

ACCESS & EQUITY POLICY

1. PURPOSE

- 1.1. This Policy aims to provide a frame of reference for providing and maintaining training services that reflect the fair and reasonable opportunity for all Students, regardless of their diversity, allowing everyone to freely participate in the learning environment free from discrimination, harassment, bullying and vilification. EEI, in this document, the Empyrean Education Institute is referred to as EEI.

2. POLICY STATEMENT

- 2.1. EEI is committed to providing quality training and assessment products and services in compliance with the Standards for Registered Training Organisations RTO 2025.
- 2.2. EEI promotes, encourages and values equity and diversity among its students.
- 2.3. EEI will ensure services offered are fair and equitable to all students, free from bias.
- 2.4. EEI is committed to providing flexible learning and assessment options, allowing students alternatives that recognise the diversity of their individual needs and circumstances, aiding them in their learning goals.
- 2.5. EEI will ensure:
- 2.5.1. All training and assessment policies and procedures incorporate access and equity principles.
 - 2.5.2. All learners have equitable access to the benefits of training and assessment irrespective of gender, age, race, religion, culture, linguistic background, marital status, geographic location, socio-economic background, disability, sexual preference, family responsibility or political conviction.
 - 2.5.3. All nominations and enrolments into training courses and programs will be always conducted ethically and responsibly, ensuring fairness and compliance with Equal Opportunity legislation.
 - 2.5.4. All learners have equitable access to training resources, facilities, equipment, support services, information, training and assessment personnel, training materials, assessment opportunities, and training opportunities.

3. DEFINITIONS

- 3.1. The following words and expressions have specific meanings, as in the Standards for Registered Training Organisations RTO.s 2025.
- 3.1.1. *Access and Equity* mean policies and approaches aimed at ensuring that Vocational training (V.E.T.) is responsive to the individual needs of students 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.

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

- 3.1.3. *Direct discrimination* occurs when a person, organisation or group of people is treated less

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fairly than others based on stereotyped beliefs or views.

3.1.4. *Indirect discrimination* includes rules, practices or policies that appear non-discriminatory and equally applicable but operate so that certain groups of people are excluded without cause.

3.1.5. *Workplace Harassment* is any unwelcome behaviour that 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.

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

3.1.7. *Sexual Harassment* is the most common form of Harassment. Examples of sexual Harassment include, but are not limited to:

- 3.1.7.1. Unwanted touching
- 3.1.7.2. Sexual innuendo propositions
- 3.1.7.3. Nude pin-ups and posters
- 3.1.7.4. Obscene telephone calls
- 3.1.7.5. Wolf whistles

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

3.1.9. Verbal Harassment. Examples of verbal Harassment include, but are not limited to:

- 3.1.9.1. Sexual comments, advances, or propositions
- 3.1.9.2. Lewd jokes or innuendos
- 3.1.9.3. Racist comments or jokes
- 3.1.9.4. Spreading rumours
- 3.1.9.5. Comments or jokes about a person's disability, pregnancy, sexuality, age, or religion
- 3.1.9.6. Repeated questions about one's personal life
- 3.1.9.7. Belittling someone's work or contribution in a meeting
- 3.1.9.8. Threats, insults, or abuse
- 3.1.9.9. Offensive, obscene language
- 3.1.9.10. Obscene telephone calls, unsolicited letters, faxes, and emails

3.2. Non-Verbal Harassment. Examples of non-verbal Harassment include, but are not limited to:

- 3.2.1.1. Leering (e.g., staring at a woman's breasts)
- 3.2.1.2. Putting offensive material on noticeboards, computer screen savers and emails
- 3.2.1.3. Wolf whistling
- 3.2.1.4. Nude or pornographic posters
- 3.2.1.5. Displaying sexist or racist cartoons or literature
- 3.2.1.6. Demoting, failing to promote, or transferring someone because they refuse requests for sexual favours

- 3.2.1.7. Following someone home from work
- 3.2.1.8. Standing very close to someone or unnecessarily leaning over them
- 3.2.1.9. Mimicking someone with a disability
- 3.2.1.10. Practical jokes that are unwelcome
- 3.2.1.11. Ignoring someone or being cold and distant from them
- 3.2.1.12. Crude hand or body gestures

3.2.2. Physical Harassment. Examples of physical Harassment include, but are not limited to:

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

4. POLICY PRINCIPLES

4.1. Access and Equity

- 4.1.1. EEI will not accept any form of discrimination, and we will apply the following principles in support of access and Equity.
- 4.1.2. EEI abides by access and equity principles.
- 4.1.3. EEI will respect a student's right to privacy and confidentiality and be sensitive to the student's needs.

4.2. EEI provides equal opportunity for all learners and is responsive to the individual needs of students 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.

- 4.2.1. At enrolment, students will be asked to identify personal needs or circumstances that may exist and may require additional support.
- 4.2.2. EEI will ensure that all staff, employees, and contractors have access to the information and support needed to prevent discrimination, sexual Harassment, bullying and violence, victimisation, and defamation or to deal with it appropriately if it occurs.
- 4.2.3. EEI seeks to create a learning environment where all students are respected and can develop their full potential.
- 4.2.4. All students are given a fair and reasonable opportunity to attend and complete training.
- 4.2.5. All staff are given fair and reasonable opportunities to participate in relevant decision-making processes and allocate resources and services required to fulfil their duties and responsibilities.
- 4.2.6. Deficiencies will be investigated to determine whether a breach or policy deficiency exists. Should discrepancy be proven, the impact of that breach or defect will be identified, along with how the Policy should be amended to eliminate the breach or deficiency in the future.

4.2.7. All perceived Access and Equity Policy deficiencies must be documented, assessed, and reviewed by the Director of EEI.

4.2.8. EEI will demonstrate its commitment by:

- 4.2.8.1. Selecting students according to a fair and non-discriminatory process
- 4.2.8.2. Making its training relevant to a diverse student population
- 4.2.8.3. Providing suitable access to facilities and resources
- 4.2.8.4. Providing appropriate support services
- 4.2.8.5. Providing appropriate complaint procedures
- 4.2.8.6. Consulting with relevant industry groups
- 4.2.8.7. Raising staff, contractor, and student awareness of equity issues

4.3. Equal Opportunity

4.3.1. EEI is an equal opportunity company and does not discriminate against or favour target groups in either recruiting or training unless prescribed by funding contracts.

4.3.2. Target Groups are defined as:

- 4.3.2.1. Aboriginal and Torres Strait Islanders
- 4.3.2.2. People with a disability
- 4.3.2.3. People from non-English speaking backgrounds
- 4.3.2.4. People in transition and other special groups (i.e., people re-entering the workforce, parents, people with literacy problems, and those who have been institutionalised)
- 4.3.2.5. Women
- 4.3.2.6. People from regionally isolated communities

4.4. Special Need Considerations

4.4.1. Students intending to enrol for training with EEI are requested before enrolment to advise EEI before enrolment if they have any disability, physical or other impairment that may adversely affect their ability to undertake training and assessment successfully.

4.4.2. Students are encouraged to discuss with EEI any particular needs and/or reasonable adjustments to the study environment that they consider necessary or would assist them in the performance of their studies.

4.4.3. EEI, in collaboration with the Student, will assess the potential for the Student to complete the training, which may include flexible delivery options to optimise the ease and benefit of the Student's learning. However, no compromise to the integrity of the assessment against competency will be allowed.

4.4.4. Students with a disability must be able 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.

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4.5. Language Literacy & Numeracy

- 4.5.1. Each Training Package sets a minimum requirement in learners' language, literacy, and numeracy skills, which EEI must abide by.
- 4.5.2. EEI makes appropriate concessions for students' language, literacy, and numeracy issues where these concessions do not compromise the requirements of the relevant Training Package and the assessment's integrity, Equity, and fairness.
- 4.5.3. Where a student is deemed, either before 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, EEI will provide appropriate advice and support to the Student regarding further learning options. At times, additional language or literacy development or remedial assistance may be required to be completed before the continuation or completion of the Student's course of study.

4.6. Harassment

- 4.6.1. Harassment will not be tolerated at EEI. If Harassment occurs, the person responsible will be subject to disciplinary procedures. Disciplinary action will be taken against any staff or Student involved in such behaviour. This may include termination of employment and removing the Student from the training course.
- 4.6.2. Severe cases of Harassment may constitute a criminal offence.
- 4.6.3. EEI will not tolerate behaviour considered sexual Harassment and expects all staff, contractors, and students to treat each other with dignity and respect.

4.7. Bullying & Violence

- 4.7.1. EEI will not tolerate bullying or violent behaviour and expect all staff, contractors, and students to treat each other with dignity and respect.
- 4.7.2. EEI recognises bullying and violence that demeans and infringes the rights of individuals and groups, damaging the work and learning environment.

4.8. Vilification

- 4.8.1. EEI will not tolerate behaviour that vilifies another person and expects all staff, contractors, and students to treat each other with dignity and respect.

4.9. Complaints

- 4.9.1. EEI encourages informal resolutions of discrimination, sexual Harassment, bullying and violence, victimisation, and vilification grievances in the first instance, with the option of conciliation or investigation of the complaint if necessary.
- 4.9.2. Complaints will be investigated confidentially, and action will be taken to ensure the discrimination/harassment stops. Appropriate warning or disciplinary action will be taken where Harassment is found to have occurred.

- 4.9.3. Those responsible for advising, conciliating, or investigating a complaint must act fairly and impartially; they must act without bias and avoid conflict of interest. The respondent must be given a fair opportunity to know the case against them and to be allowed to make a considered response.
- 4.9.4. All staff, students and contractors involved with EEI complaint procedures will be treated respectfully and courteously. Enquiries and complaints will be handled sensitively, equitably, fairly, and confidentially. All attempts will be made to deal with matters expeditiously while ensuring all parties have sufficient time to prepare and respond.
- 4.9.5. EEI acknowledges that it is paramount and in the best interests of all parties that confidentiality is maintained during these procedures.
- 4.9.6. EEI encourages reporting behaviour that breaches the equal opportunity policy, but will not tolerate vexatious or frivolous complaints.

4.10. Victimisation

- 4.10.1. For complaints to be brought forward, complainants must feel secure that the EEI procedures will be followed without fear of reprisal.
- 4.10.2. EEI will not victimise or mistreat any person for making a harassment complaint.
- 4.10.3. EEI will not tolerate the behaviour of victimisation of another person and expects all staff, contractors, and students to treat each other with dignity and respect.
- 4.10.4. Any complaint of victimisation will be treated in the same manner as a complaint of discrimination, sexual Harassment, or defamation.

5. EEI RESPONSIBILITIES

- 5.1. EEI has a legal and moral obligation to provide equal opportunity in an environment free from discrimination for staff, contractors, and students to ensure that discrimination/harassment does not occur in the workplace.
- 5.2. EEI will:
 - 5.2.1. Maintain policies and procedures for equal opportunities for all staff, contractors, and students
 - 5.2.2. Disseminate policies and procedures to staff, contractors, and students
 - 5.2.3. Examine all policies and practices affecting staff, contractors, and students to eliminate discrimination and Harassment.
 - 5.2.4. Ensure that there is no discrimination against any individual or group of students or staff in access to facilities, products and services.
 - 5.2.5. Educate staff and contractors on the general goals and philosophy of equal opportunity and the rationale for adopted policies and practices.
 - 5.2.6. Eliminate sexist and other discriminatory language from all publications and discourage using such language in all printed material and the speech of its staff, contractors, and students.

5.2.7. Establish and maintain mechanisms to deal with complaints

5.2.8. The Director will maintain the confidentiality of all complaints if the Director feels they are not the appropriate person to deal with the complaint. In that case, they will refer the matter to either a member of the management team or an external independent party for review and/or action.

5.3. Staff, Contractors, and Students' Responsibilities

5.3.1. EEI staff, contractors and students have the responsibility to:

- 5.3.1.1. Act to prevent Harassment, discrimination, and victimisation against others
- 5.3.1.2. Respect differences among other staff, students, and contractors, such as cultural and social diversity
- 5.3.1.3. Treat people fairly, without prejudice, Harassment, or victimisation
- 5.3.1.4. Respect the rights of others
- 5.3.1.5. Respect people's rights to privacy and confidentiality
- 5.3.1.6. Refuse to join in with these behaviours
- 5.3.1.7. Supporting the person in saying no to these behaviours
- 5.3.1.8. Acting as a witness, the person being harassed decides to complain
- 5.3.1.9. Observe site rules or behaviour guidelines set by EEI Trainers/Assessors
- 5.3.1.10. Behave in a manner that does not interfere with the learning of others
- 5.3.1.11. Responsibly conduct themselves while in training
- 5.3.1.12. Ensure the rights of all students to have their say, balance with the responsibility to listen to others and allow others to have their say.

6. RELATED LEGISLATION & REGULATIONS

- 6.1. National Code of Practice for Providers of Education and Training to Overseas Students 2018, known as "**The National Code 2018**".
- 6.2. National Vocational Education and Training Regulator (Outcome Standards for NVR Registered Training Organisations) Instrument 2025, known as "**Outcome Standards 2025**".
- 6.3. Education Services for Overseas Students Act 2000, Known as "**ESOS Act 2000**".
- 6.4. Education Services for Overseas Students Regulations 2019 Known as "**ESOS Regulations 2019**".