

**Date of Implementation**

13<sup>th</sup> May 2024

**Date Reviewed**

May 2024

**Date Due for Review**

May 2025

## **Access and Equity Policy (Clauses 1.3, 1.7, 5.1, 5.2, 8.5)**

### **Purpose**

MiHaven Training is committed to providing all students with equitable opportunities to pursue their training and development. This policy and procedure are to be used by MiHaven Training to integrate access and equity principles into all training and assessment activities it conducts or is conducted on its behalf.

MiHaven Training will meet the needs of individuals and the community through the implementation of access and equity principles to ensure the fair allocation of resources and the right to equal opportunity without discrimination. MiHaven Training offers opportunities for all people to participate in the Vocational Education and Training (VET) programs.

MiHaven Training prohibits discrimination towards any group or individuals in any form including but not limited to:

- Gender
- Disability
- Pregnancy and breastfeeding
- Race, colour, nationality, ethnic or ethno-religious background
- Marital status
- Parental status
- Religion
- Sexual orientation
- Age
- Political opinion
- Medical record

### **Scope**

This policy relates to the provision of all education and support services by MiHaven Training to students. In addition, all staff and contractors employed or engaged by MiHaven Training are obliged to comply with this policy, along with Third-Party providers. This policy covers all MiHaven Training policies and procedures and all training functions.

### **Staff Responsibilities**

MiHaven Training applies access and equity principles to all programs and provides timely information and suitable support to assist students to identify and achieve their desired outcomes.

Access and Equity issues are considered during training, product development and in training and assessment in all aspects for all students.

## Legislation

Australian federal and state legislation makes it unlawful for organisations to discriminate against people because of their age, gender, race, marital status, sexuality, or physical or intellectual disability.

The following legislation underpins all matters related to access and equity:

- Anti-Discrimination Act 1991 (Qld)
- Age Discrimination Act 2004 (Cth)
- Disability Discrimination Act 1992 (including Disability Standards for Education) (Cth)
- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984 (Cth)

## Definitions

**Access and Equity principles** include:

- Equity for all people through the fair and appropriate allocation of resources
- Equality of access for all people to appropriate quality training and assessment services
- Increased opportunity for people to participate in training

**Disadvantaged groups may** include the following groups who traditionally have been under-represented in Vocational Education and Training (VET):

- People with a disability
- Aboriginals and Torres Strait Islanders
- Women
- People from non-English speaking backgrounds
- People in rural and remote areas
- Long term unemployed

**Discrimination** can be direct, indirect or systemic.

### Direct discrimination

Direct discrimination is any action which specifically excludes a person or group of people from a benefit or opportunity, or significantly reduces their chances of obtaining it. An action that is based on irrelevant reasons or circumstances such as personal characteristics (e.g. gender, ethnic origin) is direct discrimination.

### Indirect discrimination

Sometimes the rules, practices and decisions made by a person or organisation treat people the same (in a way that disadvantages some). By treating everyone the same means that those who may need individual assistance are not being supported. Therefore, because they will have their chances of opportunity or success significantly reduced, they are being indirectly discriminated against.

### Systemic discrimination

Systematic discrimination occurs when certain groups (because of a group they are in) are disadvantaged because of the way the rules, practices and decisions are implemented. This means that other groups (because of the group they are in) get the advantages of the ways the rules and decisions are implemented. Direct and indirect discrimination contribute to systemic discrimination.

### Equity

Equity focuses on outcomes. Equity is not concerned with treating people in the same way; it is concerned with ensuring that all groups of people participate, have the opportunity to reach their

potential, make choices and receive responsive and appropriate products and services and therefore benefit to the same level.

### Legislation includes

- **Anti-Discrimination Act 1991 (Qld)**  
This provides protection against discrimination, sexual harassment, and other objectionable conduct.
- **Racial Discrimination Act 1975 (Cth)**  
This aims to ensure that everyone is treated equally, regardless of their race, colour, descent, national, or ethnic origin.
- **Sex Discrimination Act 1984 (Cth)**  
This prohibits discrimination on the basis of sex, marital or relationship status, actual or potential pregnancy, sexual orientation, gender identity, or intersex status.
- **Disability Discrimination Act 1992 (Cth)**  
This provides protection for everyone in Australia against discrimination based on disability. It encourages everyone to be involved in implementing the Act and to share in the overall benefits to the community and the economy that flow from participation by the widest range of people.
- **Privacy Act 1988 (Cth)**  
The Australian Privacy Principles sets out guidelines on how information must be collected, stored, used, and destroyed with particular reference to use of information for direct marketing
- **Age Discrimination Act 2004 (Cth)**  
This prohibits age discrimination in many areas including employment, education, accommodation and the provision of goods and services.
- **Commonwealth Racial Hatred Act 1995 (Cth)**  
This allows people to complain about offensive or abusive behaviour based on racial hatred. In 1995, the Racial Hatred Act amended the RDA by adding new laws specifically dealing with racial hatred.
- **Disability Services Act 2006 (Qld)**  
This promotes the rights of people with a disability, increasing their wellbeing and encouraging their participation in the life of the community. It includes measures to safeguard the rights and safety of people with a disability and combines with existing systems to improve the quality of services they receive

**Sexual harassment** is defined by the Commonwealth Sexual Discrimination Act 1984, as when a person:

- makes an unwelcome sexual advance or an unwelcome request for sexual favours;
- engages in unwelcome conduct of a sexual nature, and a reasonable person would have anticipated that the person harassed would be offended, humiliated or intimidated.

### Policy

1. The aim of the policy is to remove barriers and to open up developmental opportunities for all students by creating a workplace and training environment that is free from discrimination, harassment, bigotry, prejudice, racism and offensive behaviour.
2. All students will receive fair and equitable treatment in all aspects of training and any employment opportunities without regard to political affiliation, race, colour, religion, national origin, sex, marital status or physical disability.
3. Students will receive equitable access to resources, facilities, equipment and training and assessment opportunities to ensure the best potential outcomes for success, no matter where or how they are studying.

4. Entry/admission requirements to courses will be clearly outlined in the application for enrolment process, in all Training and Assessment Strategies (TAS) and in all marketing material, allowing all parties to be well informed in the course selection process.
5. Admission requirements may include material, academic, physiological and psychological requirements considered to be pre-requisite for enrolling students. The enrolment process and the ability of MiHaven Training to support the enrolment of a student is determined based on the student meeting these pre-requisite requirements.
6. On the basis of the criteria levels established for enrolment in each course, a range of educational and support services will be provided by MiHaven Training to cater for the needs of students and to support their ongoing training.
7. Allowable reasonable adjustment may be offered for those requiring aids, technology, extra time, alternative assessment methods etc.
8. A person may be excluded under this policy if they are unable to meet workplace health and safety standards or if their ability to participate poses risks to safety to themselves or others
9. All MiHaven Training Trainer and Assessors are responsible to adhere to and be advocates for the policy.
10. This policy will be widely disseminated within the organisation and included in the Student Handbook available on the MiHaven Training website.
11. MiHaven Training has a published Complaints and Appeals Policy which provides students and others with avenues to make a complaint or to appeal a decision (including assessment decisions).
12. MiHaven Training 's policies and procedures will be monitored and reviewed annually to ensure that they continue to recognise and incorporate the rights of individuals.

MiHaven Training's Director and Training Operations Manager will be the people responsible for the implementation and maintenance of this policy.

