

 <p>Catholic Regional College Institute Of Training RTO 22427</p>	Catholic Regional College Institute of Training Registration No. 22427		
Department	Vocational Education & Training		
Quality Controlled Document Title	Access, Equity and Anti-Discrimination Policy	Date	March 2023
Version	5	Review	March 2024

Purpose

Catholic Regional College Institute of Training (CRCIT) is committed to promoting access and equity in its education and training and does not accept any form of discrimination. We ensure that our vocational education and training services are responsive to the individual needs of our students whose age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy levels may present a barrier to access, participation and the achievement of suitable outcomes.

At CRCIT we value the diversity of our learning community and respect the differences between staff and students, recognising that each person has individual talents and skills to bring to CRCIT. At CRCIT all staff and students are entitled to work and learn in an environment in which they can enjoy their work, study, and relationships free from unwanted discrimination and harassment of any kind. The success of sustaining a College environment is when all individuals are committed to these goals.

Scope

This policy applies to all persons employed by CRCIT and students enrolled.

Policy

CRCIT uses a systematic and continuous improvement approach to this policy and monitors and develops procedures to ensure access and equity practices are adopted in line with feedback from management, staff and students.

CRCIT is committed to:

- Identifying and eliminating any unlawful direct, indirect, and/or systematic discrimination from its organisation
- Maintaining a learning environment that is free from discrimination, harassment, victimisation and vilification for all participants
- Meeting the Equal Opportunity Act 2010 and related laws
- Ensure bullying does not occur
- Provide a procedure for dealing with complaints of discrimination, harassment, victimisation, vilification or bullying if they occur

- Provide information to all students in relation to their rights and responsibilities concerning discrimination, harassment, victimisation and vilification
- Take appropriate action to prevent the occurrence of unlawful discrimination, harassment, sexual harassment, victimization and bullying by adherence to this policy and other CRCIT policies including complaints and appeals policy and the code of practice

Australia's federal anti-discrimination laws are contained in the following legislation:

- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986 (Cth)
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984

Furthermore, discrimination and harassment are unlawful under the following acts:

- Equal Opportunity Act 2010
- Racial and Religious Tolerance Act 2001.
- Workplace Relations Act 1996
- Fair Work Act 2009

https://humanrights.gov.au/sites/default/files/2022-10/GPGB_quick_guide_to_discrimination_laws_v2.pdf

Federal discrimination laws protect people from discrimination on the basis of their:

- race, including colour, national or ethnic origin or immigrant status
- sex, pregnancy or marital status and breastfeeding
- age
- disability, or
- sexual orientation, gender identity and intersex status

Discrimination

Discrimination is making unlawful distinctions between individuals and groups on the basis of any of the prescribed attributes listed above.

Direct discrimination means treating or proposing to treat another person less favourably on the basis of the prescribed attribute. The discriminator's motive is irrelevant. The test for direct discrimination is that a person is treated "less favourably" on the basis of a person's attributes. This requires a comparison between two sets of circumstances, the actual and the hypothesised, to determine whether the treatment in the former is "less favourable" than the latter.

Indirect discrimination occurs when a requirement, condition or practice, which on its face value appears to be neutral, in effect has a disproportionate impact on a group of which the complainant is a member.

Harassment

Harassment is any behaviour, which is unwelcome and is based on one of the legislatively prescribed attributes, as listed above. It will usually be repeated behaviour but can also consist of a single act.

Harassment has the effect of offending, humiliating or intimidating the person at whom it is directed. It makes the learning environment unpleasant and sometimes even hostile. If a person is being harassed their ability to do their work or study is affected. They often become stressed and suffer health problems as a result.

Harassment can often be the result of behaviour that is not intended to offend or harm, such as jokes or unwanted attention. The fact that harassment is not intended does not mean that it is not unlawful. The differences between people should be acknowledged and respected never ridiculed.

It is CRCIT's legal responsibility to ensure that discrimination and harassment do not happen in the learning/working environment. If they do occur, complaints will be taken seriously by the college. The complaint will be investigated in a sympathetic, fair and confidential manner. Action will be taken to make sure that the offending behaviour stops. Appropriate warnings or disciplinary action will be taken where harassment/discrimination is found to have occurred. You will not be victimised or treated unfairly for making a complaint.

It is part of the role of CRCIT Management to ensure that harassment does not occur in the workplace.

When the management team observes discrimination or harassment happening in the workplace, steps should be taken to stop it and warn the person involved of the consequences if the offending behaviour continues.

CRCIT Management team is also responsible for ensuring that all staff and students are aware that discrimination and harassment will not be allowed in the college and that complaints will be dealt with in accordance with the terms of CRCIT's Complaints Handling Procedure.

Types of Harassment

There are many types of harassment. These can range from direct forms, such as physical and verbal abuse, threats, name-calling, and sexual advances to less direct forms such as where a hostile work environment is created, but no direct attacks are made on the individual.

Examples of verbal harassment:

- sexual comments, advances, or propositions
- racist comments or jokes
- spreading rumours
- belittling someone's work or contribution
- belittling someone on the basis of the attributes listed
- repeated unwelcome invitations
- obscene telephone calls, unsolicited letters, faxes, and emails.

Examples of non-verbal harassment:

- putting offensive material on notice boards, computer screen savers, emails
- displaying sexist or racist cartoons or literature
- demoting, failing to promote, or transferring someone because of the attributes listed
- mimicking someone with a disability
- practical jokes which are unwelcome
- isolating someone with the intention of ignoring or being cold to them
- offensive gestures.

Examples of physical harassment:

- hitting
- pushing
- shoving
- throwing objects at a person.

Examples of sexual harassment

Subtle (not always obvious) forms of harassment tend to be the most common.

They include:

- offensive staring and leering
- offensive comments about a person's physical appearance or sexual preference
- offensive comments or jokes
- questions or comments about another's sexual morality
- physical contact e.g., Brushing up against another's body
- offensive name-calling.

Explicit (obvious) forms are easier to identify as they often involve offensive or intimidating behaviour. They include:

- pinching, patting, touching, embracing
- repeated requests to go out with someone, especially after prior refusal
- offensive jokes and comments
- sexually provocative remarks
- displays of sexually graphic material
- requests for sexual favours.

Responsibilities of CRCIT

It is CRCIT's legal responsibility to ensure that discrimination and harassment do not happen in the learning/working environment. If they do occur, complaints will be taken seriously by the RTO. The complaint will be investigated in a sympathetic, fair and confidential manner. Action will be taken to make sure that the offending behaviour stops. Appropriate warnings or disciplinary action will be taken where harassment/discrimination is found to have occurred. Those making a complaint will not be victimised or treated unfairly for making a complaint.

It is part of the role of CRCIT Management to ensure that harassment does not occur in the workplace.

When the management team observes discrimination or harassment happening in the workplace, steps should be taken to stop it and warn the person involved of the consequences if the offending behaviour continues.

CRCIT Management team is also responsible for ensuring that all staff and students are aware that discrimination and harassment will not be allowed in the college and that complaints will be dealt with in accordance with the terms of CRCIT's Complaints Handling Procedure.

Responsibilities of Members of the Community

Staff and students are obliged to ensure that they do not discriminate against or harass other staff, students, or visitors at CRCIT. Staff and students must also ensure that they do not encourage others to do so.

If students become aware that someone they study or work with is being harassed or subjected to discrimination, they can assist them in a number of ways.

Tell them that you are willing to act as a witness if they decide to make a complaint.

Back them up or support them in saying "no" to the alleged offender.

However, it is not the student's responsibility to say anything to the alleged offender. Remember that spreading rumours about anyone, may be subject to a defamation action.

Reasonable Adjustment

CRCIT will make reasonable adjustments to ensure access and equity for students with disabilities. These adjustments will not provide students with a competitive advantage, rather they will minimise any disadvantage experienced by students with a disability.

Examples of how reasonable adjustment in training and assessment might take place:

- Hearing Impairment – information is presented visually or interpreted via sign language.

Student Services

CRCIT have implemented management systems to ensure effective student service from enrolment through to the completion of the chosen course of study.

Students or parents can phone CRCIT on 9361 0000 to discuss any welfare concerns, they can also be referred to one of our student welfare team members. Students can visit the student services building or ask their trainer for more information on a range of topics that may require further clarification.

Related Documents

- Student Handbook
- Staff Handbook