

Nexgen Institute of Australia

NIA PPI1 Access and Equity Policy and Procedure

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1. Table of Reference

Distribution	All staff and students
Related Entities	Active Transition Training Pty Ltd trading as: <ul style="list-style-type: none"> Nexgen Institute of Australia
Related Documents	<ul style="list-style-type: none"> Student Handbook NIA_PPI22_Student_Code_of_Conduct_Policy_and_Procedure_V.3_2024 NIA_PPI23_Students_Complaints_and_Appeals_Policy_and_Procedure_V.3.1_2024 NIA_PPI15_Entry_Requirement_Policy_and_Procedure_V.3_2024
Statutory References	<ul style="list-style-type: none"> National Code of Practice 2018 Standard 4 Australian International Education and training Agent Code of Ethics
Legislative context	<ul style="list-style-type: none"> The ESOS Act 2000 (Commonwealth) The ESOS Regulations 2001 (Commonwealth) Education Services for Overseas Students Legislation Amendment (Tuition Protection and Other Measures) Act 2011 The Migration Act 1958 (Commonwealth) The Migration Regulations 1994 (Commonwealth) Copyright Act 1968

2. Definitions

Access and Equity principles include:

- Equity for all people through the fair and appropriate allocation of resources;
- Equality of opportunity for all people without discrimination;
- Access for all people to appropriate quality training and assessment services;
- Increased opportunity for people to participate in training.

Disadvantaged groups include the following groups who, traditionally, have been under represented in Vocational Education and Training:

- People with a disability;
- Aboriginal and Torres Strait Islander people;
- Women;
- People from non-English speaking backgrounds;
- People from rural and remote areas; and
- Long-term unemployed.

Discrimination

- **Direct discrimination:** Direct discrimination is any action that specifically excludes a person or group of people from a benefit or opportunity, or significantly reduces their chances of obtaining it because their status or personal characteristics, irrelevant to the situation (e.g. sex, ethnic origin) are applied as a barrier.
- **Indirect discrimination:** Indirect discrimination is the outcome of rules, practices and decisions that treat people equally, and which therefore appear to be neutral, but which, in fact, perpetuate an unequal situation and significantly reduce a person's chances of obtaining or retaining a benefit or opportunity. Rules, practices and decisions are applied to all groups alike, but it is the very assumption of a likeness that constitutes the discrimination.
- **Systemic discrimination:** Systemic discrimination is a system of discrimination perpetuated by rules, practices and decisions realised in actions that are discriminatory and which disadvantage a group of people because of their status or characteristics, and which serve to advantage others of different status or characteristics. Direct and indirect discrimination contributes to systemic discrimination.

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 and benefit to the same level.

Relevant legislation includes:

- Commonwealth *Racial Discrimination Act 1975*
- Commonwealth *Sex Discrimination Act 1984*
- Commonwealth *Disability Discrimination Act 1992*
- Commonwealth *Racial Hatred Act 1995*
- Victorian *Equal Opportunity Act 2010*

Sexual harassment is defined by the Victorian *Equal Opportunity Act 2010* and the Commonwealth

Sexual Discrimination Act 1984 as when a person:

“Makes an unwelcome sexual advance or an unwelcome request for sexual favours or 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.”

3. Policy

3.1 The aim of the policy is to remove barriers and to open up opportunities for all students by creating a workplace and training environment that is free from discrimination, harassment, bigotry, prejudice, racism and offensive behaviour.

3.2 All students will receive fair and equitable treatment in all aspects of training and employment without regard to political affiliation, race, colour, religion, national origin, sex, marital status or physical disability.

3.3 A person with a disability may be excluded under this policy if the disability could cause occupational health and safety risks to the person and/or other students or, if providing for the disabled person's needs, would result in an unreasonable cost for NIA.

3.4 All trainers/assessors are responsible for observing and being advocates for the policy.

3.5 MMC's policies and procedures will be monitored and reviewed to ensure that they recognise and incorporate the rights of individuals.

3.6 Support provided to disadvantaged students may take the form of:

- Providing extra-curricular study support and study skills programs.
- Language, Literacy and Numeracy (LLN) programs or referrals to external programs.
- Additional equipment, resources and/or programs to increase access for

learners with disabilities.

- Mediation services or referrals to these services.
- Flexible scheduling and delivery of training and assessment.
- Counselling services or referrals to these services.
- Information technology (IT) support.
- Learning materials in alternative formats, for example, in large print.
- Learning and assessment programs customised to the workplace.

4. Scope

NIA is committed to providing equal opportunity and promoting inclusive practices and processes and integrating access and equity principles into all training and assessment activities it conducts, or which are conducted on its behalf. This policy provides clear instruction and guidance to all NIA staff members to ensure all aspects of NIA operations to inclusive education services, and a learning environment that is free from discrimination or harassment.

This policy relates to all provision of education and support services by NIA to learners. All staff, partners and contractors employed or engaged by NIA are obliged to comply with this policy and procedure.

5. Procedure

- 5.1 The policy will be included in information provided to employees, trainers/assessors and students.
- 5.2 If a staff member or student feels that the policy is not being observed by college staff or students, then he or she should refer the matter to their trainer/assessor or to the Student Support Manager.
- 5.3 Any person with a complaint may also use NIA's complaint and appeal procedure which is available on college website.

6. NIA Responsibilities

NIA's Campus Manager/HR Department is responsible for the implementation and maintenance of the policy and for ensuring that staff are fully aware of and comply with the policy's requirements.

7. Version Revisions

12 months from the date of this version, or as required.

8. Review Date

Version Number	Date	Reason for change	Prepared By	Approved By
V.3	22/06/2024	Updated and improved	RTO Manager (SC)	CEO (HH)