disadvantages some). By treating everyone exactly the same means that those who may need individual assistance are not being supported. Therefore, because they will have their chances of opportunity or success significantly reduced, they are being indirectly discriminated against.

Systemic discrimination Systematic discrimination occurs when certain groups (because of a group they are in) are disadvantaged because of the way the rules, practices and decisions are implemented. This means that other groups (because of the group they are in) get the advantages of the ways the rules and decisions are implemented. Direct and indirect discrimination contribute to systemic discrimination.

Equity focuses on outcomes. Equity is not concerned with treating people in the same way; it is concerned with ensuring that all groups of people participate, have the opportunity to reach their potential, make choices and receive responsive and appropriate products and services and therefore benefit to the same level.

Policy

1. Policy

Intertrain is committed to developing policies and practices that eliminate discrimination and harassment in its education, training, and development programs, and in the provision of its services. The aim of the policy is to remove barriers and to open up developmental opportunities for all students by creating a workplace and training environment that is free from discrimination, harassment, bigotry, prejudice, racism and offensive behaviour. Intertrain ensures that all reasonable steps have been taken to prevent discrimination and harassment from occurring in the training environment.

All students will receive fair and equitable treatment in all aspects of training and any employment opportunities without regard to political affiliation, race, colour, religion, national origin, sex, marital status or physical disability.

All Intertrain staff, including trainers/assessors are responsible to adhere to and be advocates for the policy.

Intertrain Pty Ltd:

- Commits to Identify and remove any barriers to access and participation.
- Aims to ensure that access to the training is available, regardless of gender, socio-economic background, disability, ethnic origin, age or race.
- Training services are delivered in a non-discriminatory, open and respectful manner.
- Ensuring all Students and prospective Students are informed that the institute will accommodate their learning needs.
- Implementing reasonable adjustments as necessary to ensure delivery and assessment of all programs meet individual Student needs.
- Ensuring all practices are free from discrimination.
- Where possible delivering education, training and assessment programs and services that are relevant, accessible, fair and inclusive.
- Staff are appropriately skilled in access and equity issues, including cultural awareness and sensitivity to the requirements of clients with special needs.
    - Facilities are updated to provide reasonable access to clients of all levels of mobility, and physical and intellectual capacity.
    - Conduct client selection for training opportunities in a manner that includes and reflects the diverse client population.
    - Actively encourages the participation of clients from traditionally disadvantaged groups and specifically offers assistance to those most disadvantaged.
    - Provides culturally inclusive language, literacy and numeracy advice and assistance that assist clients in meeting personal training goals.
    - Is accountable for its performance in adhering to the principles of this policy and welcomes feedback as part of its quality improvement system.
    - Staff and students are required to always comply with access and equity requirements.

All students are provided with information about access and equity issues and the institute complaint resolution process.

Each Student has the right to be treated fairly and to conduct their training in an environment that is free from harassment and/or discrimination.

It is unlawful to harass or otherwise victimise another student because he or she has lodged a complaint of harassment or victimisation or because he or she has assisted in the investigation of such a complaint.

2. Policy Exclusion

Entry/admission requirements to courses will be clearly outlined in all Training and Assessment Strategies and in all marketing material, allowing all parties to be well informed in the course selection process.

Admission requirements may include material, academic, physiological and psychological

requirements considered to be pre-requisite for enrolling candidates. The enrolment process and the ability of the RTO to support the enrolment of a student is determined based on the student meeting these pre-requisite requirements.

Exclusion under the enrolment policy from a particular course/ service will be justified and not seen as in equitable if:

- It is based on a genuine occupational qualification that requires a specific ability that the student may not have
- Where a person has a criminal history which impacts on the requirements of the course/ Service being provided
- A student requires delivery in a language other than that being offered by the institute in accordance with the relevant Training Package.

On the basis of the criteria levels established for enrolment in each course, a range of educational and support services will be provided by the RTO to cater for the needs of students and to support their ongoing training.

Allowable reasonable adjustment may be offered for those requiring aids, technology, extra time, alternative assessment methods etc.

- A person may be excluded under this policy if they are unable to meet occupational health and safety standards or if their ability to participate poses risks to safety to themselves or others.

3. Discrimination and Harassment

All Students have the right to object to discrimination and harassment in any form, and to complain when such discrimination takes place as per the complaints and appeals policy. This will not limit a student to take any legal action under Australian law.

This policy is to promote fair and equal access, for all Students and potential Students, regardless of characteristics such as their:

- gender,
- sexuality,
- race,
- nationality,
- ethnic background,
- age,
- marital status,
- religion,
- pregnancy,
- political convictions,
- physical disability or
- intellectual impairment

PROCEDURE

Purpose

This procedure describes the process whereby Intertrain Pty Ltd ensures that all communication,

training and education is free from all forms of discrimination and harassment, including sexual harassment.

Access and equity covers three broad areas: Discrimination, Harassment and Affirmative Action. Each of these areas is supported by legislation at the State or Federal level; this includes but is not limited to the following:

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- Commonwealth Disability Discrimination Act 1992
- Commonwealth Racial Hatred Act 1995
- Disability Services and Inclusion Act 2023 (Cth)

Scope

The policy applies to all the staff, existing and prospective students of Intertrain. Intertrain will integrate access and equity principles into all training and assessment activities it conducts or is conducted on its behalf.

Responsible Parties

All Intertrain staff – including contractors and those in a third-party arrangement are responsible for the control and implementation of this policy. Students are also responsible for adhering to the Access and Equality policy and procedure.

Definitions

Access and Equity principles include:

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Systemic discrimination Systematic discrimination occurs when certain groups (because of a group they are in) are disadvantaged because of the way the rules, practices and decisions are implemented. This means that other groups (because of the group they are in) get the advantages of the ways the rules and decisions are implemented. Direct and indirect discrimination contribute to systemic discrimination.

Equity focuses on outcomes. Equity is not concerned with treating people in the same way; it is concerned with ensuring that all groups of people participate, have the opportunity to reach their potential, make choices and receive responsive and appropriate products and services and therefore benefit to the same level.

Procedure

1. General

Intertrain is committed to ensuring all staff, those directly employed, contractors or those from third-party arrangements understands, adheres to and implements the Intertrain Access and Equality policy and procedure.

Intertrain intends that the training environment that is free from discrimination, harassment, bigotry, prejudice, racism and offensive behaviour. Intertrain ensures that all reasonable steps have been taken to prevent discrimination and harassment from occurring in the training environment.

Upon commencing with Intertrain, all staff undertake an Intertrain induction session which covers access and equality across Intertrain. This directs staff to the Access and Equality Policy and Procedure, as well as an understanding of the Student complaints and appeals process. Copies of all policies and procedures are provided and behavioural expectations are set out.

All students will receive fair and equitable treatment in all aspects of training and any employment opportunities without regard to political affiliation, race, colour, religion, national origin, sex, marital status or physical disability.

All Intertrain staff, including trainers/assessors are responsible to adhere to and be advocates for the policy.

Intertrain Pty Ltd:

- Commits to Identify and remove any barriers to access and participation.
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- Ensuring all Students and prospective Students are informed that the institute will accommodate their learning needs.
- Implementing reasonable adjustments as necessary to ensure delivery and assessment of all programs meet individual Student needs.
- Ensuring all practices are free from discrimination.
- Where possible delivering education, training and assessment programs and services that are

relevant, accessible, fair and inclusive.

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    - Is accountable for its performance in adhering to the principles of this policy and welcomes feedback as part of its quality improvement system.
    - Staff and students are required to always comply with access and equity requirements.

All students are provided with information about access and equity issues and the institute complaint resolution process.

Each Student has the right to be treated fairly and to conduct their training in an environment that is free from harassment and/or discrimination.

It is unlawful to harass or otherwise victimise another student because he or she has lodged a complaint of harassment or victimisation or because he or she has assisted in the investigation of such a complaint.

2. Communication of Discrimination and Harassment

All Students have the right to object to discrimination and harassment in any form, and to communicate and complain when such discrimination takes place as per the complaints and appeals policy and procedure. This will not limit a student to take any legal action under Australian law.

3. Discrimination and Harassment complaints

All and any reference to discrimination and/or harassment against and to students are addressed with the upmost regard and priority.

- As is, any reference to discrimination and/or harassment towards an Intertrain staff member from a student, or a Intertrain staff member to another colleague.
    - If a student feels they have been discriminated against or harassed, they are encouraged to lodge a formal complaint – as per the Complaints and Appeals policy.
- The complaint must be submitted in writing to the Intertrain Training Manager, by email marked ***'Confidential'*** to: feedback@intertrain.edu.au
- Within 5 working days the relevant training manager will contact the complainant to acknowledge the receipt of the complaint. The training manager/general manager/delegate will conduct a formal investigation into the complaint.
- The investigation will offer the complainant the right to be heard and may include interviews with other relevant persons including the subject of the complaint, and there will be a review of any relevant documentation.
    - Part of the investigation will ensure procedural fairness to both parties, including sufficient allegations and any protentional workplace or disciplinary action that may be taken if the complaint is substantiated.

- Based on the investigation, the training manager will work with the general manager to decide on the next steps best for the situation and discuss what a successful resolution may be. The complainant will be provided with the decision and the outcome.
    - The decision and reasoning will be recorded against the complaint, as well as communicated to the involved parties.
    - The timeframe for an outcome to be reached is a maximum of 60 days. Should an outcome not be reached in this time, the complainant will be communicated with in writing with reasons for the delay and an expected timeframe for a decision.
- Should the complaint be substantiated, and an Intertrain staff member or student be found guilty of discrimination or harassment it may result in:
    - Termination of employment
    - Termination of enrolment
    - Disciplinary action including – suspension without pay and professional development and training requirements.
    - Performance management
- Should the outcome be unsatisfactory for the complainant, they have the right to lodge an appeal. Appeals must be lodged within 7 working days of receiving notification of the outcome of the complaint. This application must set out the grounds of appeal, including any supporting evidence. Appeals must be made in writing as per the complaints and appeals policy and procedure.
    - The complaint must be submitted in writing to the Intertrain Training Manager, by email marked ***'Confidential'*** to: feedback@intertrain.edu.au