ATAR | DESIGN

Access and Equity
Policy, Procedures, Forms and Registers

POLICY	
Purpose	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 clients, regardless of their diversity; allowing everyone to freely participate in the learning environment free from discrimination, harassment, bullying and vilification.
Standard reference	6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 8.5
Who is responsible	CEO
Review date	Every 12 months
Definitions	**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 individual needs of clients 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. **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. **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. **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:

- Unwanted touching
- Sexual innuendo propositions
- Nude pin-ups and posters
- Obscene telephone calls
- 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:

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

Non-Verbal Harassment

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

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

Physical Harassment

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

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

POLICY	
Policy	• ATAR Design is committed to providing quality training and assessment products and services in compliance with the Standards for Registered Training Organisations (RTOs) 2015. • ATAR Design promotes, encourages and values equity and diversity with regard to clients. ATAR Design will ensure services offered are provided in a fair and equitable manner to all clients, free from bias. • ATAR Design is committed to providing flexible learning and assessment options, allowing clients alternatives which recognise the diversity of their individual needs and circumstances aiding them in their learning goals. ATAR Design will ensure: • All training and assessment policies and procedures incorporate access and equity principles; • 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; • 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 • All learners/clients have equitable access to training resources, facilities, equipment, support services, information, training and assessment personnel, materials, assessment opportunities, training opportunities.

POLICY	
Policy principles	ATAR Design will not accept any form of discrimination and we will apply the following principles in support of access and equity:
	Access and Equity Principles
	• ATAR Design abides by access and equity principles.
	• ATAR Design will respect a client's right to privacy, confidentiality and be sensitive to client needs.
	• ATAR Design 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).
	• Real Property Learning (RPL) 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.
	• ATAR Design seeks to create a learning environment where all students 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 CEO.
	ATAR Design will demonstrate its commitment by:
	• Selecting students according to a fair and non-discriminatory process
	• Making its training relevant for a diverse student population
	• Providing suitable access to facilities and resources
	• Providing appropriate support services
	• Providing appropriate complaints procedures
	• Consulting with relevant industry groups
	• Raising staff, contractor and student awareness of equity issues.

Equal Opportunity

ATAR Design 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

- Clients intending to enrol for training with ATAR Design are requested prior to enrolment to advise 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 ATAR Design 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.
- ATAR Design, 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 ATAR Design must abide. (ACSF levels are predetermined for entry into the course prior to commencement of training and assessment)
- ATAR Design 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. ATAR Design 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 ATAR Design. 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.
- ATAR Design 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

- ATAR Design will not tolerate bullying or violent behaviour and expects all staff, contractors and clients to treat each other with dignity and respect.
- ATAR Design recognises bullying and violence demeans and infringes the rights of individuals and groups, damaging the work and learning environment.

Vilification

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

Complaints

- ATAR Design encourages informal resolutions of discrimination, sexual harassment, bullying and violence, victimisation, 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.
- 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 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.
- ATAR Design acknowledges that it is of paramount importance and in the best interests of all parties that confidentiality is maintained during these procedures.
- ATAR Design 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 ATAR Design procedures will be followed without fear of reprisal.
- ATAR Design will not victimise or treat any person unfairly for making a harassment complaint.
- ATAR Design 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.

Records management	**Access and Equity** All documentation regarding complaints concerning Access and Equity matters are maintained in accordance with the Records Management Policy. (See Records Management Policy) **Monitoring and Improvement** All Access and Equity practices are monitored by the CEO and areas for improvement identified and acted upon. (See Continuous Improvement Policy)

PROCEDURE

Step	Who	Procedure
Accessing Federal Legislation	All	Details of Commonwealth legislation can be sourced through Australian Government Federal Register of Legislation Website: https://www.legislation.gov.au/ • Click on relevant legislative document category from Menu • Acts • Legislative Instruments • Gazettes • Bills • Other • Search using 'Filter' parameters or Click on Alpha character.
Accessing State Legislation	All	Details of State/Territory legislation can be sourced through Website: (e.g. New South Wales Government – NSW Legislation) http://www.legislation.nsw.gov.au/ • Click on 'Search' from 'Top menu'; this will present the search parameters. • Click on 'Browse' to filter alphabetically.
Monitoring Legislation	CEO	• Changes to legislation are monitored through subscription to the relevant Federal / State Law Publisher website. • Subscribe to receive Notification of changes. • Any changes that are identified are noted / printed. • Check the legislation register to determine the resources or documents that include information about the legislation which may require updating. These may include: – Policies; Procedures; Forms; Training resources; Assessment resources; Marketing materials; Other business documentation; other client documentation e.g. Student Handbook • Determine which legislation needs to be provided to staff and how this information will be best provided. • Determine which legislation needs to be provided to clients and how this information will be best provided.
Incorporating Legislation	CEO	• Review the relevant resources or documents or modification requirements. • Complete a 'Continuous improvement form' for implementation into continuous improvement of resources. (See Continuous Improvement Procedures) • Ensure information regarding legislative requirements is provided to staff.