

# Fair Treatment and Equal Opportunity

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## Introduction

### Purpose

To set out the requirements for fair treatment and equal opportunity for members of the TAFE Gippsland Community.

### Scope

Members of the TAFE Gippsland community – all staff, students, contractors, volunteers, support workers, members of the public and any other person(s) who need to interact with TAFE Gippsland.

## Rationale

### Principles/Statement

TAFE Gippsland recognises the importance of fair treatment and equal opportunity and is therefore committed to ensuring that staff and students can avail themselves of employment, education and training regardless of gender, socioeconomic background, disability, ethnic origin, age, religious belief, race or any other significant difference. Catering for the differences may involve reasonable adjustments, such as adapting the physical environment, equipment, and /or training and assessment materials for learners.

TAFE Gippsland aims to be flexible and responsive, and seeks to avoid 'one size fits all' solutions to training and assessment. The ASQA Standards for RTOs 2015 do not require evidence that we treat our learners the same; we are however required to show evidence of how we identify and respond to individual learning needs.

TAFE Gippsland will ensure that all students are able to enjoy a study environment where they have equal opportunities to benefit from education and where discrimination, victimisation, bullying and harassment are not tolerated. All students will be treated fairly.

Full consideration and support for students is in-built through TAFE Gippsland's education practices, procedures, academic support and curriculum design so that students can enter TAFE Gippsland on merit and have equal opportunities for success. TAFE Gippsland undertakes to continually improve access, support, retention, participation and outcomes for all students.

Enabling services including career advice; counselling; language, literacy and numeracy support and health information are available to students via the Student Support Services Team, TAFE Gippsland's ongoing support service that provides assistance to students from enrolment through to graduation and aims to meet their social, emotional and educational needs.

All TAFE Gippsland staff are cognisant of State and Federal legislative and policy requirements and abide by the Code of Conduct for Victorian Public Sector Employees. All staff have an obligation not to discriminate against individuals on the basis of sex, marital status, pregnancy, age, race, ethnicity, religious beliefs, disability or sexuality, and to maintain an environment free from harassment and bullying

## Procedure

### Fair Treatment

TAFE Gippsland expects all members of its community to:

- a) Encourage people affected by unfair treatment to talk directly to the person engaging in unfair treatment to explain to him/her how it impacts on them and to ask that they stop.
- b) In cases where it is impracticable or ineffective to resolve issues of unfair treatment in the manner described above TAFE Gippsland provides appeals/review procedures to support this policy. (See References)
- c) Ensure that complaints are treated promptly, confidentially and according to the principles of procedural fairness.

### Creating a Fair Treatment climate

All members of the TAFE Gippsland community are expected to help create a Fair Treatment climate by:

- a) Speaking up, and making it clear when behaviour is unacceptable
- b) Supporting people who are affected by breaches of this policy and encouraging them to take action
- c) Promoting mutual respect between individuals
- d) Openly supporting and promoting this policy

### Unacceptable Behaviour Statement

While the general principle of acting with courtesy, fairness and equity applies at all times, members of the TAFE Gippsland community are specifically prohibited from engaging in bullying, harassment or discrimination while on TAFE Gippsland grounds or engaged in TAFE Gippsland activities. See the Student Code of Behaviour and the Managing Student Suspension or Expulsion Procedures for more detail.

More broadly, TAFE Gippsland prohibits any member of the TAFE Gippsland community from unlawfully discriminating against other students and staff or the general public on the grounds of disability for any reason. TAFE Gippsland expects all members of the TAFE Gippsland community to treat everyone fairly and without bias or prejudice.

Special measures taken for the sole purpose of securing adequate advancement of certain groups or individuals may not be deemed discriminatory or unfair provided they are not unlawful.

### **Vet Student Loan**

In addition to all other stipulations regarding equal benefits and opportunities for all students, TAFE Gippsland will consider each application for FEE-HELP assistance on a case by case basis and not apply inflexible processes which may preclude eligible applicants from having their application considered. At no time will TAFE Gippsland apply an income test when making decisions about which of its students are eligible.

## **Reference and Supporting Information**

### **Definitions**

<b>Term</b>	<b>Definition</b>
<b>Fair treatment</b>	Fair treatment is not treating everyone the same. It is about ensuring that all people and all groups of people participate, have the opportunity to reach their potential, make choices and receive responsive and appropriate products and services. In other words, the destination for all learners is the same but the journey may be different. For example, some learners may gain qualifications through a Recognition of Prior Learning (RPL) process; others may complete training before being assessed; not everyone will be eligible for government funded training; and some learners may need more time than others, because of family responsibilities or because they are returning to learning after a long interval.
<b>Equal Opportunity</b>	Equal opportunity is a term used to cover issues relating to access to VET, participation in VET, and achievement of outcomes in VET. Equity issues range from providing a supportive learning environment to adjusting assessments to meet individual circumstances, from policies on fee reduction to development of inclusive training materials. Basically, equity refers to the ability to achieve results in training and to receive training in an inclusive environment with inclusive materials.
<b>The TAFE Gippsland community</b>	All staff, students, contractors, volunteers, support workers, members of the public and any other person(s) who need to interact with TAFE Gippsland.

## Supporting Documents

### External Legislative Context

- Education and Training Reform Regulations 2007
- Higher Education Support Act 2003
- Vet Student Loans Act 2016

The Human Rights and Equal Opportunity Commission website contains detailed information relating to anti-discrimination legislation.

[www.hreoc.gov.au](http://www.hreoc.gov.au)

- RTOs must comply with the following Commonwealth and State anti-discrimination legislation:
- Racial Discrimination Act 1975 (Cwth)
- Sex Discrimination Act 1984 (Cwth)
- Human Rights and Equal Opportunity Act 1986 (Cwth)
- Disability Discrimination Act 1992 (Cwth)
- Age Discrimination Act 2004 (Cwth)
- Equal Opportunity Act 1995 (Vic)
- Racial and Religious Tolerance Act 2001 (Vic)
- Multicultural Victoria Act 2004 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Code of Conduct for Victorian Public Sector Employees

### Internal Policy and Procedures

- Privacy Policy and Procedure CM 023
- Grievances, Appeals and Reviews TL 034
- Student Support Services Team TL 011
- Assessment Appeals TL 007
- Complaints and Feedback Procedure CM 006
- Student Code of Behaviour TL 014
- Managing Student Suspension or Expulsion TL 012
- Student Eligibility and Exemption TL 035

## Responsibility

Director Academic Governance

Please Note: For further information or assistance regarding policies and procedures Email: [qa@tafegippsland.edu.au](mailto:qa@tafegippsland.edu.au) | URL: [www.tafegippsland.edu.au](http://www.tafegippsland.edu.au)

## Document Version Control Table

Item	Summary of Update	Version Control	Revised Date
1	Original Document Issue	V1.0	13/05/2015
2	<ul style="list-style-type: none"><li>Update</li></ul>	V1.1	07/12/2015
3	<ul style="list-style-type: none"><li>Rebranded from Federation Training to TAFE Gippsland</li><li>Titles updated in line with restructure</li><li>Replaced the Bubble with Student Support Services Team</li><li>Replaced VET Fee Help with VET Student Loan</li></ul>	V2.0	20/09/2019