

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. Policy Statement

Belelmo Pty Ltd Essential Business Training - RTO 91492 is committed to providing quality training and assessment products and services in compliance with the Standards for Registered Training Organisations (RTOs) 2015.

The RTO promotes, encourages and values equity and diversity regarding Students. The RTO will ensure services offered are provided in a fair and equitable manner to all Students, free from bias.

The RTO is committed to providing flexible learning and assessment options, allowing Student's alternatives which recognise the diversity of their individual needs and circumstances aiding them in their learning goals.

The RTO 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.

This policy should be read in conjunction with the Student Support Policy and Procedure and the Complaints and Appeals Policy and Procedure.

3. Definitions

The following words and expressions have the following specific meaning, as referenced, if not referenced, these are the definitions used by the RTO.

Access and equity mean 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. (*Standards for Registered Training Organisations (RTOs) 2015*)

Disability, in relation to a person, means:

- a) total or partial loss of the person's bodily or mental functions; or
- b) total or partial loss of a part of the body; or
- c) the presence in the body of organisms causing disease or illness; or
- d) the presence in the body of organisms capable of causing disease or illness; or
- e) the malfunction, malformation, or disfigurement of a part of the person's body; or
- f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- g) a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions, or judgment or that results in disturbed behaviour.

and includes a disability that:

- h) presently exists; or
- i) previously existed but no longer exists; or
- j) may exist in the future (including because of a genetic predisposition to that disability); or
- k) is imputed to a person.

To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability. (*Disability Discrimination Act 1992*)

Reasonable Adjustment: an adjustment to be made by a person is a reasonable adjustment unless making the adjustment would impose an unjustifiable hardship on the person. (*Disability Discrimination Act 1992*)

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 the discriminator treats or proposes to treat the aggrieved person less favourably than, in circumstances that are the same or are not materially different, the discriminator treats or would treat a person of a different sex, age, sexual orientation, race, religion or any other identity characteristic.

Indirect Discrimination

Indirect discrimination occurs when a person, organisation (the discriminator) discriminates against another person (the aggrieved person) on the ground of the sex, age, sexual orientation, race, religion, or any other identity characteristic of the aggrieved person if:

- the discriminator imposes, or proposes to impose, a condition, requirement, or practice; and
- the condition, requirement or practice is not reasonable in the circumstances; and
- the condition, requirement or practice has, or is likely to have, the effect of disadvantaging persons of the same sex, age, sexual orientation, race, religion, or any other identity characteristic as the aggrieved person.

Note: As noted above, there are characteristics that are provided with funding incentives and contractual funding obligations, in these cases, the RTO is required to act in accordance with the funding contract, this is in relation to fees, charges and enrolment eligibility.

The above definitions are an amalgamation of the following legislation:

- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984

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 (eg, staring at a woman's breasts)
- Putting offensive material on notice boards, computer screen savers and emails
- 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

4. Policy Principles

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

Access and Equity Principles

The RTO abides by access and equity principles.

The RTO will respect a student's right to privacy, confidentiality and be sensitive to Student needs.

The RTO 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.

At enrolment, Students 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.

The RTO seeks to create a learning environment where all students are respected and can develop their full potential.

All Students 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 Director(s) The RTO.

The RTO 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

The RTO 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:

- Indigenous Australians
- People with a disability
- Culturally and Linguistically Diverse
- People in transition and other special groups (ie, people re-entering the workforce, long term unemployed, sole parents, people with literacy problems, and those who have been institutionalised)
- Women
- Individuals who identify as gay, lesbian, bi-sexual, transgendered, queer or intersex (LGBTQI)
- People from regionally isolated communities

Special Needs/Considerations

Students intending to enrol for training with The RTO are requested prior to enrolment to advise The RTO if they have any disability, physical or other impairment which may adversely affect their ability to successfully undertake training and assessment.

Students are encouraged to discuss with The RTO 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.

The RTO, 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.

Students with a disability are required to have the ability to fulfil the core requirements of the Unit(s) of Competency to attain the relevant award. However, it is recognised that flexibility in arrangements may need to be implemented. Refer to the Student Support Procedure for more information.

Refer to Student Support Policy, Enrolment Policy and Procedure, and Effective Assessment Policy and Procedure for more information.

Language, Literacy and Numeracy

Each Training Package sets a minimum requirement in language, literacy, and numeracy skills of learners, with which The RTO must abide.

The RTO 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.

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, The RTO 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.

Refer to Student Support Policy, Enrolment Policy and Procedure, and Effective Assessment Policy and Procedure for more information.

Harassment

Harassment will not be tolerated at the RTO. 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.

Serious cases of harassment may constitute a criminal offence.

The RTO 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.

Bullying and Violence

The RTO will not tolerate bullying or violent behaviour and expects all staff, contractors, and Students to treat each other with dignity and respect.

The RTO recognises that bullying and violence demeans and infringes the rights of individuals and groups, damaging the work and learning environment.

Vilification

The RTO will not tolerate behaviour which vilifies another person and expects all staff, contractors, and Students to treat each other with dignity and respect.

Complaints

The RTO 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, Students and contractors involved with the RTO 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.

The RTO acknowledges that it is of paramount importance and in the best interests of all parties that confidentiality is maintained during these procedures.

The RTO encourages the reporting of behaviour that breaches equal opportunity policy but will not tolerate vexatious or frivolous complaints.

For more information, please refer to our Complaints and Appeals Policy and Procedure.

Victimisation

In order for complaints to be brought forward, complainants must feel secure in the knowledge that The RTO's procedures will be followed without fear of reprisal.

The RTO will not victimise or treat any person unfairly for making a harassment complaint.

The RTO will not tolerate behaviour of victimisation of another person and expects all staff, contractors, and Students 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.

5. The RTO Responsibilities

The RTO has a legal and moral obligation to provide equal opportunity in an environment free from discrimination for staff, contractors, and Students to ensure that discrimination/harassment does not occur in the workplace.

The RTO will:

- Maintain policies and procedures for equal opportunities for all staff, contractors, and Students.
- Disseminate policies and procedures to staff, contractors, and Students.
- Examine all policies and practices, as they affect staff, contractors, and Students to ensure the elimination of discrimination and harassment.
- Ensure that there is no discrimination against any individual Student or group of Students 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 language from all publications and discourage the use of such language in all printed material and in the speech of its staff, contractors, and Students.
- Establish and maintain mechanisms to deal with complaints.

Director(s) Responsibilities

The RTO's Director(s) and Managers are responsible for Student equity. The Director(s) will not condone nor engage in discriminatory/harassing behaviour.

The Director(s) 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 Director(s) and Manager(s) are to ensure staff act according to this policy and all Students are made aware of their rights and responsibilities pursuant to this policy.

The Director(s) will maintain the confidentiality of all complaints. If the Director(s) 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.

Staff, Contractors and Students Responsibilities

The RTO staff, contractors and Students have the responsibility to:

- Act to prevent harassment, discrimination, and victimization against others.
- Respect differences among other staff, Students, and contractors, such as cultural and social diversity.
- Treat people fairly, without discrimination, harassment, or victimization.

- Respect the rights of others.
- Respect people's rights to privacy and confidentiality.
- Refuse to join in with these behaviours.
- Supporting the person in saying no to these behaviours.
- Acting as a witness if the person being harassed decides to lodge a complaint.
- Observe site rules or behaviour guidelines set by The RTO 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 Students to have their say, balanced with the responsibility to listen to others and allow others to have their say.

If a The RTO staff, contractor or Student feels harassed, bullied or otherwise a victim of unwelcome behaviour, the staff, contractor, or Student is encouraged to inform the person where the behaviour is unwanted, unacceptable and/or offensive. If the staff, contractor, or Student feels unable to approach the person, or if the behaviour continues following their request that the behaviour cease, the Director(s) of The RTO should be contacted.

6. Modern Slavery Statement

As of 2018, the Walk Free Foundation's Global Slavery Index estimated:

- In excess of 40 million people globally are subject to some form of modern slavery and collectively approximately US\$150 billion per year is generated in the global private economy from forced labour alone.
- 24,990,000 people in Asia-Pacific Region are enslaved (62 per cent of all people enslaved); and
- 15,000 people in Australia are enslaved.

The RTO is committed to operating all its business activities to the highest standards of business ethics and integrity. We are committed to providing a respectful environment for all workers, free from discrimination, abuse, and exploitation.

Modern slavery is defined as including eight types of serious exploitation:

- trafficking in persons,
- slavery,
- servitude,
- forced marriage,

- forced labour,
- debt bondage,
- the worst forms of child labour, and
- deceptive recruiting for labour or services.

We are committed to ensuring there are no modern slavery concerns in our business or supply chain.

We are not a reporting entity under the Commonwealth Modern Slavery Act 2018. We understand the importance of transparency across supply chains to present accurate information on real and potential slavery practices, and to provide the means by which such practices can be eliminated.

Accordingly, we commit to assessing and monitoring the risks of modern slavery in our business and through our own supply chain and taking action to eliminate such practices.

Our approach to monitoring modern slavery is based on four key principles:

- The Company will conduct risk assessments to determine which parts of the business and which supply chains are most at risk from modern slavery so efforts can be focused on the areas that are most 'at risk'
- Where appropriate, as informed by the risk assessment, the Company will engage directly with new suppliers in respect of the Anti-Slavery Policy to gain a proper understanding of the measures they have in place to ensure that modern slavery is not occurring within their own businesses.
- Our contractual documentation will incorporate specific prohibition against slavery or servitude, the use of forced, compulsory or trafficked labour, and the use of child labour in line with this policy.
- We also make provision for our contracted suppliers to hold their own suppliers to the same standards. We also reserve the right to terminate any contractual arrangement if there is breach of this policy.

7. 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 Act 1996 (Western Australia)
- Age Discrimination Act 2004 (Commonwealth)
- Disability Discrimination Act 2009 (Commonwealth)
- Racial Discrimination Act 1975 (Commonwealth)
- Sex Discrimination Act 1984 (Commonwealth)

- Equal Opportunity Act 1984 (Western Australia)
- Modern Slavery Act 2018 (Commonwealth)

8. Records Management

All documentation from regarding complaints concerning Access and Equity matters are maintained in accordance with Records Management Policy and Procedure.

9. Monitoring and Improvement

All Access and Equity practices are monitored by the Directors of the RTO and areas for improvement identified and acted upon. (See Continuous Improvement & Quality Management Policy)

Policy Review

This policy will be reviewed each year and as a standing item, include details of the date it was reviewed and any changes.

- November 2022 - initial creation

Policy Additions or Amendments

Separate to the mandated annual review, the policy may be varied at any time due to legislative changes or to fall in line with widely accepted best practices in the workplace. In the event of any changes, the policy will be updated, and relevant stakeholders advised.

<NAME> (Position)