

1. 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 students, regardless of their diversity; allowing everyone to freely participate in the learning environment free from discrimination, harassment, bullying and vilification.

2. SCOPE:

Pioneer College is committed to providing quality training and assessment products and services in compliance with the Standards for Registered Training Organisations (RTOs) 2015.

Pioneer College promotes, encourages and values equity and diversity about students. Pioneer College will ensure services offered are provided in a fair and equitable manner to all students, free from bias.

student's 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.

Pioneer College will ensure:

- a) All training and assessment policies and procedures incorporate access and equity principles.
- b) 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.
- c) 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
- d) All learners/students have equitable access to training resources, facilities, equipment, support services, information, training and assessment personnel, materials, assessment opportunities, training opportunities.

3. RESPONSIBILITY:

3.1 Pioneer College senior and middle management are responsible for student equity.

3.2 The CEO will not condone nor engage in discriminatory/harassing behaviour.

- 3.3 The CEO 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 and Procedure.
- 3.4 The CEO, PEO/Principal and Managers are to ensure staff act according to this policy and all students are made aware of their rights and responsibilities pursuant to this policy.
- 3.5 The CEO/PEO will maintain the confidentiality of all complaints. If the CEO/PEO feels that they are not the appropriate person to deal with the complaint, they will refer the matter to either a member of the management team or an external independent party for review and/or action.

4. DEFINITIONS:

The following words and expressions have the following specific meaning, as in the Standards for Registered Training Organisations (RTOs) 2015.

Access and equity mean policies and approaches aimed at ensuring that VET is responsive to the 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.

4.1 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 people 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.

4.2 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.

4.3 Sexual Harassment

The most common form of harassment is sexual harassment. Examples of sexual harassment include, but are not limited to:

- c) Staring, leering or unwanted touching
- d) Sexual innuendo propositions
- e) Nude pin-ups and posters
- f) Obscene telephone calls
- g) Wolf whistles
- h) Communicating content of a sexual nature through social media or text messages
- i) Intrusive questions about a person's private life or body
- j) Suggestive comments or jokes
- k) Unnecessary familiarity, such as deliberately brushing up against a person.
- l) Unwanted invitation to go out on dates or request for sex.

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

4.4 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.

4.5 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

4.6 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.

5. POLICY:

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

5.1 Access and Equity Principles:

- a) Pioneer College abides by access and equity principles.
- b) Pioneer College will respect a student's right to privacy, confidentiality and be sensitive to student needs.
- c) Pioneer College provides equal opportunity for all learners 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 (See student Enrolment Policy and Procedure).
- e) 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.
- f) Pioneer 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 and Procedure' are to be documented, assessed and reviewed by the CEO/PEO, Pioneer College.
- k) Pioneer 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
 - v. Providing appropriate complaints procedures
 - vi. Consulting with relevant industry groups
 - vii. Raising staff, contractor and student awareness of equity issues.

5.2 Equal Opportunity:

Pioneer 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.

5.3 Special Needs/Considerations:

- a) Students intending to enroll for training with Pioneer College are requested prior to enrolment to advise Pioneer 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 Pioneer 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) Pioneer 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.

5.4 Language, Literacy and Numeracy:

- a) Each Training Package sets a minimum requirement in language, literacy and numeracy skills of learners, with which Pioneer College must abide.

- b) Pioneer 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.
- c) 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, Pioneer 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's course of study.

5.5 Harassment:

- a) Harassment will not be tolerated at Pioneer 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) Pioneer 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.

5.6 Bullying and Violence:

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

5.7 Vilification:

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

5.8 Complaints:

- a) Pioneer 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 or 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 Pioneer 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) Pioneer College acknowledges that it is of paramount importance and in the best interests of all parties that confidentiality is maintained during these procedures.
- f) Pioneer College encourages the reporting of behaviour that breaches equal opportunity policy but will not tolerate vexatious or frivolous complaints.

5.9 Victimisation:

- a) For complaints to be brought forward, complainants must feel secure in the knowledge that the Pioneer College procedures will be followed without fear of reprisal.
- b) Pioneer College will not victimise or treat any person unfairly for making a harassment complaint.
- c) Pioneer 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.

5.10 Legislation:

This policy reflects our commitment to the following legislation:

- a) National Vocational Education and Training Regulator Act 2011 (NVR Act) – Commonwealth
- b) Vocational Education and Training Act 1996 (Western Australia)
- c) Age Discrimination Act 2004 (Commonwealth)

- d) Disability Discrimination Act 2009 (Commonwealth)
- e) Racial Discrimination Act 1975 (Commonwealth)
- f) Sex Discrimination Act 1984 (Commonwealth)
- g) Equal Opportunity Act 1984 (Western Australia)

6. PROCEDURE

- 6.1 Senior Management (CEO / PEO) shall ensure that the policy is implemented in its true spirit.
- 6.2 All Staff, Students, Trainers and Contractors shall be made aware of this policy. Students in their Orientation while all others via a declaration signed annually.
- 6.3 In case any Staff Member is made aware of a complaint, he/she should immediately encourage the aggrieved party to lodge a formal complaint in writing.
- 6.4 Administrative Officer shall open a file and allocate a number. The number shall be consecutive number from Pioneer Register of Complaints.
- 6.5 Matter shall be investigated by a person appointed by Pioneer management and report submitted to the Senior Management.
- 6.6 Senior Management shall discuss the findings with the aggrieved party, with a view to resolve the matter.
- 6.7 In case of a satisfactory resolution of the matter the case shall be considered close.

7. RECORDS MANAGEMENT

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

8. MONITORING AND IMPROVEMENT

All Access and Equity practices are monitored by the CEO/PEO, Pioneer College and areas for improvement identified and acted upon. (See Continuous Improvement Policy)

9. RELEVANT DOCUMENTS:

- Code of Conduct Policy
- Continuous Improvement Policy
- Continuous Improvement Procedure