

1. POLICY AND PROCEDURE DETAILS

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Associated Forms	N/A
Relevant Policies and Procedures	N/A
Relevant Legislation (RTO Standards)	Equal Opportunity Act 1984 All RTO Standards

2. AIM

The Standards for Registered Training Organisations (RTOs) 2015 define access and equity as meaning “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”.

This policy details how the Institute will ensure that it remains responsive to these needs.

3. POLICY

The South Australian *Equal Opportunity Act 1984* makes discrimination unlawful on the grounds of age, sex, sexuality, marital status, pregnancy, race, physical or intellectual disability. Sexual harassment and victimisation are also unlawful.

The Institute believes that co-operative and productive working relationships are the foundation of our culture and contribute to the success of our organisation.

The Institute is committed to the principles and practices of Equal Opportunity throughout its organisation and expects all workers (employees, students and volunteers) to behave in a way that supports these principles and practices.

Equal Opportunity is regarded as a vital, integral component of all the organisation’s activities including policy formation, administration and the delivery of services.

The Institute in the practice of Equal Opportunity acknowledges its obligations under the *Equal Opportunity Act 1984*.

The Institute expects all workers to be responsible for ensuring that this policy and its principles are addressed and adhered to.

The Institute is committed to the principle of equal opportunity in services and employment and will continue to develop equal opportunity practices and programs compatible with its overall goals and responsibilities. The policy is designed to support the principle that staff are selected or promoted according to merit and that services are available to all groups.

The Institute strongly supports the creation of an employment and service environment free of discrimination. It will ensure that its structures and practices are free from direct or indirect discrimination based on age, gender, marital status, carer status, pregnancy and breastfeeding, parenthood, physical features, sexuality, sexual orientation, gender identity, social and economic circumstances, race, disability, religious and political beliefs and activities, industrial activity and personal association with a person who could be discriminated against.

The Institute recognises that it has a responsibility to develop programs in service provision, education and employment which redress, where appropriate, the effects of past discriminatory practices within the community, and that it has a responsibility to take positive steps to overcome inequality of opportunity.

4. PROCEDURES

4.1. EMPLOYER RESPONSIBILITIES

As an employer, the Institute will ensure that:

- There are no inequitable unjust discriminatory policies or practices in all aspects of employment or engagement in the organisation.
- Our management and human resources policies and practices give everyone an equal chance when applying for jobs, promotion or training opportunities and in accessing all other benefits of employment.
- All selection and promotion processes are merit based as set down in duty statements and person specifications.
- Specific steps are taken to maintain a work environment free from harassment and bullying.
- In employment, the Institute aims to:
- Redress disadvantage caused by unequal access to education and employment.
- Ensure that access to conditions and benefits of employment for all staff, is fair and equitable.
- Ensure that the basic rights of equal access to jobs, education and freedom from discrimination are protected. This includes receiving information about these rights and providing complaint mechanisms for redressing grievances.
- Value and respect social, cultural, and linguistic diversity.
- Integrate the principles of equal opportunity into training programs for staff with management responsibility.
- Ensure all new buildings will be physically accessible and endeavour to have appropriate facilities to enable an employee with a disability to undertake their work.
- Support the rights of people with disabilities to have equal employment opportunity and will not discriminate against people with a disability who can perform the 'inherent' requirements of a job.
- Make adjustments and alterations which will enable a person with a disability to do a job, except where the Board has decided that there is evidence that such alterations are either not possible or would fit the criteria of the *Disability Discrimination Act (1992)* Cwth of 'unjustifiable hardship'.

4.2. SERVICE PROVIDER RESPONSIBILITIES

As a service provider, the Institute will ensure that:

- The range of services provided will, as far as practicable, reflect the diversity of people.
- In the provision of services, the service provider will ensure that the content and process is free of bias on the basis of gender, pregnancy, sexuality, disability, age, ethnicity, marital status, or culture.
- Services which are provided to one specific group will be based on research or other evidence based information.
- The barriers to access and participation in the range of services offered by the organisation are identified.
- Strategies are developed for removing such barriers so that potential consumers of the organisation's services have equal opportunity to participate.
- Services and resource allocation are equitably planned for existing services and, as resources permit, for the development of appropriate new services to fulfil the unmet needs of the community.
- An effective process for the collection and appropriate analysis of data will be undertaken to ensure that the needs of the community are reflected in the provision of services.
- There is a commitment to appropriate consultations with consumers, potential consumers and providers of services to ensure that an appropriate range and distribution of services are provided.
- There is a commitment to the provision of a consultation framework which will encourage and include in the consultation process those who have traditionally been disadvantaged or silent in those processes.
- All new buildings will be physically accessible and wherever possible have appropriate facilities.
- Attending courses involves participation in a group learning process. To enable people with disabilities who require assistance with their learning or personal care to attend courses, the Institute will provide the option of a free course place for a companion to also attend.
- As far as possible the Institute will provide specific services in relation to the identified needs of people with disabilities where appropriate.
- Where a person with a disability is enrolled in a course, wherever possible, the trainer/educator will be advised in advance and will be given assistance to review all aspects of the course and wherever possible make modifications to ensure that full participation is possible.
- Where a person with a disability is enrolled in a course which involves assessment of competencies, the assessment criteria will be reviewed with the person with a disability to identify any tasks that will be barriers to achievement. Alternative assessment methods will be implemented. If this is not considered possible, approval for exemption must be sought from the Institute manager.
- Wherever possible, the Institute will provide information in a variety of formats to meet the specific learning needs of people with disabilities.

In its responsibility for service provision, the Institute aims to:

- Actively encourage diversity in our society and social justice.
- Continue, develop and extend programs for disadvantaged groups.
- Take positive steps to provide specific programs which proactively reach out to disadvantaged groups.
- Develop services which are responsive to the specific needs of disadvantaged groups.

- Provide education on inequality in society.
- Take active steps to respond to the specific needs of different groups, including the adaptation of service methodologies.

4.3. IMPLEMENTATION

It is the responsibility of the Institute manager to remove any direct or indirect discriminatory practices and barriers which limit opportunities for employment or advancement in the organisation and to monitor statutory requirements and to ensure that organisation policy is observed and that any allegations of discrimination are investigated and appropriate action taken.

It is the responsibility of General Managers and Program Managers to remove any direct or indirect discriminatory practices and barriers in the provision of services to consumers.

It is the responsibility of staff to raise with their managers any practices which may be discriminatory and to report any breaches of this policy, and to provide services without discrimination and respond to other workers without discrimination.

4.4. DEFINITION OF DISCRIMINATION

Unlawful discrimination is any practice which is designated as unlawful by state or federal legislation or the Institute policy, and which has the purpose or effect of disadvantaging individuals on the basis of their status or beliefs* or on the basis of characteristics* generally attributed to that status or belief. (*See Appendix A.)

4.5. THERE ARE TWO FORMS OF DISCRIMINATION:

- Direct discrimination occurs when people are treated less favourably because they belong to a particular group or category of people, for example, people with a disability or people of a particular ethnicity. It also includes treating someone unfairly because of a stereotype about a particular group or category of people to which they belong.
- Indirect (or systemic) discrimination exists when there is a requirement (a rule, policy, practice or procedure) that is the same for everyone, but which has an unequal or disproportionate effect or result on a particular group or groups. Unless this type of requirement is reasonable in all the circumstances it is likely to be indirect discrimination.

4.6. GRIEVANCES

Any complaints about breaches of this Policy will be dealt with seriously, confidentially and in a timely manner. All complaints will be managed in accordance with the Institute's Managing Complaints and Appeals Policy (RTO Policy 1.13). Staff grievances are managed in accordance with the RASA Grievance Resolution policy.

Any person has the right at any time to refer a grievance to a relevant external agency. External agencies may include the Police, SA Equal Opportunity Commission, Human Rights and Equal Opportunity Commission, Ombudsman or relevant staff. Assistance may be sought from the RASA General Manager, Human Resources, or other managers in the Institute.

5. APPENDIX A

- The status, beliefs or characteristics on which it is unlawful to discriminate and which are referred to as grounds include:
 - Sex or gender
 - Sexuality
 - Pregnancy
 - Marital status, or status as a parent or carer
 - Physical or intellectual disability
 - Race, colour, descent, national or ethnic origin
 - Cultural differences
 - Age
 - Political beliefs
 - Religious conviction
 - Personal association with a person who is identified by any of the listed attributes
 - Social origin
 - On any other ground which the Institute shall after due consideration determine to be a basis of discriminatory practice
 - Any combination of the above