Access and Equity Operating Principles

1. Purpose

Australian Study Link Institute (ASLI) has documented Access and Equity operating principles policy to ensure that all staff, student and anyone dealing with ASLI is treated with equal opportunity during the course of its operations and training and development, regardless of their diversity, allowing everyone to freely participate in the learning environment free from discrimination, harassment, bullying or vilification, including conduct based on race, religion, ethnicity or belief, including antisemitism.etc.

ASLI will use this policy to integrate access and equity principles into all the training and assessment activities it conducts, or which are conducted on its behalf.

This includes fostering an inclusive training environment that respects and values the diversity of VET students, including people from culturally and linguistically diverse backgrounds, Aboriginal and Torres Strait Islander peoples, individuals with disability, and people from other priority equity groups, in accordance with Outcome Standard 2.5 of the RTO Standards 2025.

2. Scope

This policy in its scope encompasses all ASLI policies, procedures, and all training function activities. It applies to all learners, including overseas students, and covers recruitment, enrolment, training delivery, assessment, and support services, as required under the National Code 2018 (Standard 6) and the ESOS Act 2000.

3. Responsibility

Chief Executive Officer (CEO), Campus and Training Manager will be responsible for the implementation and maintenance of the policy and ensuring that staff are fully aware about these principles and comply with application and associated procedure and that all learners are treated fairly and supported throughout their engagement with ASLI. All staff and contractors are required to undertake regular professional development on inclusive education, cultural responsiveness, and access and equity responsibilities under the Standards for RTOs 2025.

4. Definitions

4.1 **Access and equity** means policies and approaches aimed at ensuring that the provider is responsive to the individual needs of clients whose age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy, numeracy or digital skill level, unemployment, imprisonment or remote location

may present a barrier to access, participation and the achievement of suitable outcomes. It also includes ensuring support for overseas students in accordance with the National Code 2018.

4.2 **Access and Equity principles include:**

- Equity for all people through the fair and appropriate allocation of resources
- Equality of opportunity for all people without discrimination
- Access for all people to appropriate quality training and assessment services
- Increased opportunity for people to participate in training.
- Respect for the identity, culture, and aspirations of Aboriginal and Torres Strait Islander peoples, in accordance with Outcome Standard 2.5 of the RTO Standards 2025.
- Recognition and support for learners from priority equity groups such as neurodivergent individuals (e.g., ADHD, autism), carers, those impacted by family and domestic violence, individuals from low socio-economic backgrounds, and First Nations learners.
- Cultural responsiveness in the design and delivery of training for all priority equity groups.

4.3 **Disadvantaged groups include the following groups who, traditionally, have been under-represented in Vocational Education and Training:**

- People with a disability
- Aboriginal and Torres Strait Islander peoples
- Women
- People from non-English speaking backgrounds
- People from rural and remote areas
- Long-term unemployed.
- People from culturally and linguistically diverse backgrounds.
- Learners who are neurodivergent, primary carers, or impacted by family violence etc.

4.4 **Discrimination:**

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

It includes unfair treatment on the basis of age, race, colour, sex, sexual orientation, gender identity, disability, religion, political opinion, national extraction, social origin, or other protected attributes under Australian anti-discrimination law.

All students, including overseas students, are entitled to training and support services free from discrimination, as required by the National Code 2018 and the ESOS Act 2000.

- **Direct discrimination**: Direct discrimination is any action that specifically excludes a person or group of people from a benefit or opportunity or significantly reduces their chances of obtaining it because their status or personal characteristics, irrelevant to the situation (e.g., sex, ethnic origin) are applied as a barrier. Direct discrimination has a focus of assumed differences between people.
- **Indirect discrimination:** Indirect discrimination is the outcome of rules, practices and decisions that treat people equally and which therefore appear to be neutral but which, in fact, perpetuate an initially unequal situation and significantly reduce a person's chances of obtaining or retaining a benefit or opportunity. Rules, practices and decisions are applied to all groups alike but it is the very assumption of a likeness that constitutes the discrimination.
- **Systemic discrimination:** Systemic discrimination is a system of discrimination perpetuated by rules, practices and decisions that are realised in actions that are discriminatory and which disadvantage a group of people because of their status or characteristics and which serve to advantage others of different status or characteristics. Direct and indirect discrimination contributes to systemic discrimination.

4.5 **Vilification:**

Vilification refers to public behaviour that incites hatred, serious contempt, or severe ridicule of a person or group based on protected attributes such as race or religion, including antisemitism. Australian Study Link Institute (ASLI) does not tolerate any form of vilification in its learning or working environment.

4.6 **Equity:** focuses on outcomes.

Equity is not concerned with treating people in the same way; it is concerned with ensuring that all groups of people participate and benefit to the same level.

It requires proactive support for individuals and groups who may experience barriers to education. ASLI is committed to creating an inclusive learning environment that enables all learners to achieve comparable outcomes, as outlined in Outcome Standard 2.5 of the RTO Standards 2025 and Standard 6 of the National Code 2018.

Relevant legislation includes:

- Commonwealth Racial Discrimination Act 1975
- Commonwealth Sex Discrimination Act 1984
- Commonwealth Disability Discrimination Act 1992
- Commonwealth Racial Hatred Act 1995
- Commonwealth Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Disability Standards for Education 2005

- Victorian Equal Opportunity Act 2010

Equal opportunity and anti-discrimination obligations also apply to ASLI's staff, agents, and any third-party (if any) training delivery arrangements.

4.7 **Sexual harassment** is defined by the Victorian Equal Opportunity Act 2010 and the Commonwealth Sex Discrimination Act 1984 as when a person:

- Makes an unwelcome sexual advance or an unwelcome request for sexual favours. Engages in unwelcome conduct of a sexual nature, and a reasonable person would have anticipated that the person harassed would be offended, humiliated or intimidated".
- Sexual harassment can occur among peers or co-workers, and in subordinate-supervisor, supervisor-subordinate or staff-student, student-staff, student-student situations.
- Sexual harassment is unlawful in both employment and educational settings. ASLI is committed to ensuring that all staff and students are protected from sexual harassment in accordance with relevant legislations. As an employer and a person conducting a business or undertaking, ASLI has a positive duty under section 47C of the Sex Discrimination Act 1984 (Cth) and section 15 of the Equal Opportunity Act 2010 (Vic) to take reasonable and proportionate measures to eliminate, as far as possible, sex discrimination, sexual harassment, sex-based harassment, hostile work environments on the ground of sex, and related victimisation. ASLI meets this duty through risk assessment, staff training, clear reporting channels and regular review of this policy. Any complaints of sexual harassment will be addressed promptly, confidentially, and with procedural fairness.

4.8 **Equal Employment Opportunities EEO:** Under Victoria's anti-discrimination laws, Equal Employment Opportunities (EEO) must be offered by all organisations. This means all staff members are treated on their merits at every stage of their employment - from the recruitment and interview process through to their daily duties, promotion, training and development opportunities, and their resignation, retrenchment or redundancy.

- All students are provided equal opportunity of receiving training with ASLI based on their merits at every stage of their student selection.
- ASLI ensures that EEO principles are embedded not only in staff recruitment and progression but also in student admissions, support, and learning outcomes, in accordance with RTO Standards 2025. These protections apply equally to all students as required under the ESOS Act 2000 and National Code 2018.

4.9 **Relevant Legislation and Standards**

- Standards for RTOs 2025 - Outcome Standard 2.5: https://www.asqa.gov.au
- National Code 2018 - Standard 6: https://www.legislation.gov.au/Details/F2017L01182

- Education Services for Overseas Students (ESOS) Act 2000: https://www.legislation.gov.au/Series/C2004A00757

5. Policy Statement

5.1 The policy will ensure to remove barriers and to open up developmental opportunities for all students as well as for staff by creating a workplace and training environment that is free from discrimination, harassment, bigotry, prejudice, racism and offensive behaviour. ASLI commits to fostering an inclusive and culturally safe learning and working environment for all learners.

5.2 All students and staff will receive fair and equitable treatment in all aspects of training and employment without regard to political affiliation, race, colour, religion, national origin, sex, marital status or disability (including physical, intellectual, psychiatric, sensory, neurological or learning disability). This commitment extends to sexual orientation, gender identity, intersex status, age, and cultural or linguistic background, in accordance with the Equal Opportunity Act 2010 (Vic) and Commonwealth legislation.

5.3 Where a person's disability may give rise to a health and safety risk, ASLI will first consult with the person and consider reasonable adjustments. Enrolment may only be refused where, after reasonable adjustments, the person could not meet the inherent requirements of the course safely, or the adjustment would impose unjustifiable hardship. Such exclusions must be made in compliance with the Disability Discrimination Act 1992 (Cth) and only after reasonable adjustments have been explored and documented. Reasonable adjustments will be made in accordance with the Disability Standards for Education 2005 and Outcome Standard 2.4 of the Standards for RTOs 2025.

5.4 All trainers/assessors are responsible for observing and assisting in implementation of the policy. They are expected to model inclusive practices and proactively support learners from priority equity groups, including Aboriginal and Torres Strait Islander peoples, learners with disability, and culturally diverse learners, in accordance with RTO Standards 2025.

5.5 ASLI's policies and procedures will be monitored and reviewed to ensure that they recognise and incorporate the rights of individuals in various ways:

- Pre-enrolment materials study support and study skills programs
- Language, Literacy, Numeracy and Digital Skills (LLND) Support
- Equipment, resources and/or programs to increase access for learners with disabilities
- Learning resource centres
- Mediation services or referrals to these services
- Flexible scheduling and delivery of training and assessment
- Counselling services or referrals to these services
- Learning materials in alternative formats, for example, in large print

- Learning and assessment programs customised to the workplace

6. Procedures

6.1 The policy will be included in information provided to employees, trainers/assessors and students. This policy must be read in conjunction with ASLI's Student Support, Welfare & Wellbeing Policy, which outlines the provision of reasonable adjustments and specific support strategies for priority equity groups. It will also be available publicly via ASLI's website, during PTR and orientation materials, in accordance with RTO Standards 2025 and Standard 6.1 of the National Code 2018

6.2 If a member of staff or a student feels that the institute staff is not observing the policy, then he/ she should refer the matter to the Campus and Training Manager or any ASLI staff member. Students must be advised of their right to raise access and equity concerns without fear of victimisation or disadvantage.

6.3 Any person with a complaint will be directed to use the ASLI's Feedback, Complaints and Appeals Policy

6.4 When a complaint or report is received, the person who has received it must firstly consult the policy to confirm that there has been a breach of policy and then immediately take steps to correct the breach either through communication with the person committing the breach in order to rectify it or by reporting it to the CEO in the case where the breach cannot be dealt with at the staff member's level.

6.5 Once the breach of policy has been dealt with, the person receiving the report must send a written response to the person who has reported the breach.

6.6 If a member of staff or a student feels that ASLI's staff members are not observing the policy, then he or she should refer the matter to their Campus and Training Manager.

6.7 The institute will follow up any report discreetly and will undertake an appropriate investigation. The investigation will respect confidentiality and procedural fairness for all parties involved.

6.8 If the report is verified, ASLI will view the matter seriously and will take appropriate action, which may include penalty and counselling (ASLI will assist the student / staff to appropriate and professional counselling services)

6.9 Person making complaint will be informed of the outcome in writing and ASLI will commence assessment of the complaint within 10 working days of receipt and finalise it as soon as practicable, generally within 30 calendar days of receipt of the complaint.

6.10 Where ASLI considers more than 60 calendar days are required to process and finalise the complaint or appeal, the Institute will inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and will regularly update the complainant or appellant on the progress of the matter.

6.11 If the complainant is dissatisfied with the action taken, then complainant may follow ASLI's internal complaint & appeal procedure by accessing ASLI's Feedback, Complaint and Appeals policy and if still dissatisfied, Student has the right to make external appeal by contacting the following organisations:

a) Overseas student Ombudsman (OSO):

The Overseas Students Ombudsman offers free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider.

The Overseas Students Ombudsman investigates complaints about problems that overseas students have with private education and training in Australia.

The Ombudsman (OSO) also:

- Provides information about best practice complaints handling to help private education providers manage internal complaints effectively.
- Publishes reports on problems and broader issues in international education that OSO identify through investigations.

The Overseas Students Ombudsman contact details are:

- Website: http://www.ombudsman.gov.au
- Email: ombudsman@ombudsman.gov.au
- Contact Number: 1300 362 072

For further information, please visit International student complaints | Commonwealth Ombudsman or contact overseas student ombudsman by telephone, 9am to 5pm Monday to Friday, Australian Eastern Standard Time (AEST).

- In Australia, call: 1300 362 072 (calls from mobile phones at mobile phone rates).
- Outside Australia, call +61 2 5117 3600
- Refer https://www.ombudsman.gov.au/complaints/how-to-make-a-complaint

b) Consumer Affairs Victoria

You can contact Consumer Affairs Victoria by telephone, 9am to 5pm Monday to Friday, Australian Eastern Standard Time (AEST).

- In Australia, call: 1300 55 81 81 (calls from mobile phones at mobile phone rates).
- Website: https://www.consumer.vic.gov.au/internationalstudents

c) National Translating & Interpreting Service

- Phone: 131 450 (within Australia)
- Phone: +613 9268 8332 (outside Australia)

d) Victorian Equal Opportunity and Human Rights Commission

- Level 3, 204 Lygon Street, Carlton. Vic 3053, Australia
- Contact: 1300 292 153
- Website - https://www.humanrightscommission.vic.gov.au/discrimination

e) e) Australian Human Rights Commission

for complaints under Commonwealth anti-discrimination law 1300 656 419;
www.humanrights.gov.au/complaints

* For more information, please refer to the student handbook or the Feedback, Complaints & Appeals Policy.

7. Records Management

All documentation from regarding complaints concerning Access and Equity matters will be maintained in a file. Records will be stored securely and confidentially in accordance with ASLI's Records Management Policy and access to these records will be restricted to authorised personnel only.

8. Monitoring and Improvement

All Access and Equity practices will be monitored by CEO, Campus and Training Manager and areas for improvement will be identified and acted upon. Feedback from staff and students, complaints and appeals data, and changes to legislation or regulatory standards will inform the review process. Continuous improvement actions will be documented and incorporated into ASLI's quality assurance system in accordance with RTO Standards 2025. Feedback on access and equity practices will also be captured through ASLI's Feedback, Complaints, and Appeals process and used to inform improvements.