# Access and Equity

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Policy Overview

This policy defines and explains the nature of access and equity as well as the approach that Concept Engineering applies to the topic.

All Concept Engineering employees will ensure that all employees, training delegates, customers, apprentices and trainees, and visitors are treated equitably and are not subject to discrimination, victimisation, sexual harassment or vilification.

Discrimination against or harassment of any person will not be tolerated under any circumstances, nor will victimisation of any person as a result of a complaint of harassment or discrimination being made.

Any employee, customer or visitor found to be discriminating against, harassing or victimising any other person will be subject to serious disciplinary action which may include dismissal or refusal of further services offered by Concept Engineering.

## Regulatory References

National Standards for Group Training Organisations 2017, Clause 3.6:

* The GTO adheres to the principles of access and equity in all operations including marketing, recruitment, monitoring, support, governance and administration.

Legislation:

* + - Sex Discrimination Act 1984 (Cth)
    - Equal Opportunity Act 2010 (VIC)
    - Age Discrimination Act 2004 (Cth)
    - Australian Human Rights Commission Act 1986 (Cth)
    - Disability Discrimination Act 1992 (Cth)
    - Racial Discrimination Act 1975 (Cth)
    - Workplace Gender Equality Act 2012 (Cth)
    - Racial and Religious Tolerance Act 2001 (Vic)

Explanatory Statement

### Equal Opportunity Legislation

Equal opportunity legislation focuses on two main areas:

1. Anti-discrimination legislation, which prohibits the denial of employment and training and its benefits based on certain grounds. Sexual harassment is considered a form of discrimination.
2. Affirmative action legislation, which attempts to act to eliminate discrimination by the relevant employer against any person in relation to employment matters and take measures to promote equal opportunity for all people in relation to employment matters.

### Discrimination

Discrimination is any practice that makes distinction between individuals or groups so as to arbitrarily advantage one and disadvantage the other. Discrimination occurs when somebody is treated less favourably on the grounds of the following attributes:

* Sex or gender
* Imputed characteristics (stereotypes)
* Parental status
* Lawful sexual activities
* Marital status
* Race
* Age
* Impairment (physical or intellectual)
* Disability
* Religion
* Political belief or activity
* Trade union activity
* Pregnancy or lactation

Discrimination may involve, but is not limited to:

* Offensive jokes or comments about a person’s racial or ethnic background, sex, sexual preference, age, disability or physical appearance
* Display of pictures, cartoons or posters that may be offensive or derogatory
* Expressing negative stereotypes for a group
* Judging someone on their religious beliefs rather than their work performance
* Using stereotypes or assumptions to guide decision making about someone’s career
* Undermining a person’s authority or work performance because you dislike one of their personal characteristics

### Sexual Harassment, Victimisation and Bullying

Sexual harassment is defined as any unwanted or unwelcome sexual behaviour which makes a person feel offended, humiliated or intimidated. Sexual harassment as defined under the Commonwealth Sex Discrimination Act 1984 occurs when:

* A person makes an unwelcome or uninvited sexual advance, or an unwelcome or uninvited request for sexual favours, to the person harassed, or
* Engages in other unwelcome or uninvited conduct of a sexual nature in relation to the person harassed; and
* The person harassed is offended, humiliated or intimidated.

Examples of sexual harassment include:

* Unwelcome or uninvited physical touching
* Sexual or suggestive comments, jokes or innuendoes
* Unwelcome or uninvited request for sex
* Intrusive questions about a person’s private life
* The display of sexually explicit material (e.g. posters, pictures)
* Unwanted invitations
* Staring or leering
* Sex based insults or taunts
* Offensive communications, including telephone calls, letters, faxes and email

Sexual harassment may be a single incident or repetitive behaviour. For example, an unwanted invitation or compliment may not constitute harassment if it is not repeated. However, some actions or remarks are so offensive that they constitute sexual harassment in themselves such as unwelcome or uninvited physical contact.

Policy Statements

### Access and Equity

Concept Engineering will comply with federal, state and local government bodies, laws and codes of conduct relating to access and equity in training and employment services.

Concept Engineering will furnish such reports, records and other matters as are requested by such bodies in order to foster the program of equal opportunity for all persons regardless of race, creed, culture, religion, skin colour, sex, gender, age, or disability.

It is the intent and desire of Concept Engineering that equal opportunity will be provided in employment, promotions, wages, benefits, and all other terms and conditions of employment, including decisions on redundancies, retrenchment and termination as well as the offer to provide services on behalf of Concept Engineering.

Concept Engineering is an equal opportunity employer and will recruit, interview, hire, classify, select for training, promotion, demotion, discipline, rates of pay or other compensation, transfer, termination, enroll in training courses and events in a fair and equitable manner.

The principles of equal opportunity for all must be extended to all aspects of the Concept Engineering operation including, but not limited to:

* Marketing
* Recruitment
* Monitoring
* Support
* Governance
* Administration

It is the responsibility of management at Concept Engineering to ensure fair employment and enrolment. Concept Engineering will implement a procedure by which violations of this policy can be reported and redressed.

Any violations of this policy must be reported immediately to management.

Procedures

### Procedure List

The procedures associated with this policy are:

* Response to Potential Breaches of Policy

### Response to Potential Breaches of Policy

1. Concept Engineering employees and visitors may not ignore sexual harassment or discrimination. Silence or failure to respond promptly is not acceptable.
2. Confidentiality is essential for appropriate and impartial resolution of a complaint and to minimise adverse effects on the victim. Accordingly, employees should respect the confidentiality of the parties involved and not publicly make or repeat allegations or defame the alleged offender.
3. If an employee or visitor believes that he or she is being subjected to sexual harassment, the individual must personally and immediately notify a member of the management team.
4. An investigation will be undertaken, and appropriate sanctions and corrective measures will be instituted if the allegations warrant such action.
5. Persons who commit acts of intimidation and harassment will be required to immediately discontinue such conduct and will be disciplined according to the severity of the case.
6. Appropriate discipline may include actions up to and including termination of employment or refusal of further services offered by Concept Engineering.

Forms and Templates

The forms and templates associated with these procedures are:

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| --- | --- |
| **Procedure** | **Forms and Templates** |
| Response to Potential Breaches of Policy | * Nil |

Version Management

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| **Version** | **Date** | **Notes** |
| 1 | 01/04/2019 | First release |
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