

POLICY NUMBER:	MAT005
NAME:	Access, Equity and Anti-discrimination Policy
APPROVED BY:	RTO Director
DATE OF NEXT REVIEW:	30 Sept 2017

SECTION 1 – INTRODUCTION

PURPOSE

Medical Administration Training Pty Ltd is committed to practicing fairness, equal opportunity and anti-discrimination principles for all current and potential candidates, regardless of sex, race, impairment or any other perceived difference in class or category.

OVERVIEW

WHAT IS EQUITY?

Equity is about ensuring that all people have the supports that they need to access, participate and achieve to the same level. Equity is not the same as Equal Opportunity which is about making sure that people are not discriminated against and treated unfairly on the basis of difference. Equal opportunity focuses on everyone having an equal start whilst equity focuses on participation and achievement to an equal level.

WHAT ARE EQUITY GROUPS?

In the past certain groups of people were actively not included in education and training programs. Sometimes it was a deliberate exclusion whilst others were based on misunderstanding or lack of forethought. Historically these groups became known as equity groups in order to highlight their situations and address the disadvantage they clearly experienced and continue to experience today. Some groups of people are still under represented in vocational programs and employment.

These groups include:

- Women
- Aboriginal people
- People from culturally and linguistically diverse backgrounds
- People with disabilities
- People living in rural and remote areas
- People without adequate literacy and numeracy skills
- Offenders (including young offenders) and prisoners
- People of low socio-economic status

AND

- Unemployed people aged over 45 years

However it needs to be remembered that none of these groups is homogenous and there will be members of these groups who do not experience any disadvantage while others will experience multiple levels of disadvantage.

WHAT IS DIVERSITY?

Diversity is the recognising and valuing of individual differences. If we don't offer all people the opportunity to develop and use their skills and abilities then we are denying the community access to much needed resources.

WHAT IS ACCESS AND EQUITY?

Access and Equity is about removing barriers and opening up opportunities. In relation to training it means ensuring that people with different needs and abilities have the same opportunities to successfully gain skills, knowledge and experience through education and training irrespective of their age, disability, colour, race, gender, religion, sexuality, family responsibilities, or location etc. It requires MAT to identify and address the training needs of all students.

DISCRIMINATION

Australian federal and state legislation make it unlawful for any person or organisation to discriminate against any persons, on the basis of age, colour, race, gender, marital status, religious or political conviction, sexuality, physical or intellectual ability or disability, location, family responsibilities or any other stereotypical or illegal reason.

LEGISLATION:

The following legislation underpins all matters related to access, equity and discrimination at MAT:

- Racial Discrimination Act 1975
- Anti-Discrimination Act 1991 [Qld]
- Sex Discrimination Act 1984
- Human Rights and Equal Opportunity Commission Act 1986
- Disability Discrimination Act 1992 (including Disability Standards for Education)
- Racial Hatred Amendment 1995.

LEGAL RESPONSIBILITIES

All VET trainers have a legal responsibility to ensure that discrimination does not occur. Legislation which provides protection against discrimination includes:

THE DISABILITY DISCRIMINATION ACT (DDA) 1992

The Disability Discrimination Act aims to eliminate, as far as possible discrimination on the grounds of a disability in areas of education, access to public premises, and employment. The definition of a disability under the Disability Discrimination Act is broad and inclusive of physical, intellectual, psychiatric, sensory, learning, neurological, physical disfigurements and the presence in the body of disease causing organisms.

All staff members have a responsibility to ensure that students do not experience any form of discrimination.

Under the DDA, training providers are obliged to:

- Ensure learners with disabilities are not unlawfully discriminated against when seeking to enrol in a course of study,
- Negotiate and implement any adjustments necessary to enable learners with disabilities to participate in a course to the same extent as other learners, and
- Ensure assessment procedures and methods are adapted to enable learners with disabilities to demonstrate the knowledge, skills or competencies being assessed.

THE DISABILITY STANDARDS FOR EDUCATION 2003

The Disability Standards for Education 2003 were formulated under the DDA to clarify and elaborate on the legal obligation in relation to education in relation to enrolment and participation in education, training and educational services.

REASONABLE ADJUSTMENT

Under the DDA it is expected that training organisations will sometimes need to make adjustments to ensure equal opportunity for students with disabilities. The nature of reasonable adjustments is such that they are designed to minimise the disadvantage experienced by learners with a disability, rather than provide learners with a competitive advantage. This can include administrative, physical or procedural modifications.

Under the DDA, training providers have the opportunity to claim that reasonable adjustments to accommodate needs of a person with a disability would impose unjustifiable hardship.

UNJUSTIFIABLE HARDSHIP

The DDA does not require training organisations to admit a student when the services and supports needed by that student would cause unjustifiable hardship to the organisation. Whether or not the adjustments that a learner with a disability requires pose unjustifiable hardship for a Registered Training Organisation will depend on the circumstances of the case. It will be decided on a case by case basis keeping in mind the intent of the DDA. No single factor alone is likely to constitute unjustifiable hardship. All relevant factors must be weighed up to see if, in all the circumstances, there is unjustifiable hardship.

DISCLOSURE

Some disabilities are not visible or obvious and may be referred to as hidden disabilities. These may include mental illnesses and psychiatric disabilities. It is the right of a person with a disability to decide who and when to tell about their disability. Diagnosis and treatment should be left to the appropriate personnel but is good to investigate and understand the facts about psychiatric disability and not to make prejudgments or assumptions. All people pass through a selection process to gain entry to a course. Selection criteria should only relate to the core components of the course. The DDA is not intended to provide students with a disability with an advantage for entering training. It is to eliminate disadvantage and discrimination. Generally, ability to be employed in the area of the course of study should not be a requirement of selection.

SCOPE

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.

This policy states how MAT will provide inclusive education services and a learning environment that is free from discrimination, harassment and victimisation.

SECTION 2 POLICY

ROLE OF THE RTO

The following principles are applied by MAT in development and implementation of all learning and assessment strategies.

- Use the same recruitment and admission process for all applicants
- Provide applicants with adequate information and support to enable them to select the most suitable program for their needs
- Do not make assumptions
- Treat every person on an individual basis
- Do not assume that all people from an equity group require identical support as many people are skilled at adapting their environment to accommodate their needs (often the solutions to their needs are simple and inexpensive)
- Consult individuals about their needs before requesting or implementing adjustments
- Ensure that the learning environment is free from harassment, discrimination and victimisation. MAT specifies standards of behaviour expected from students and staff in its codes of conduct.
- has policies and procedures in place for preventing harassment and discrimination

AND

Only ask for the information that you really need. For example: what adjustments the person requires or how the disability might impact on their study.

EQUITY IN ACCESS

All students are supported in a manner that enables them to achieve their full potential in their training. MAT provides equity in access to the level of training and support required by each individual student by:

- Offering a range of course and learning options
- Language, literacy and numeracy requirements being consistent with the vocational level of the qualification
- offering credit transfer and recognition of prior learning
- providing students without online access hard copy information, learning and assessment materials
- Referring students to support and counselling services where needed
- Providing additional education support if required

MAT provides an assessment process that is fair, valid, reliable and consistent through:

- recognition of previously acquired skills and knowledge
- adapting assessment to meet student needs while still maintaining a high quality, valid and consistent process (see reasonable adjustment below)
- giving students the right to appeal an assessment or recognition decision
- support being provided to those with special needs

Reasonable adjustment is provided to those with a disability or special need according to individual circumstances. This means providing the appropriate services and/or facilities for student learning and assessment.

Reasonable adjustment may include but is not restricted to:

- the use of adaptive/assistive technology (equipment and software designed for use by people with a disability)
- educational support
- alternative assessment methods
- learning and assessment aids such as papers in large print or the use of scribes or interpreters
- extra time to complete a course or assessment.

Learning support is facilitated for those with basic literacy, numeracy or English language difficulties or other identified areas of learning difficulty.

EXCLUSIONS

A person may not be permitted to access our serviced if:

- The student requires provision of additional support services or facilities that would cause unjustifiable hardship to Medical Administration Training Pty Ltd
- The student requires delivery in a language other than that being offered by MAT
- They have a criminal history that impacts on the requirements of the course. As an example - vocational work placement may require police check.

LEARNER RIGHTS

Individuals who believe they have been treated unfairly are encouraged to use MAT's student complaints and appeals procedures. Any learner who feels that they have been discriminated against can lodge a complaint with the Human Rights and Equal Opportunity Commission (HREOC). Complaints can be taken to the Federal court if settlement is not achieved. HREOC can provide advice about the procedure for doing this. Any person in a Registered Training Organisation and anybody or establishment responsible for the control of the training organisation could have a complaint brought against them under the DDA (e.g. front counter staff, individual lecturers, Program Managers, Managing Director, members of College Governing Councils).

Settlement may include:

- An apology,
- An agreement to enrol a learner with a disability,
- An assurance that learners with disabilities will not be treated
- In a certain unfavourable way in the future,

OR

- Compensation.

Should a complaint proceed to the Federal Court, the training provider would need to show why reasonable adjustments to accommodate the needs of the person with a disability impose an unjustifiable hardship.

ROLES AND RESPONSIBILITIES

The Director of Medical Administration Training Pty Ltd is responsible for ensuring compliance with this policy.

SECTION 3 – GOVERNANCE

RELATED DOCUMENTATION

Code of Conduct
Student Code of Conduct

RELATED EXTERNAL REFERENCES

Racial Discrimination Act 1975	http://www.comlaw.gov.au/Series/C2004A00274
Sex Discrimination Act 1984	http://www.comlaw.gov.au/Series/C2004A02868
Human Rights and Equal Opportunity Commission Act 1986	http://www.comlaw.gov.au/Series/C2004A03366
Disability Discrimination Act 1992	http://www.comlaw.gov.au/Series/C2004A04426
Racial Hatred Amendment 1995	http://www.comlaw.gov.au/Details/C2004A04951
Anti- Discrimination Act 1991	www.legislation.qld.gov.au/legisln/current/a/antidiscrima91.pdf

RESPONSIBILITY

Policy administrator	Administration Manager
Approving Person	RTO Director

CHANGE HISTORY

Version	Review date	Approved by	Description of Modifications
1	30-Mar-2013	A. McFillin	Original Document
2	07-Oct-2016	A. McFillin	Major wording revision and update