

FIT COLLEGE ACCESS & EQUITY POLICY

1. Purpose

FIT College is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (SRTOs 2015). The purpose of this policy is to provide a frame of reference in providing and maintaining training services that reflect the fair and reasonable opportunity for all learners, regardless of their diversity, allowing everyone to freely participate in the learning environment free from discrimination, harassment, bullying and vilification.

2. Scope

This policy applies to all involved with FIT College. Due diligence by all involved in FIT College is crucial in minimising risk to the company.

3. Policy Statement

FIT College promotes, encourages and values equity and diversity with regard to learners. FIT College will ensure services offered are provided fairly and equitably to all learners, free from bias. FIT College is committed to providing flexible learning and assessment options, allowing learners alternatives that recognise the diversity of their individual needs and circumstances, aiding them in their learning goals. FIT College aims to:

- Incorporate access and equity principles into training and assessment policies and procedures;
- Ensure 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, unemployment, imprisonment, language skills, remote location, family responsibility or political conviction;
- Conduct all nominations and enrolments into training courses and programs ethically and responsibly, ensuring fairness and compliance with Equal Opportunity legislation; and
- Ensure all learners have equitable access to training resources, facilities, equipment, support services, information, training and assessment personnel, materials, assessment opportunities, training opportunities.

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

- Maintain policies and procedures for equal opportunities for all staff, contractors and learners;
- Disseminate applicable policies and procedures to staff, contractors and learners;
- Examine all policies and practices, as they affect staff, contractors and learners to ensure the elimination of discrimination and harassment;
- Ensure that there is no discrimination against any individual learner or group of learners 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 languages from all publications and discourage the use of such language in all printed material and in the speech of its staff, contractors and learners;

- Establish and maintain mechanisms to deal with complaints.

4. Definitions

Access and equity refer to ensuring responsive action to the individual needs of those whose age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or remote location, may present barriers to access, participate, and the achieve suitable outcomes.

Discrimination occurs when a person is treated less favourably than others due to the person's circumstances, characteristics or beliefs.

Direct discrimination occurs when a person, organisation or group of persons is treated less fairly than others based on stereotyped beliefs or views.

Indirect discrimination includes rules, practices, or policies that appear to be non-discriminatory and equally applicable but operate so that certain groups of people are excluded without just cause.

Harassment is any unwelcome behaviour, offends, humiliates or intimidates a person and causes the work or study environment to become unpleasant. If a person is being harassed, their ability to do their work or study is affected as they often become stressed and suffer health problems. Harassment may result from behaviour that is not intended to offend or harm, such as jokes or unwanted attention; however, this does not mean that it is lawful.

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

Social Media Harassment: Examples of social media harassment include, but are not limited to:

- f) Unwelcome messaging
- g) Use of suggestive or sexually explicit language in messages or posts
- h) Failure to cease contact when asked or when messages are not returned
- i) Posting of photos or videos without the permission of the subject

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

5. Policy Responsibilities

Responsible Officer	Responsibilities
Operations Manager	<ul style="list-style-type: none"> • FIT College’s Operation Manager is responsible for learner equity. • The Operation Manager will not condone nor engage in discriminatory/harassing behaviour. • The Operations 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 Operations Manager is to ensure staff act according to this policy, and all learners are made aware of their rights and responsibilities pursuant to this policy. • The Operations Manager will maintain the confidentiality of all complaints. If the Operations Manager identifies that they are not the appropriate person to deal with the claim, they will refer the matter to either a member of the management team or an external independent party for review and/or action.
All employees	<ul style="list-style-type: none"> • Act to prevent harassment, discrimination and victimisation against others; • Respect differences among other staff, such as cultural and social diversity; • Treat people fairly, without discrimination, harassment or victimisation; • Respect the rights of others; • Respect people’s rights to privacy and confidentiality; • Refuse to join in with these behaviours;

- Supporting the person is saying no to these behaviours;
- Acting as a witness if the person being harassed decides to complain;
- Observe site rules or behaviour guidelines set by FIT College 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 learners to have their say, balanced with the responsibility to listen to others and allow others to have their say.

If a FIT College staff, contractor or learner feels harassed, bullied or otherwise a victim of unwelcome behaviour, the staff, contractor or learner is encouraged to inform the person where the behaviour is unwanted, unacceptable and/or offensive. If the staff, contractor or learner feels unable to approach the person, or if the behaviour continues following their request that the behaviour ceases, they should contact the Operations Manager. Staff/contractors are to contact the HR department, manager, or state's workplace health & safety governing body.

6. Access and Equity Principles

FIT College will not accept any form of discrimination or harassment, and we will apply the following principles in support of access and equity:

- FIT College abides by access and equity principles.
- FIT College will respect a learner's right to privacy, confidentiality and be sensitive to learner needs.
- FIT College provides equal opportunity for all learners and is responsive to the individual needs of learners 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, learners will be asked to identify personal needs or circumstances that may exist and for which they may require additional support (See Enrolment Policy).
- FIT College will ensure that all staff, employees, and contractors have access to the information and support needed to prevent discrimination, sexual harassment, bullying and violence, victimisation, and vilification or to deal with it appropriately if it occurs.
- FIT College seeks to create a learning environment where all students are respected and can develop their full potential.
- All learners are given a fair and reasonable opportunity to attend and complete training.
- All staff are given a 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 Operations Manager of FIT College.
- FIT College will demonstrate its commitment by:

- a) Selecting students according to a fair and non-discriminatory process
- b) Making its training relevant for a diverse student population
- c) Providing suitable access to facilities and resources
- d) Providing appropriate support services
- e) Providing appropriate complaints procedures
- f) Consulting with relevant industry groups
- g) Raising staff, contractor and student awareness of equity issues.

7. Equal Opportunity

FIT College is an equal opportunity company and does not discriminate against or favour target groups in 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.

8. Special Needs/Considerations

- Learners intending to enrol for training with FIT College are requested prior to enrolment to advise FIT College if they have any disability, physical or other impairment that may adversely affect their ability to undertake training and assessment successfully.
- Learners are encouraged to discuss with FIT 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.
- FIT College, in collaboration with the Learner, will assess the potential for the Learner to successfully complete the training, which may include flexible delivery options to optimise the ease and benefit of the Learners' learning. However, no compromise to the integrity of the assessment against competency will be allowed.
- Learners with a disability are required to have the ability to fulfil the core requirements of the units of competency to attain the relevant award. However, it is recognised that flexibility in arrangements may need to be implemented.

9. Language, Literacy and Numeracy

Each Training Package sets a minimum requirement in language, literacy and numeracy skills of learners, with which FIT College must abide. FIT College makes appropriate concessions for language, literacy and numeracy issues of learners where these concessions do not compromise the requirements of the relevant Training Package and the integrity, equity and fairness of the assessment. Where a Learner 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, FIT College will provide appropriate advice and support to the Learner 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 Learner's course of study.

10. Harassment

Harassment will not be tolerated at FIT College. If harassment occurs, the person responsible will be subject to disciplinary procedures. Disciplinary action will be taken against any staff or learner involved in such behaviour. This may include termination of employment and removal of the learner from the training course. FIT College will not tolerate the behaviour, which is considered to be sexual harassment and expects all staff, contractors and learners to treat each other with dignity and respect. Serious cases of harassment may constitute a criminal offence.

10.1. Bullying and Violence

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

10.2. Vilification

FIT College will not tolerate behaviour which vilifies another person and expects all staff, contractors and learners to treat each other with dignity and respect.

10.3. Victimisation

For complaints to be brought forward, complainants must feel secure knowing that FIT College's procedures will be followed without fear of reprisal. FIT College will not:

- Victimise or mistreat any person for making a harassment complaint.
- Tolerate the victimisation of another person and expect all staff, contractors, and learners 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.

11. Complaints

FIT College encourages informal resolutions of discrimination, sexual harassment, bullying and violence, victimisation, and vilification grievances in the first instance. FIT College may provide the option of conciliation or investigation of the complaint if necessary. FIT College aims to:

- Investigate complaints confidentially and take action to ensure that discrimination/harassment stops. Appropriate warning or disciplinary action will be made where harassment is found to have occurred.
- Ensure those responsible for advising, conciliating or investigating a complaint 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 allowed to make a considered response.
- Treat all staff, learners and contractors involved with the FIT College complaint procedures 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 respond.
- Acknowledge that it is of paramount importance and in the best interests of all parties that confidentiality is maintained during these procedures.
- Encourage the reporting of behaviour that breaches equal opportunity policy but will not tolerate vexatious or frivolous complaints.

12. Legislation

This policy reflects our commitment to the following legislation:

- National Vocational Education and Training Regulator Act 2011 (NVR Act) – Commonwealth
- Vocational Education and Training Accreditation Act 1990 (New South Wales)
- Education and the Education and Training Reform Act 2006 (Victoria)
- Vocational Education and Training Act 1996 (Western Australia)
- Vocational Education, Training and Employment Act 2000 (Queensland)
- Training and Skills Development Act 2008 (South Australia)
- Training and Workforce Development Act 2013 (Tasmania)
- Age Discrimination Act 2004 (Commonwealth)
- Disability Discrimination Act 2009 (Commonwealth)
- Racial Discrimination Act 1975 (Commonwealth)
- Sex Discrimination Act 1984 (Commonwealth)
- Discrimination Act 1991 (Australian Capital Territory)
- Disability Services Act 1991 (Australian Capital Territory)
- Anti-Discrimination Act 1977 (New South Wales)
- Anti-Discrimination Act (Northern Territory)
- Anti-Discrimination Act 1991 (Queensland)
- Equal Opportunity Act 1994 (South Australia)
- Sex Discrimination Act 1994 (Tasmania)
- Anti-Discrimination Act 1998 (Tasmania)
- Equal Opportunity Act 2010 (Victoria)
- Disability Act 2006 (Victoria)
- Equal Opportunity Act 1984 (Western Australia)

13. Records Management

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

14. Monitoring and Improvement

All Access and Equity practices are monitored by the Operations Manager of FIT College and areas for improvement identified and acted upon (See Continuous Improvement Policy).

15. Document Control

Version	Date	Change Description	Author
1.1	11/07/2018	Policy Generated	RTO Manager
1.2	11/07/2018	Policy Updated	RTO Manager
1.3	12/02/2020	Policy Updated	HR Officer
1.4	20/09/2021	Policy Reviewed	Education Manager

