



Access and Equity Policy

1. Purpose

Tiwi Islands Training and Employment Board (TITEB) provides a range of employment, training and engagement services across its business units. The purpose of this Policy is to provide a frame of reference in providing and maintaining programs and services that reflect fair and reasonable opportunity for all employees, students and clients, regardless of their diversity; allowing everyone to freely participate in an environment free from discrimination, harassment, bullying and vilification.

2. Policy Statement

TITEB is committed to providing quality products and services and promotes, encourages and values equity and diversity with regard to its employees, students and clients.

The services and programs offered are provided in a fair and equitable manner free from bias and we committed to providing flexible learning and assessment options, allowing students and clients alternatives which recognize the diversity of their individual needs and circumstances aiding them in achieving their goals.

To achieve this TITEB will ensure:

- all students and clients have equitable access to the benefits of engaging in employment and training programs 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 TITEB courses and programs will always be conducted in an ethical and responsible manner, ensuring fairness and compliance with Equal Opportunity legislation.
- all students will have equitable access to resources, facilities, equipment, support services, information, training and assessment personnel, materials, assessment opportunities, training opportunities.

3. Definitions

The following words and expressions have the following specific meaning, as in the *Standards for Registered Training Organisations (RTOs) 2015*.

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.

4. Discrimination

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

Direct Discrimination

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

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.



Workplace Harassment

Harassment is any behaviour which is unwelcome, offends, humiliates or intimidates a person and causes the surrounding environment to become unpleasant. If a person is being harassed then their ability to participate in work, training or other activities 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

The most common form of harassment is sexual harassment. 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.

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

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;
- Obscene telephone calls, unsolicited letters, faxes and emails.

Non-Verbal Harassment

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

- Leering (e.g. staring at a woman's breasts).
- Putting offensive material on notice boards, computer screen savers and emails.
- Wolf whistling.
- Displaying nude or pornographic posters.
- Displaying sexist or racist cartoons or literature.
- Demoting, failing to promote, or transferring someone because they refuse requests for sexual favours.
- Following someone home from work.
- Standing very close to someone or unnecessarily leaning over them.
- Mimicking someone with a disability.
- Practical jokes that are unwelcome.
- Ignoring someone, or being cold and distant to them.
- Crude hand or body gestures.



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.

5. Policy Principles

TITEB will not accept any form of discrimination or harassment and will apply the following principles:

Access and Equity Principles

TITEB will respect each employee, student or client's right to privacy, confidentiality and will be sensitive to their needs.

TITEB will provide equal opportunity for all employees, students and clients and will be responsive to an individual's needs 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.

Staff, employees, students, clients and contractors will 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.

TITEB will aim to create a learning environment where all participants are respected and can develop to their full potential.

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.

All perceived deficiencies in the Access and Equity Policy are to be documented, assessed and reviewed by the Chief Executive Officer (CEO) of TITEB.

Equal Opportunity

TITEB is committed to strengthening the Tiwi community and economy through life-long employment and training opportunities and does not discriminate against or favour target groups 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 institutionalized).
- Women.
- People from regionally isolated communities.



Special Needs/Considerations

Students intending to enrol with TITEB are to advise if they have any disability, physical or other impairment which may adversely affect their ability to successfully undertake training and assessment.

Students are encouraged to discuss any 'special needs' and / or 'reasonable adjustments' which they consider are necessary or would assist them in the performance of their studies.

TITEB, will assess the potential for student's to successfully complete the training which may include flexible delivery options to optimize the ease and benefit of the student learning. However, no compromise to the integrity of the assessment against competency will be allowed.

Students with a disability are required to have the ability to fulfil the core requirements of the Units of Competence being undertaken. However, it is recognised that flexibility in arrangements may need to be implemented.

Language, Literacy and Numeracy

Each Training Package sets the minimum requirement for the language, literacy and numeracy skills of student's that TITEB must abide by.

TITEB will make appropriate concessions for language, literacy and numeracy issues where these concessions do not compromise the requirements of the relevant Training Package and the integrity, equity and fairness of the assessment.

Where it is determined, either prior to commencement of throughout a program that a student or program participant has a lower level of language, literacy or numeracy than is the minimum requirement for the requirement, TITEB will provide appropriate advice and support regarding further 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 program.

Harassment

Harassment will not be tolerated. If harassment occurs, the person responsible will be subject to disciplinary procedures. Disciplinary action will be taken against any staff member, student or program participant involved in such behaviour. This may include termination of employment and / or removal from the training course or program.

Serious cases of harassment may constitute a criminal offence.

TITEB will not tolerate behaviour which is considered to be sexual harassment and expects all staff, students, client and contractors to treat each other with dignity and respect.

Bullying and Violence

TITEB will not tolerate bullying or violent behaviour under any circumstances and expects all staff, students, clients and contractors to treat each other with dignity and respect.

TITEB recognises that bullying and violence demeans and infringes the rights of individuals and groups, damaging the work and learning environment.

Vilification

TITEB will not tolerate any behaviour that vilifies another person and expect all staff, students, clients and contractors treat each other with dignity and respect.



Complaints

TITEB 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.

Complaints will be investigated in a confidential manner and action will be taken to ensure that the discrimination / harassment stops. Appropriate warnings 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 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, students' clients and contractors involved in the complaints 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.

TITEB recognises the importance that confidentiality is maintained during these procedures.

TITEB encourages the reporting of behaviour that breaches this policy, but will not tolerate vexatious or frivolous complaints.

Victimisation

In order for complaints to be brought forward, complainants must feel secure in the knowledge that TITEB procedures will be followed without fear of reprisal.

This means that TITEB;

- will not victimize or treat any person unfairly for making a harassment complaint.
- will not tolerate behaviour of victimization of another person and expects all staff, students, clients and contractors to treat each other with dignity and respect.
Will treat any complaint of victimization in the same manner as a complaint of discrimination, sexual harassment or vilification.

Staff, Student, Client and Contractor Responsibilities

All staff, students, clients and contractors have a responsibility to:

- Act to prevent harassment, discrimination and victimisation against others.
- Respect differences among others.
- Treat people fairly, without discrimination, harassment or victimisation.
- Respect the rights of others.
- Respect people's rights to privacy and confidentiality.
- Refuse to join in with inappropriate 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.
- Behave in a manner that does not interfere with others.
- Conduct themselves in a responsible manner.

6. Legislation

This policy reflects our commitment to the following legislation:

- National Vocational Education and Training Regulator Act 2011 (NVR Act) – Commonwealth



- Age Discrimination Act 2004 (Commonwealth)
- Disability Discrimination Act 2009 (Commonwealth)
- Racial Discrimination Act 1975 (Commonwealth)
- Sex Discrimination Act 1984 (Commonwealth)
- Anti-Discrimination Act (Northern Territory)

7. Monitoring and Improvement

All practices for Access and Equity are monitored by the Chief Executive Officer TITEB with areas for improvement identified and acted upon.