



## Access and Equity Policy

<b>Related Standards / Legislation</b>	<ul style="list-style-type: none"> <li>• Standards for Registered Training Organisations (RTOs) 2015</li> <li>• National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (Standards 1, 2, 6, 8, 11 and 13).</li> <li>• 2016 VET Funding Contract (Standard) – VTG Program</li> <li>• Disability Act 2006</li> <li>• Equal Opportunity Act 2010</li> </ul>
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### 1. PURPOSE

The purpose of this policy is to:

- To ensure that all staff and students maintain compliance with the above mentioned legislation and relevant standards.
- To ensure that all staff and students compliance with access and equity requirements within the Standards for Registered Training Organisations 2015.
- To define and promote the concept of inclusiveness for all students.
- To encourage individuals with a disability to access government-subsidised training (applicable to domestic students only).
- To identify the parameters for the disclosure of disability information.
- To identify the parameters for the application of reasonable adjustment.
- To identify the parameters for changes to facilities, administrative practices and marketing processes to ensure student access and equity.
- To provide parameters and approaches aimed at ensuring that ACE is responsive to the individual needs of clients whose age, gender, religion, marital status, physical or intellectual impairment, cultural or ethnic background, disability, sexuality, language skills, numeracy level, unemployment, imprisonment or remote location may present a barrier to access, participation and the achievement of suitable outcomes.
- The college staff, trainers and assessors adhere to the principles and practices of access and equity in the provision of education and training services.

### 2. SCOPE

Australian Careers Education Pty Ltd (“ACE”) is committed, through the principle of inclusiveness, to increasing and enhancing educational opportunities and participation for all students irrespective of whether they have a disability.

- The policy outlines the processes for disclosure of disability – both at the time of enrolment/employment and during the course of study/employment.
- The policy outlines the processes for making reasonable adjustment – be this in terms of teaching techniques or in terms of assessment practices.
- The policy covers facilities, administrative, student support services, and marketing issues as the impact on the participation of students with a disability or special learning needs.

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### 3. DEFINITIONS

<b>Access and Equity</b>	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.
<b>Diversity</b>	is the recognising and valuing of individual differences.
<b>Disability:</b>	<p>According to Disability Discrimination Act 1992; disability, in relation to a person, means:</p> <ul style="list-style-type: none"> <li>a) total or partial loss of the person’s bodily or mental functions; or</li> <li>b) total or partial loss of a part of the body; or</li> <li>c) the presence in the body of organisms causing disease or illness; or</li> <li>d) the presence in the body of organisms capable of causing disease or illness; or</li> <li>e) the malfunction, malformation or disfigurement of a part of the person’s body; or</li> <li>f) a disorder or malfunction that results in the person learning differently from a person without the disorder; or</li> <li>g) malfunction; or</li> <li>h) a disorder, illness or disease that affects a person’s thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour;</li> </ul> <p>and includes a disability that:</p> <ul style="list-style-type: none"> <li>i) presently exists; or</li> <li>j) previously existed but no longer exists; or</li> <li>k) may exist in the future (including because of a genetic predisposition to that disability); or</li> <li>l) is imputed to a person.</li> </ul> <p>To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.</p>
<b>Reasonable adjustment</b>	Refers to reasonable adjustment that can be made to facilities, documentation, learning and assessment, and support services which will facilitate access for disabled students and staff and ensure valid and reliable assessment decisions at a reasonable cost while meeting the special requirements for the individual/s.

### 4. POLICY

It is the policy of Australian Careers Education Pty Ltd (“ACE”) to ensure that the training environment is free from all forms of harassment and discrimination and that all training and assessment staff understand their obligations and responsibilities regarding the safety and wellbeing of all students. ACE ensures that all staff understands that they are bound by the following legislation:

- Disability Amendment Act 2012
- Disability Regulations 2007 (the Act)
- Victoria Equal Opportunity Act 1995

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- Racial and Religious Tolerance Act 2001
- Charter of Human Rights and Responsibilities
- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Privacy Act 2000
- Equal Opportunity Act 2010

The following websites provide current and supporting information on the legislation requirements:

- Australia.gov.au  
<http://australia.gov.au/publications/commonwealth-legislation>
- Victorian Legislation and Parliamentary Documents  
<http://www.legislation.vic.gov.au/>
- Subscription to ASQA website for updates  
[www.asqa.gov.au](http://www.asqa.gov.au)
- Subscription to VET Reform website for updates  
<http://vetreform.industry.gov.au/>
- Subscription to Australia Education International updates (AEI)  
<http://www.legislation.vic.gov.au/>

ACE will ensure that:

- All staff will be made aware of the access and equity principles at induction;
- It complies with the requirements of the *Equal Opportunities Act 2010* and related laws, including the provision of marketing materials encouraging individuals with disabilities to access government-subsidised training (applicable to domestic students only).
- All students will be made aware of the access and equity principles at orientation and the complaints resolution process;
- There is an environment of support and care for students that also encourages cultural understanding and sensitivity;
- That early identification and intervention is provided to students requiring support;
- Access and equity regulations are considered when developing new products, policies, practices, systems and procedures;
- If required, appropriate counselling and training will be provided to any employees who provide services to under-represented groups;
- There are policies and procedures in place that support the principles of access and equity;
- There is an ongoing commitment to eliminate access and equity barriers identified within ACE's processes, practices and business decisions;
- There is liaison with disability support groups to ensure special needs can be provided in areas where ACE has no knowledge or experience;
- That there is provision of support and tutorial assistance for any student that is encountering learning difficulties;
- That there are regular reviews of access and equity policies and procedures to ensure they are:
  - Meeting legislative requirements;
  - Satisfying individual student needs;
  - Enabling participant outcomes to be met;
  - Addressing community needs;

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- In addition to formal reviews, the policies and procedures will be reviewed whenever there is a change in legislation or if there are circumstances identified that are not covered by this policy;
- ACE requests students, prior to enrolment to, declare if they are in need of specific assistance with regard to language, literacy and numeracy and/or any form of disability or specific learning needs so that specific learning support may be provided. Alternative training and assessment strategies and/or reasonable adjustments will be utilised by ACE staff to assist students with special needs.
- ACE will determine if it is possible and viable to provide/accommodate the specific learning support of the student and if not, ACE will inform the student prior to enrolment to help the student make an informed decision whether to pursue his/her studies with ACE or not. If these circumstances occur, ACE will refer the student (if student requires) to another RTO who may be able to provide support to or meet the learning needs of the student. This stage of pre-enrolment is important to ensure that students are able to make informed decisions.
- ACE determines the support needs of individual learners and provides access to the educational and support services necessary for the individual learner to meet the requirements of the training product as specified in training packages or VET accredited courses.
- ACE considers the learner's needs in the assessment process and makes reasonable adjustments to accommodate the learner (such as providing oral rather than written assessment). However, ACE does not compromise the rigour of the assessment process (e.g. if there is a requirement to complete documentation in a unit of competency, oral assessment would not be appropriate).
- Professional development of staff will be reviewed at least annually, during which the staffs' understanding and practice of all Acts and legislation will be reviewed.
- ACE provides equitable access to available educational and support services, so that no learner is disadvantaged regardless of their mode of study or location.

## 5. PROCEDURE

### 5.1 VTG Funding (Applicable to Domestic Students only)

ACE will ensure that its marketing materials meet the requirements of the *Equal Opportunity Act 2010* and related laws by encouraging individuals with a disability to access government-subsidised training.

Please refer to ACE's *Marketing Policy and Procedure* for more information.

### 5.2 Disclosure of Disability

With respect to the Disclosure of Disability information it is the policy of ACE that:

- Prior to enrolment, all students are encouraged to disclose a disability or special learning needs but there is no legal obligation for a student or staff member to make such a disclosure.
- Where a student has not disclosed a disability, ACE is **not responsible** for providing education and training or work related adjustments.
- As defined by the *Disability Discrimination Act 1992* (DDA), once a disclosure has been made by a student, appropriate responses including education adjustments to support the person with a disability will be considered.
- A student may disclose:
  - (i) Prior to enrolling
  - (ii) At enrolment

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- (iii) At commencement of study
- (iv) During the period of study
- (v) At the time a disability occurs during study

- Once a student has disclosed they have a disability or special learning needs their enrolment details will be forwarded to the Student Support Services Officer (SSSO) to make contact with the student. The SSSO cannot disclose the student's disability to other staff without the written consent of the student.
- To ensure appropriate support is provided, the SSSO will recommend that the student complete the *Reasonable Adjustment / Special Needs Record* and provide relevant medical documentation / professional assessment reports to the SSSO.
- The *Reasonable Adjustment / Special Needs Record* will be reviewed by the SSSO who will determine what reasonable adjustments can be accommodated by ACE to support the student in continuing with their training at ACE.
- The SSSO will then discuss with the student what reasonable adjustments/supports can be accommodated. The student will then be asked to make a choice about accepting or rejecting this support.
- With the student's consent, the SSSO will discuss the reasonable adjustments/supports with the relevant trainer/other relevant staff to ensure its implementation.
- If the student rejects support then the SSSO, together with the CEO, will determine whether the student can continue with their course of study as the level of disability could negatively impact on occupational health and safety or ACE's duty of care of the student and other students and staff.
- All steps and documentation are to be, where possible, co-signed by student and relevant staff member. To ensure that the confidentiality of the student is maintained, all documentation is to be stored in a locked filing cabinet in the office of the SSSO.
- Any reasonable adjustment/special needs implemented must also be documented in the Register of Reasonable Adjustments. Due to the sensitivity of the information in this document and confidentiality issues, this register is to be stored in a locked filing cabinet in the office of the SSSO.

### 5.3 Determining "Reasonable Adjustment"

With respect to Reasonable Adjustment it is the policy of ACE that the integrity of attainment of competency shall not be diluted by any application of reasonable adjustment.

Reasonable Adjustment will be offered to all students with a disability providing the necessary disclosure requirements are met.

- Reasonable Adjustment refers to the actions taken to provide a student with a disability with the same educational opportunities as everyone else. What a reasonable adjustment is will depend on the effects of the disability, the requirements of the particular course and the resources available to the student and ACE. The adjustments need to be reasonable, appropriate and responsive to the individual student with a disability in a particular situation and can occur when a student is:
  - applying for admission or enrolment
  - participating in a course or program
  - using facilities or services.
- Judgements about what is reasonable adjustment for a particular student or a group of students with a particular disability may change over time. In assessing what is a reasonable adjustment for a student, regard should be had to all the relevant circumstances and interests, including:

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- the student’s disability
- the views of the student
- the effect of the adjustment on the student, including the effect on the student’s;
  - ability to achieve learning outcomes; and
  - ability to participate in courses or programs; and
  - independence;
- the effect of the proposed adjustments on anyone else affected, including ACE as a provider, their staff and other students;
- the costs and benefits of making the reasonable adjustment
- Before ACE makes any reasonable adjustment for a student, the student or an associate of the student **must** be consulted. Reasonable adjustment cannot be considered without:
  - (i) disclosure of a student’s disability; and
  - (ii) relevant medical documentation / professional assessment reports as required
- Reasonable adjustment to teaching and assessment refers to special conditions or considerations given to students with disabilities to improve their access and equity to the opportunity to complete their desired studies or training.
- Reasonable adjustment to teaching methods refers to variations in the way that courses or subjects are taught in order that they are accessible to students with disabilities. Examples of reasonable adjustment to teaching methods may include: reading aloud overheads, ensuring audio-visual materials are accompanied by transcripts or subtitles, enlarging text, using accessible teaching venues for student with physical disabilities, negotiating suitable placements for students.
- Reasonable adjustment to assessment practices, including examinations, assessment exercises and practical placements, can be modified to accommodate students with disabilities, but must appropriate to the students skills levels and physical/emotional/psychological capabilities.
- It is compulsory that reasonable adjustments to teaching and assessment practices are documented with copies held by both the Teaching Centre (with the student’s written consent) and the SSSO.
- In considering reasonable adjustment SSSO’s should discuss proposed actions with the Course Co-ordinator, Director of Studies and the CEO (if consent is provided by the student).

#### 5.4 Facilities, Administrative Practices and Marketing Processes

ACE will continue to work towards ensuring safe and convenient access to facilities and service and support functions with respect to the resources available.

Facilities, Administrative Practices and Marketing Processes will be reviewed on an annual basis, changes or alternations occurring as and when issues are identified will be resolved within ACE’s financial and budgetary constraints.

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## 6. RESPONSIBILITY

The CEO and the Compliance Officer will be responsible for ensuring access and equity principles and practices apply within the organisation when dealing with:

- Clients
- Community
- Employers
- Industry Consultants

## 7. RELATED DOCUMENTS

- Reasonable Adjustment / Special Needs Record
- Register of Reasonable Adjustments

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