

## ACCESS AND EQUITY PROCEDURE

### INTRODUCTION:

1. GippsTAFE has recognised the importance of access and equity and is therefore committed to ensuring that staff and students can avail themselves of employment, education and training regardless of gender, socioeconomic background, disability, ethnic origin, age or race. GippsTAFE holds fairness, integrity and responsibility as core values. Catering for the differences may involve adapting the physical environment, equipment, training and assessment materials for learners.
2. What does the term 'access' mean for students?  
Access generally refers to the ability to enter training. Improving access might include improving physical access to a training venue, ensuring that selection criteria do not discriminate against clients, adapting marketing activities to encourage all clients and so on. Access issues form a sub-set within equity issues.
3. What does the term 'equity' mean for students?  
Equity is a term used to cover issues relating to access to VET, participation in VET, and achievement of outcomes in VET. Equity issues range from providing a supportive learning environment to adjusting assessments to meet individual circumstances, from policies on fee reduction to development of inclusive training materials. Basically, equity refers to the ability to achieve results in training and to receive training in an inclusive environment with inclusive materials.
4. Equity is not treating everyone the same. It is about ensuring that all people and all groups of people participate, have the opportunity to reach their potential, make choices and receive responsive and appropriate products and services. In other words, the destination for all learners is the same but the journey may be different. For example, some learners may gain qualifications through a Recognition of Prior Learning (RPL) process; others may complete training before being assessed; and some learners may need more time than others, because of family responsibilities or because they are returning to learning after a long interval.

### PROCEDURE:

5. RTOs can enhance equity by being flexible and responsive, avoiding a 'one size fits all' solution to training and assessment. The AQTF Essential Standards for Registration for a Registered Training Organisation (RTO) does not require evidence that you treat your learners the same; you are however required to show evidence how you identify and respond to individual learning needs.
6. GippsTAFE will ensure that all students are able to enjoy a study environment where they have equal opportunities to benefit from education and where discrimination and harassment are not tolerated. All students will be treated fairly.
7. Full consideration and support for students is in-built through GippsTAFE's education practices, procedures, academic support and curriculum design so that students can enter GippsTAFE on merit and have equal opportunities for success. GippsTAFE

undertakes to continually improve access, support, retention, participation and successful outcomes for all students.

8. The Institutes' Student Services Officer, Koorie Liaison Officer and Disability Liaison Officer are available at all times and are able to offer additional services and referral arrangements, where necessary, to accommodate the needs of all students. These three key support officers are constantly vigilant of cultural and social issues.
9. All GippsTAFE staff are fully cognisant of State and Federal legislative requirements and abide by the Code of Conduct for Victorian Public Sector Employees. All staff have an obligation not to discriminate against individuals on the basis of sex, marital status, pregnancy, age, race, ethnicity, disability or sexuality, and to maintain an environment free from harassment.

#### Fair Treatment

10. GippsTAFE expects all members of its community to:
  - (a) Encourage people affected by unfair treatment to talk directly to the person engaging in unfair treatment to explain to him/her how it impacts on them and to ask that they stop.
  - (b) In cases where it is impracticable or ineffective to resolve issues of unfair treatment in the manner described above GippsTAFE provides appeals/review procedures to support this policy, see Customer Grievance and Feedback procedure, Assessment Review and Appeals (incl. VET FEE-HELP) procedure, Student Discipline and Appeals policy/procedure.
  - (c) Ensure that complaints are treated promptly, confidentially and according to the principles of procedural fairness. GippsTAFE's grievance procedure encourages the resolution of complaints through informal discussion, raising awareness, facilitation, and mediation wherever possible, see Customer Grievance and Feedback procedure.

#### Creating a Fair Treatment climate

11. All members of the GippsTAFE community are expected to help create a Fair Treatment climate by:
  - Speaking up, and making it clear when behaviour is unacceptable
  - Supporting people who are affected by breaches of this policy and encouraging them to take action
  - Promoting mutual respect between individuals
  - Openly supporting and promoting this policy
  - Completing the Equity and Diversity training program (for staff)
  - Circulating this procedure and making it clear to students and staff that compliance is obligatory (for educators and supervisors).

#### Unacceptable behaviour statement

12. While the general principle of acting with courtesy, fairness and equity applies at all times, members of the GippsTAFE community are specifically prohibited from engaging in any of the behaviours listed below while on GippsTAFE grounds or engaged in GippsTAFE activities. Members of the public interacting with members of the GippsTAFE community are also entitled not to be treated unfairly, harassed, vilified or discriminated against in any way.

#### Harassment, bullying and vilification

13. All members of the GippsTAFE community are entitled to a fair, safe and productive study and work environment that is free of all forms of harassment, bullying or vilification.

#### Racial vilification and racist behaviour

14. All members of the GippsTAFE community are entitled to a fair, safe and productive work and education environment that is free of racial vilification and racist behaviour.

#### Sexual harassment

15. All members of the GippsTAFE community are entitled to a fair, safe and productive work and education environment that is free of sexual harassment. Members of the public are also entitled not to be sexually harassed by members of the GippsTAFE community. Sexual harassment is unlawful.

#### Discrimination on grounds of age, sex, marital status, pregnancy, sexuality or race

16. In relation to education, employment, accommodation and the provision of goods and services, all *members of the GippsTAFE community* and the general public are entitled not to be discriminated against on the grounds of age, sex, marital status, pregnancy, sexuality or race. Such discrimination is unlawful. All staff, in particular, are expected to ensure that bias or prejudice on any of these grounds do not influence or override their objectivity when engaged in GippsTAFE-related activities.
17. More broadly, GippsTAFE prohibits any member of the GippsTAFE community from discriminating against other members or the general public on the grounds of age, sex, marital status, pregnancy, sexuality, or race, for any reason. GippsTAFE expects all members of the GippsTAFE community to treat everyone fairly and without bias or prejudice.
18. Special measures taken for the sole purpose of securing adequate advancement of certain groups or individuals may not be deemed discriminatory or unfair, provided they are not unlawful.

#### Discrimination on the grounds of disability or medical condition

19. All members of the GippsTAFE community and the general public are entitled not to be discriminated against on the grounds of disability or medical condition, ie physical or intellectual impairment. This applies not only in the areas of education, employment, accommodation and the provision of goods or services, but also in respect of access to premises used by the public, sports, activities of clubs and associations, and provision of facilities. Such discrimination is unlawful.
20. In addition, associates of people with a disability or medical condition (their partners, relatives, friends, carers and co-workers) are entitled not to be discriminated against because of that association. Such discrimination is also unlawful.
21. More broadly, GippsTAFE prohibits any member of the GippsTAFE community from unlawfully discriminating against other students and staff or the general public on the grounds of disability for any reason. GippsTAFE expects all members of the GippsTAFE community to treat everyone fairly and without bias or prejudice.
22. Special measures taken for the sole purpose of securing adequate advancement of certain groups or individuals may not be deemed discriminatory or unfair provided they are not unlawful.

#### Discrimination on grounds of religion, political opinion, criminal record or trade union activity

23. In relation to GippsTAFE employment, all staff members are entitled not to be discriminated against on the grounds of religion, political opinion, criminal record (when irrelevant to their employment), or trade union activity. GippsTAFE prohibits such discrimination. Although discrimination on these grounds is not unlawful, it can be the

subject of complaint under Federal legislation. All staff members are expected to avoid bias or prejudice on these grounds.

24. More broadly, GippsTAFE prohibits discriminatory behaviour on the grounds of religion, political opinion, criminal record (when irrelevant) or trade union activity, even where it does not relate specifically to employment.

#### Discrimination on Grounds of Family Responsibilities

25. GippsTAFE prohibits members of the GippsTAFE community discriminating against others because of their family responsibilities while on GippsTAFE grounds or engaged in GippsTAFE activities. GippsTAFE encourages a flexible approach to scheduling and work practices to enable students and staff to accommodate their family responsibilities.
26. More specifically, all staff members are entitled not to be dismissed on the grounds of family responsibilities. Such dismissal is unlawful.

#### Victimisation

27. GippsTAFE supports the right of any member of the GippsTAFE community to make a complaint under this policy without suffering any victimisation, harassment, recrimination, or detriment as a result. Victimisation in connection with a complaint of unlawful discrimination or harassment is itself unlawful.

#### VET FEE-HELP

28. In addition to all other stipulations regarding equal benefits and opportunities for all students, GippsTAFE will consider each application for VET FEE-HELP assistance on a case by case basis and not apply inflexible processes which may preclude eligible applicants from having their application considered. At no time will GippsTAFE apply an income test when making decisions about which of its students are eligible.

#### Making a Formal Complaint

29. Any member of the GippsTAFE community is encouraged to make a formal complaint which will be investigated without bias and formally responded to. Complaints can be submitted verbally, face to face or telephone, written or electronically (ie, via e-mail) to the Business Excellence Unit at the Morwell Campus for student or general public complaints, or to the Human Resources Department for staff complaints. All Campuses also have Customer Feedback pro-formas for use by all members of the GippsTAFE community.

#### **SUPPORTING DOCUMENTATION:**

[VET FEE-HELP Policy \(GippsTAFE\)](#)

[Assessment Review and Appeals \(incl. VET FEE-HELP\) Procedure \(GippsTAFE\)](#)

[Student Discipline and Appeals Policy/Procedure \(GippsTAFE\)](#)

[Customer Grievance and Feedback Procedure \(GippsTAFE\)](#)

[Code of Conduct for Victorian Public Sector Employees](#)

#### **RESPONSIBILITIES:**

The following positions will have specific responsibilities as outlined within the procedure.

- Student Services Officer
- Koorie Liaison Officer
- Disability Liaison Officer
- Manager People and Culture

- Team Leaders
- Team Leader Business Excellence Unit

**REFERENCES:**

- [Higher Education Support Act 2003 \(VET FEE-HELP Assistance Scheme Schedule 1A\)](#)
- The Human Rights and Equal Opportunity Commission website contains detailed information relating to anti-discrimination legislation. [www.hreoc.gov.au](http://www.hreoc.gov.au)

Anti-discrimination legislation

RTOs must comply with the following Commonwealth and State anti-discrimination legislation:

- [Racial Discrimination Act 1975 \(Cwth\)](#)
- [Sex Discrimination Act 1984 \(Cwth\)](#)
- [Human Rights and Equal Opportunity Act 1986 \(Cwth\)](#)
- [Disability Discrimination Act 1992 \(Cwth\)](#)
- [Age Discrimination Act 2004 \(Cwth\)](#)
- [Equal Opportunity Act 1995 \(Vic\)](#)
- [Racial and Religious Tolerance Act 2001 \(Vic\)](#)
- [Multicultural Victoria Act 2004 \(Vic\)](#)
- [Charter of Human Rights and Responsibilities Act 2006 \(Vic\)](#)

**DEFINITIONS:**

Members of the GippsTAFE community – all staff, students, contractors, volunteers, support workers, members of the public and any other person(s) who need to interact with GippsTAFE.

**APPROVED BY:** Institute Executive, under delegation from the Institute Board

**DATE:** January 2009

**RESPONSIBLE OFFICER:** Manager Operational Services

**REVIEW BY:** January 2010

This Procedure forms  
part of the GippsTAFE  
Quality Management  
System