



BRIGHTEN
INSTITUTE AUSTRALIA

Brighten Institute Australia

Access and equity policy

Document No. & Name: Access and equity policy

Author: Brighten Institute Australia

Status: Approved

Approved By: TM

Update Date: 04-11-2020

Review Date: October 2021



Table of Contents

Purpose	2
Brighten Institute Australia ensures:	2
Definition	2
Policy Principles	4
Access and equity principles	4
Equal opportunity	5
Special needs / Considerations	5
Language, Literacy and Numeracy	5
Harassment	6
Bullying and Violence	6
Vilification	6
Complaints	6
Victimisation	7
Brighten Institute Australia (BIA) Responsibilities	7
Chief Executive Officer responsibilities.....	7
Staff, Contractors and Client Responsibilities.....	8
Legislation	8
Ethics and Code of Practice.....	9
Records Managements	9
Monitoring Improvement	9



Purpose

The purpose of this Policy is to provide a frame of reference in providing and maintaining training services that reflect fair and reasonable opportunity for all clients, regardless of their diversity; allowing everyone to freely participate in the learning environment free from discrimination, harassment, bullying and vilification.

Policy Statement

Brighten Institute Australia (BIA) is committed to providing quality training and assessment products and services in compliance with the Standards for Registered Training Organisations (RTOs) 2015 and according to federal and state VET guidelines, Training and Assessment requirements and needs of Skill sets requirements.

Brighten Institute Australia (BIA) promotes, encourages and values equity and diversity with regard to clients, customers and students.

Brighten Institute Australia (BIA) will ensure services offered are provided in a fair and equitable manner to all clients, free from bias.

Brighten Institute Australia (BIA) is committed to providing flexible learning and assessment options, allowing clients alternatives which recognise the diversity of their individual needs and circumstances aiding them in their learning goals.

Brighten Institute Australia ensures:

- all training and assessment policies and procedures incorporate access and equity principles
- all learners have equitable access to the benefits of training and assessment irrespective of their gender, age, race, religion, culture, linguistic background, marital status, geographic location, socio-economic background, disability, sexual preference, family responsibility or political conviction
- all nominations and enrolments into training courses and programs will always be conducted in an ethical and responsible manner, ensuring fairness and compliance with Equal Opportunity legislation
- all learners/clients have equitable access to training resources, facilities, equipment, support services, information, training and assessment personnel, materials, assessment opportunities, training opportunities.

Definition

Access and equity means 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.

Discrimination occurs when a person is treated less favourably than others due to the person's circumstances, characteristics or beliefs.



- **Direct Discrimination** takes place when a person, organisation or group of persons is treated less fairly than others on the basis of stereotyped beliefs or views.
- **Indirect Discrimination** includes rules, practices or policies which appear to be non-discriminatory and equally applicable, but operate in such a way that certain groups of people are excluded without just cause.

Harassment is any behaviour which is unwelcome, offends, humiliates or intimidates a person and causes the work environment to become unpleasant. If a person is being harassed, then their ability to do their work is affected as they often become stressed and suffer health problems.

Harassment may result from behaviour which is not intended to offend or harm, such as jokes or unwanted attention however, this does not mean that it is lawful.

Sexual Harassment can occur among peers or co-workers, and in subordinate-supervisor, supervisor subordinate or staff-student, student-staff, student-student situations.

Examples of sexual harassment include, but are not limited to:

- Unwanted touching
- Sexual innuendo propositions
- Nude pin-ups and posters
- Obscene telephone calls
- Wolf whistles

Verbal Harassment

Examples of verbal harassment include, but are not limited to:

- Sexual comments, advances or propositions
- Lewd jokes or innuendos
- Racist comments or jokes
- Spreading rumours
- Comments or jokes about a person's disability, pregnancy, sexuality, age or religion
- Repeated questions about one's personal life
- Belittling someone's work or contribution in a meeting
- Threats, insults or abuse
- Offensive obscene language

Physical Harassment

Examples of physical harassment include, but are not limited to:

- Unwelcome physical contact such as kissing, hugging, pinching, patting, touching, or brushing up against a person
- Indecent or sexual assault or attempted assault
- Hitting, pushing, shoving, spitting, or throwing objects at a person
- Unfastening a person's attire



Policy Principles

Brighten Institute Australia (BIA) will not accept any form of discrimination and we will apply the following principles in support of Access and Equity.

Access and equity principles

- Brighten Institute Australia abides by access and equity principles.
- Brighten Institute Australia (BIA) will respect a client's right to privacy, confidentiality and be sensitive to client needs.
- Brighten Institute Australia (BIA) provides equal opportunity for all learners and is responsive to the individual needs of clients whose gender, pregnancy, race, marital status, sexuality, age, family/carer responsibilities, disability, transgender, political conviction, cultural or ethnic background, linguistic background, religious belief, geographic location, socio-economic background, employment/unemployment, imprisonment may present a barrier to access, participation and achievement of suitable outcomes.
- At enrolment, applicant will be asked to identify personal needs or circumstances that may exist and for which they may require additional support (See Enrolment Policy).
- BIA Complaint and Appeal policy and Procedure will ensure that all staff, employees, and contractors have access to the information and support needed to prevent discrimination, sexual harassment, bullying and violence, victimization, and vilification or to deal with it appropriately if it occurs.
- Brighten Institute Australia (BIA) seeks to create a learning environment where all students are respected and can develop their full potential.
- All clients are given fair and reasonable opportunity to attend and complete training.
- All staff are given fair and reasonable opportunity to participate in relevant decision-making processes and the allocation of resources and services as required to fulfil their duties and responsibilities.
- Deficiencies will be investigated to determine whether a breach or policy deficiency exists. Should a discrepancy be proven, the impact of that breach or deficiency will be identified along with how the policy should be amended to eliminate the breach or deficiency in the future.
- All perceived deficiencies in the Access and Equity Policy are to be documented, assessed and reviewed by the Chief Executive Officer Brighten Institute Australia (BIA).
- Brighten Institute Australia (BIA) will demonstrate commitment by:
 - Selecting students according to a fair and non-discriminatory process
 - Making its training relevant for a diverse student population
 - Providing suitable access to facilities and resources
 - Providing appropriate support services
 - Providing appropriate complaints procedures
 - Consulting with relevant industry groups
 - Raising staff, contractor and student awareness of equity issues.



Equal opportunity

Brighten Institute Australia (BIA) is an equal opportunity company and does not discriminate against or favour target groups in either recruiting or training, unless prescribed by funding contracts.

Target Groups are defined as:

- Aboriginal and Torres Strait Islanders
- People with a disability
- People from non-English speaking backgrounds
- People in transition and other special groups (i.e. people re-entering the workforce, long term unemployed, sole parents, people with literacy problems, and those who have been institutionalised)
- People from regionally isolated communities
- Applicants for deferral contact the student support team at support@brighten.edu.au and request the deferral, suspension, cancellation and withdrawal request form.

Special needs / Considerations

- Clients intending to enrol for training with Brighten Institute Australia (BIA) are requested prior to enrolment to advise Brighten Institute Australia (BIA) if they have any disability, physical or other impairment which may adversely affect their ability to successfully undertake training and assessment.
- Clients are encouraged to discuss with Brighten Institute Australia (BIA) any 'special needs' and/or 'reasonable adjustments' to the study environment which they consider are necessary or would assist them in the performance of their studies.
- Brighten Institute Australia (BIA), in collaboration with the Client, will assess the potential for the Client to successfully complete the training which may include flexible delivery options to optimise the ease and benefit of the Clients' learning. However, no compromise to the integrity of the assessment against competency will be allowed.
- Clients with a disability are required to have the ability to fulfil the core requirements of the units of Competence to attain the relevant award. However, it is recognised that flexibility in arrangements may need to be implemented.

Language, Literacy and Numeracy

- Each Training Package sets a minimum requirement in language, literacy and numeracy skills of learners, with which Brighten Institute Australia (BIA) must abide.
- Brighten Institute Australia (BIA) makes appropriate concessions for language, literacy and numeracy issues of clients where these concessions do not compromise the requirements of the relevant Training Package and the integrity, equity and fairness of assessment.
- Where a Client is deemed, either prior to enrolment or throughout the training program, to possess a lower level of language, literacy or numeracy than is the minimum requirement for the requirements of the Training Package, Brighten Institute Australia (BIA) will provide appropriate advice and support to the Client regarding further learning options. At times,



further language or literacy development or remedial assistance may be required to be completed prior to the continuation or completion of the Client's course of study.

Harassment

- Harassment will not be tolerated at Brighten Institute Australia (BIA). If harassment occurs, the person responsible will be subject to disciplinary procedures. Disciplinary action will be taken against any staff or client involved in such behaviour. This may include termination of employment and removal of the client from the training course.
- Serious cases of harassment may constitute a criminal offence.
- Brighten Institute Australia (BIA) will not tolerate behaviour which is considered to be sexual harassment and expects all staff, contractors and clients to treat each other with dignity and respect.

Bullying and Violence

- Brighten Institute Australia (BIA) will not tolerate bullying or violent behaviour and expects all staff, contractors and clients to treat each other with dignity and respect.
- Brighten Institute Australia (BIA) recognises bullying and violence demeans and infringes the rights of individuals and groups, damaging the work and learning environment.

Vilification

Brighten Institute Australia (BIA) will not tolerate behaviour which vilifies another person and expects all staff, contractors and clients to treat each other with dignity and respect.

Complaints

- Brighten Institute Australia (BIA) encourages informal resolutions of discrimination, sexual harassment, bullying and violence, victimization, and vilification grievances in the first instance, as close to the source as possible, with the option of conciliation or investigation of the complaint if necessary.
- Complaints will be investigated in a confidential manner and action will be taken to ensure that the discrimination/harassment stops. Appropriate warning or disciplinary action will be taken where harassment is found to have occurred.
- Those responsible for advising, conciliating or investigating a complaint must act fairly and impartially, they must act without bias and avoid any conflict or of interest the respondent must be given a fair opportunity to know the case against him or her and to be given the opportunity to make a considered response.
- All staff, clients and contractors involved with the Brighten Institute Australia (BIA) complaint procedures will be treated with respect and courtesy. Enquiries and complaints will be dealt with in a sensitive, equitable, fair, and confidential manner. All attempts will be made to deal with matters expeditiously while ensuring all parties are provided with sufficient time to prepare and or respond.
- Brighten Institute Australia (BIA) acknowledges that it is of paramount importance and in the best interests of all parties that confidentiality is maintained during these procedures.



- Brighten Institute Australia (BIA) encourages the reporting of behaviour that breaches equal opportunity policy, however, will not tolerate vexatious or frivolous complaints.

Victimisation

- In order for complaints to be brought forward, complainants must feel secure in the knowledge that Institute procedures will be followed without fear of reprisal.
- Brighten Institute Australia (BIA) will not victimise or treat any person unfairly for making a harassment complaint.
- Brighten Institute Australia (BIA) will not tolerate behaviour of victimisation of another person and expects all staff, contractors and clients to treat each other with dignity and respect.
- Any complaint of victimisation will be treated in the same manner as a complaint of discrimination, sexual harassment or vilification.

Brighten Institute Australia (BIA) Responsibilities

Brighten Institute Australia (BIA) has a legal and moral obligation to provide equal opportunity in an environment free from discrimination for staff, contractors and clients to ensure that discrimination/harassment does not occur in the workplace.

Brighten Institute Australia (BIA) will:

- Maintain policies and procedures for equal opportunities for all staff, contractors and clients
- Disseminate policies and procedures to staff, contractors and clients
- Examine all policies and practices, as they affect staff, contractors and clients to ensure the elimination of discrimination and harassment
- Ensure that there is no discrimination against any individual client or group of clients or staff, in access to facilities, products and services
- Educate staff and contractors on the general goals and philosophy of equal opportunity together with the rationale for policies and practices which are adopted
- Eliminate sexist and other discriminator language from all publications and discourage the use of such language in all printed material and in the speech of its staff, contractors and clients
- Establish and maintain mechanisms to deal with complaints.

Chief Executive Officer responsibilities

- Brighten Institute Australia (BIA) Chief Executive Officer and Managers are responsible for client equity.
- The Chief Executive Officer will not condone nor engage in discriminatory/harassing behaviour.
- The Chief Executive Officer is responsible for ensuring that all staff are aware of this policy and that complaints will be dealt with in accordance with the terms of the Complaints and Appeals Policy.
- The Chief Executive Officer and Manager(s) are to ensure staff act according to this policy and all clients are made aware of their rights and responsibilities pursuant to this policy.



- The Chief Executive Officer will maintain the confidentiality of all complaints. If the Chief Executive Officer feels that they are not the appropriate person to deal with the complaint, they will refer the matter to either a member of the management team or an external independent party for review and/or action.

Staff, Contractors and Client Responsibilities

Brighten Institute Australia (BIA) staff, contractors and clients have the responsibility to:

- Act to prevent harassment, discrimination and victimization against others
- Respect differences among other staff, clients and contractors, such as cultural and social diversity
- Treat people fairly, without discrimination, harassment or victimization
- Respect the rights of others
- Respect people's rights to privacy and confidentiality
- Refuse to join in with these behaviours
- Supporting the person in saying no to these behaviours
- Acting as a witness if the person being harassed decides to lodge a complaint
- Observe site rules or behaviour guidelines set by Brighten Institute Australia (BIA) Trainers/Assessors
- Behave in a manner that does not interfere with the learning of others
- Conduct themselves in a responsible manner while in training
- Ensure the rights of all clients to have their say, balanced with the responsibility to listen to others and allow others to have their say.

If a Brighten Institute Australia (BIA) staff, contractor or client feels harassed, bullied or otherwise a victim of unwelcome behaviour, the staff, contractor or client is encouraged to inform the person where the behaviour is unwanted, unacceptable and/or offensive. If the staff, contractor or client feels unable to approach the person, or if the behaviour continues following their request that the behaviour cease, the Chief Executive Officer of Brighten Institute Australia (BIA) should be contacted.

Legislation

- National Vocational Education and Training Regulator Act 2011 (NVR Act) – Commonwealth
- Vocational Education and Training Act 1996 (Western Australia)
- Age Discrimination Act 2004 (Commonwealth)
- Disability Discrimination Act 2009 (Commonwealth)
- Racial Discrimination Act 1975 (Commonwealth)
- Sex Discrimination Act 1984 (Commonwealth)
- Anti-Discrimination Act 1977 (New South Wales)



Ethics and Code of Practice

Brighten Institute Australia (BIA) has adopted the following 'Code of Ethics'

- Act honestly and fairly in all business dealings with the consumer
- Maintain professional courtesy and integrity at all times
- Ensure all advertising and representations are truthful and accurate
- At all times act in an environmentally responsible manner
- Do all that is possible to promote safe boating and education practices
- Render accurate, truthful and expert advice to the community
- Strive for excellence in quality of service to customers

BIA has adopted the following 'Code of Practice'

- The Institute will not discriminate against any individual on the basis of race, colour, sex, or religion. All students, staff, and trainers are to be treated equally.
- BIA has in place a system of providing interpreters where required by students to assist them in the Online theory license conducted via video conference and/or in a classroom environment presentation. An appointment is necessary. Telephone numbers and email address of BIA Student Support are listed in the Student Handbook 2020 or are available from the BIA website.
- Selected trainers may assist and support students where appropriate, especially those students with language, read/write, learning or physical disabilities, so long as the nature of the disability does not preclude them under government laws from obtaining their Qualifications and Statement of Attainments.
- BIA is not obliged to provide one-on-one training but may choose to do so in special cases.
- The following clause appears on the website under conditions for attending the Institute and on Institute confirmation of enrolment forms that are sent out to students when they have completed BIA application forms.
- "Students must be able to read and write English fluently and advise of any health condition, eyesight, hearing, learning disability or disability that may compromise training."
- The Chief Executive Officer is responsible for ensuring that all staff and trainers have details of the access and equity policy. The information is available in trainer manual, student information on The Institute web site. The information is included in the induction and training given to staff and trainers.

Records Managements

All documentation from regarding complaints concerning Access and Equity matters are maintained in the Student Management System.

Monitoring Improvement

All Access and Equity practices are monitored by the Chief Executive Officer Brighten Institute Australia (BIA) and areas for improvement identified and acted upon.