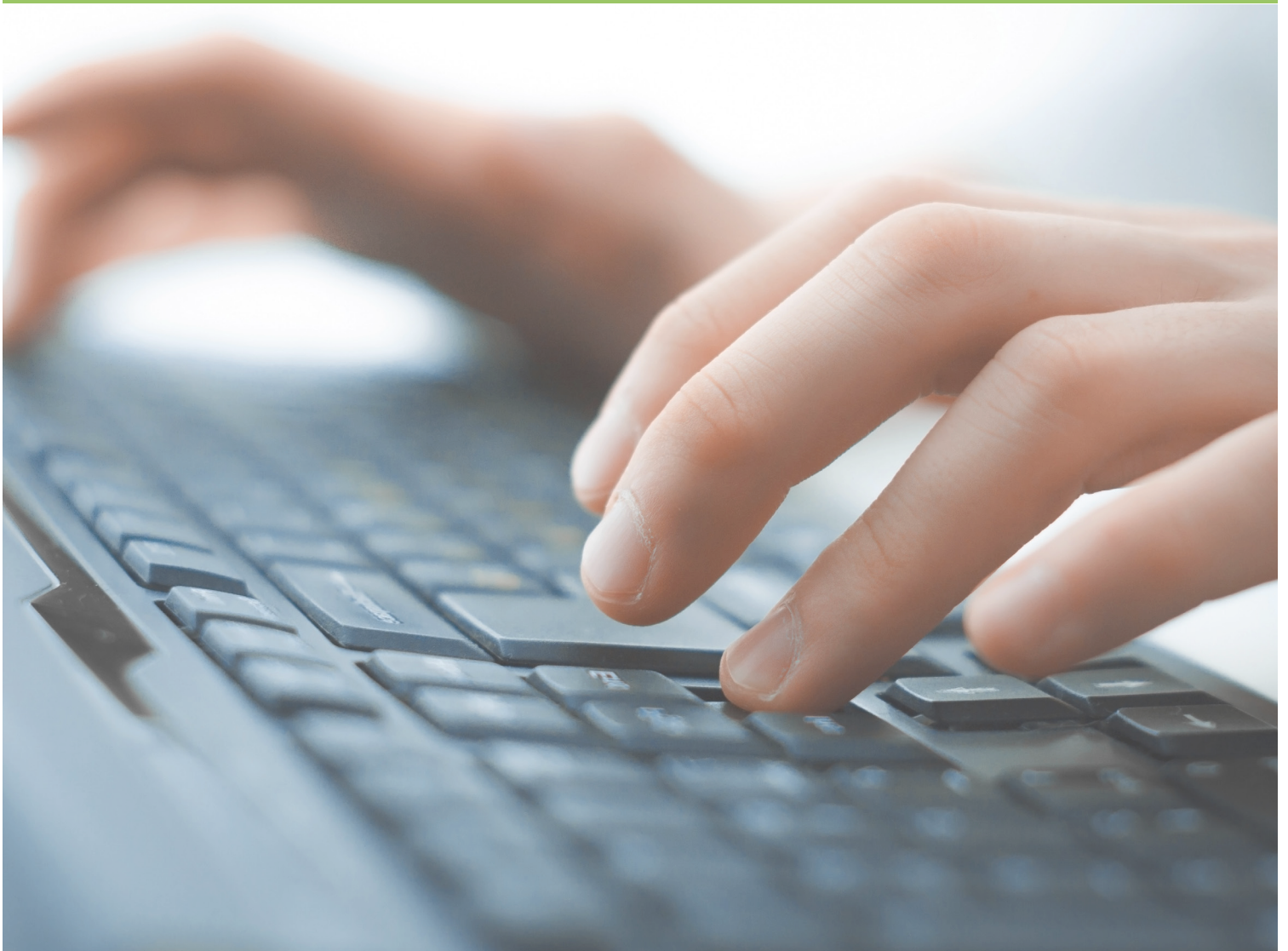


Access, Equity and Support Policy and Procedure



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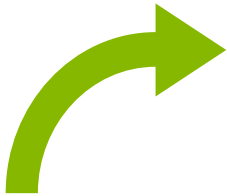
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PURPOSE

The purpose of this policy and procedure is to outline ASFA's approach to ensuring fair and equitable access and support to our services regardless of an individual's age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or location.

This policy and procedure ensures compliance with Standards 1 Clause 1.7; 4 Clause 4.1; 5 Clauses 5.1 – 5.4; and 8 Clauses 8.5 – 8.6 of the Standards for Registered Training Organisations (RTOs) 2015.



DEFINITIONS

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'

Disability in accordance with the Commonwealth Disability Discrimination Act 1992 means:

- total or partial loss of the person's bodily or mental functions; or
- total or partial loss of a part of the body; or
- the presence in the body of organisms causing disease or illness; or
- the presence in the body of organisms capable of causing disease or illness; or
- the malfunction, malformation or disfigurement of a part of the person's body; or
- a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or
- a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour; and includes a disability that:
 - presently exists; or
 - previously existed but no longer exists; or
 - may exist in the future (including because of a genetic predisposition to that disability); or
 - is imputed to a person.

To avoid doubt, a disability that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.

Disability Discrimination Act 1992 (DDA) makes it unlawful to discriminate against a person on the basis of their disability. This means service providers need to ensure people with disability can access and participate on an equal basis. Providers must make whatever adjustments are necessary and reasonable to allow students with disability to access those services to the same extent as others

Disability Standards for Education 2005 (formalised under the DDA 1992) aim to highlight the obligations of education and training providers in relation to current and prospective students with disability in the areas of Enrolment, Participation, Curriculum, Student support services as well as the elimination of harassment and victimisation

Discrimination means any action, direct or indirect, which disadvantages an individual and/or a group. Discrimination may be embedded in or take effect through the operation of a system. Harassment occurs when behaviour and/or language is found to be offensive, intimidating or otherwise distressful. It does not apply to reciprocal behaviour or banter in private which neither party finds offensive

Language, literacy and numeracy (LLN) skills relate to how we communicate with each other. Language relates to the words, verbal structures and gestures we use to convey meaning. Literacy means being able to read and use written information. Numeracy is the practical application of mathematical skills to absorb, use and critically evaluate information in numerical or graphical form. Source: Language, Literacy and Numeracy Network

Reasonable adjustment means a modification made to the learning environment, training or assessment methods used to enable students with a disability to access and participate in training on the same basis as those without a disability. An adjustment is reasonable if it meets the needs of the student with a disability, without impacting too much on other people

SRTOs means the Standards for RTOs 2015 – refer definition of 'Standards'

Standards means the Standards for Registered Training Organisations (RTOs) 2015 of the VET Quality Framework which can be accessed from www.asqa.gov.au

The Australian Core Skills Framework is a tool that describes and measures LLN skills, and is based on the National Reporting System (NRS). It describes levels of performance in five core skills areas: learning, reading, writing, oral communication and numeracy.

Unjustifiable Hardship is defined under the Disability Discrimination Act 1992, Section 11 as follows:

'11. For the purposes of this Act, in determining what constitutes unjustifiable hardship, all relevant circumstances of the particular case are to be taken into account including:

- (a) the nature of the benefit or detriment likely to accrue or be suffered by any persons concerned; and
- (b) the effect of the disability of a person concerned; and
- (c) the financial circumstances and the estimated amount of expenditure required to be made by the person claiming unjustifiable hardship; and
- (d) in the case of the provision of services, or the making available of facilities - an action plan given to the Commission under section 64'1

LEGISLATION

The following Commonwealth and State Based legislation are adhered to by ASFA Learning and guided the development of this *Access, Equity and Support Policy and Procedure*:

Commonwealth legislation

- **Disability Discrimination Act 1992** – The Disability Discrimination Act makes it unlawful to discriminate against a person on the basis of their disability. This means service providers need to ensure people with disability can access and participate on an equal basis. Providers must make whatever adjustments are necessary and reasonable to allow students with disability to access those services to the same extent as others.
- **Disability Standards for Education 2005** – The Education Standards aim to highlight the obligations of education and training providers in relation to current and prospective students with disability in the areas of Enrolment, Participation, Curriculum, Student support services as well as the elimination of harassment and victimisation.
- **Disability Standards for Education 2005 Guidelines**
- **Human Rights and Equal Opportunity Commission Act 1986**
- **Age Discrimination Act 2004**
- **Racial Discrimination Act 1975**
- **Sex Discrimination Act 1984**
- **National Privacy Principles**

Australian Capital Territories legislation

- **Discrimination Act 1991**
- **Disability Services Act 1991**

NSW legislation

- **Anti-Discrimination Act 1977**
- **Disability Services Act 1993**

Victoria legislation

- **Equal Opportunity Act 2010**
- **Disability Services Act 2006**

Northern Territory legislation

- **Anti-Discrimination Act 1996**
- **Disability Services Act**

Queensland legislation

- **Anti-Discrimination Act 1991**
- **Disability Service Act 2006**

South Australian legislation

- **Equal Opportunity Act 1984**
- **Disability Services Act 1993**

Tasmanian legislation

- **Anti-Discrimination Act 1998**
- **Disability Services Act 1992**

Western Australia

- **Equal Opportunity Act 1984**
- **Disability Services Act 1993**

Summary Guide to Anti-Discrimination laws around the States and Territories:

<https://www.humanrights.gov.au/guide-australias-anti-discrimination-laws#summary>



POLICY

1. Access, Equity and Support Principles

- The Association of Superannuation Funds of Australia “ASFA” Limited is committed to:
 - equal opportunity for all students
 - providing an inclusive learning experience that takes into account differing learning styles and preferences
 - giving students with disability the right to participate in its courses on the same basis as students without disability
 - being responsive to individual needs irrespective of gender, age, race, religion, culture, linguistic background, marital status, geographic location, socio-economic background, disability, sexual preference, family responsibility or political conviction
 - identifying the support that each individual student needs prior to their commencement or enrolment with the RTO (whichever is first) and providing access to the educational and support services necessary to meet these needs and Course outcomes, including reasonable adjustments to accommodate the needs of students with a disability
 - non-discriminatory student selection and enrolment procedures where all individuals are treated fairly and equitably
 - fair access for members of under-represented groups such as people with a disability, Aboriginal and Torres Strait Islander people, people with a non-English speaking background, people with language, literacy and numeracy difficulties, and older people
 - respecting an individual’s right to privacy and confidentiality and being sensitive to students’ needs and circumstances
 - increasing the participation of all learners
 - creating and maintaining a learning environment free from all forms of discrimination and harassment including, sexual harassment, bullying, violence, victimisation and vilification
 - ensuring access and equity issues are considered during the development of training and assessment strategies
 - the promotion of and adherence to the principles of the Commonwealth Disability Discrimination Act 1992 and the Disability Standards for Education 2005.

2. Discrimination and Harassment

- ASFA does not tolerate discrimination against, or harassment of students, including those with a disability, by any other student or by any ASFA employee. It is ASFA's policy that any form of discrimination and harassment is totally unacceptable.
- Discrimination and harassment covers a range of verbal and physical behaviour which is unwelcome and unsolicited. Any behaviour which is personally offensive, debilitates morale or interferes with a student's academic performance, because of sex/gender, marital status, pregnancy, sexual preference, HIV or AIDS status, race, disability, religious belief, political opinion or age may constitute discrimination and/or harassment. Harassment may be a form of discrimination. Serious forms of harassment may constitute assault, an offence under the Crimes Act (NSW), and thereby may be subject to police investigation and criminal penalties.
- Harassment occurs when behaviour and/or language is found to be unwelcome, offensive, or intimidating; it does not apply to reciprocal behaviour or banter in private which neither party finds offensive.
- ASFA is committed to creating and maintaining a learning environment free from all forms of discrimination and harassment on the grounds specified under State and Commonwealth anti-discrimination legislation and ASFA's own related policies. The Board of Directors of ASFA formally condemns discrimination and harassment of students.
- Staff and students are responsible for ensuring that their own behaviour contributes to the maintenance of a learning environment free from all forms of discrimination and harassment, including sexual harassment.

3. Student Code of Conduct

Students' Rights

All students have the right to:

- Be treated fairly and with respect by all students and staff
- Learn in a supportive environment which is free from harassment, discrimination and victimisation
- Learn in a healthy and safe environment where the risks to personal health and safety are minimised
- Have their personal details and records kept private and secure according to our *Privacy Policy and Procedure*
- Access the information ASFA holds about them
- Have their complaints and appeals dealt with fairly, promptly, confidentially and without retribution
- Make appeals about procedural and assessment decisions
- Receive training, assessment and support services that meet their individual needs
- Be given clear and accurate information about their course, training and assessment arrangements and progress
- Access the support they need to effectively participate in their training program
- Provide feedback to ASFA on the client services, training, assessment and support services they receive.

Students' Responsibilities

All students, throughout their training and involvement with ASFA, are expected to:

- Treat all people with fairness and respect and not do anything that could offend, embarrass or threaten others
- Not harass, victimise, discriminate against or disrupt others
- Treat all others and their property with respect
- Respect the opinions and backgrounds of others
- Follow all safety policies and procedures as directed by staff
- Report any perceived safety risks as they become known
- Not bring into any premises being used for training purposes, any articles or items that may threaten the safety of self or others
- Notify us if any of their personal or contact details change
- Provide relevant and accurate information to ASFA in a timely manner
- Approach their course with due personal commitment and integrity
- Complete all assessment tasks and learning activities honestly and without plagiarism, cheating, collusion or infringing on copyright laws
- Hand in all assessment tasks and other evidence of their work by their due date
- Make regular contact with ASFA via their Trainer/Assessor or Student Services
- Prepare appropriately for all assessment tasks, workplace visits (if applicable) and workshops
- Notify ASFA if any difficulties arise as part of their involvement in the program
- Notify ASFA if they are unable to attend a workshop for any reason prior to the commencement of the activity
- Ensure all required course fees are paid.

4. Access, Equity and Support Considerations in Training and Assessment Design

- When planning a new course or developing learning materials, ASFA considers access and equity issues to ensure the course is flexible and inclusive of a range of student needs, has a mix of instructional and assessment modes to accommodate different learning styles, has sufficient support mechanisms for all students including those with special needs, incorporates adjustments or alternative learning and assessment strategies and avoids non-inclusive and discriminatory language and examples.
- ASFA follows the principles of 'Universal Design' and design training and assessment strategies, learning materials and learning activities to be accessible and useable by learners with widely different backgrounds and abilities.
- ASFA ensure there are multiple pathways for each course including training and assessment, recognition of prior learning and assessment only pathways.

5. Student Selection and Enrolment

- ASFA's student selection and enrolment process is free from bias, non-discriminatory and the same for all applicants. All applicants must meet the published entry criteria as per each Course Outline and ASFA's *Enrolment Policy and Procedure*.
- Prior to enrolment or commencement of training ASFA provides to each individual current and accurate information that enables them to make informed decisions about undertaking training with ASFA. The *ASFA Learning Course Guide*, ASFA website, *Course Outlines* and other course information provided prior to enrolment will provide the individual with detailed information on course suitability, the entry requirements, language, literacy and numeracy required levels, course structure, delivery methods, assessment methods, language, and the level of support they may expect.
- Individual support needs of students will be identified at the enrolment stage or, if that is not feasible, as early as possible after the commencement of the course.

6. Language, Literacy and Numeracy (LLN)

- To maximise the chance of learners successfully completing their training, ASFA identifies any support individual learners need prior to their enrolment or commencement, including the identification of Language, Literacy and Numeracy (LLN) level and support requirements.
- ASFA bases the assessment of LLN skill level on the Australian Core Skills Framework (ACSF) and all *Course Outlines* will clearly specify entry criteria including LLN level.
- Individuals enrolling in an accredited course with ASFA will need to show evidence that they have the LLN skills to succeed in the course by one of the following methods:
 - Providing a copy of a valid Australian Senior Secondary Certificate of Education (SSCE) issued on completion of Year 12
 - Providing evidence of the successful completion of an AQF course at the same or higher level to the course they are applying for (where the language of instruction is English)
 - Completing ACER's Foundation Skills Assessment Tool (FSAT) and achieving a minimum Exit level of 3 in both reading and numeracy.
- ASFA is committed to supporting students with LLN needs and to assist students to identify these needs prior to enrolment so they can make an informed decision about whether the course is suitable for them.
- Where LLN gaps are identified, ASFA will discuss options with the student including:
 - Developing an *Individual Support Plan* outlining additional support requirements and ways addressing LLN gaps such as access to self-paced online learning tools, group tutorials and workshops, and trainer and assessor support
 - Referring the individual to language, literacy and numeracy (LLN) programs
 - Referring to a learning specialist for advice regarding appropriate learning support and reasonable adjustment
 - Identifying preliminary support programs or discussing alternative study options.
- LLN resources include:
 - Department of Education and Training: [Literacy Net General Resources](#)
 - Reading and Writing Hotline: [Literacy resources](#)
 - The NDCO Programme's: [Your Right to an Education booklet](#)
 - Precision Consultancy: [ACSF assessment tool user guide and assessment tasks](#)
 - What works for LLN? [Video library](#)

7. Identifying Individual Support Needs

- All individuals enrolling in an accredited course with ASFA complete pre-training review questions which are integrated into the *Enrolment Form* to ensure that any individual learning needs are identified and that they are enrolling in a suitable course.
- Specific needs may also be identified by the student or ASFA staff at any time during the enrolment or learning and assessment process.
- If individuals have additional support requirements identified which are over and above what is normally offered in the course and wish to be provided with additional support mechanisms or reasonable adjustment, an *Individual Support Plan* will be developed in consultation with the student which will outline the strategies used to provide the student with additional support. Any adjustments made will not compromise the integrity of the learning or assessment process.
- ASFA recognises that it may not always have the internal knowledge and expertise to identify and provide the support needed for some individuals. ASFA utilises external expertise in relation to specific disabilities or needs when required.

8. Support for Students with Disabilities

- ASFA will not exclude, discontinue or dismiss a student on the grounds of having a disability alone.
- The *ASFA Enrolment Form* includes a section relating to disclosure of disabilities with an option to request adjustments to the learning or assessment process or methodology due to disability. All personal information provided around disabilities is handled confidentially and any questions asked around disability are for the purposes of being able to offer support and arrange reasonable adjustments.
- The *Enrolment Form* states that all information pertaining to the applicant, including disabilities, will be treated confidentially.
- Specific needs for students with a disability may also be disclosed by the student at any time during the enrolment or learning and assessment process.
- Disclosure of a disability to ASFA is optional and an individual does not have to disclose their disability unless they want to arrange adjustments or their disability poses a risk to themselves or others.
- *Individual Support Plans* are created for students with disabilities when reasonable adjustments are requested. The *Individual Support Plan* will be developed in consultation with the student and will outline the strategies used to provide the student with additional support. The discussion and development of the *Individual Support Plan* will consider:
 - the nature of the disability
 - how the disability affects their participation
 - the students preferred adjustment
 - whether the adjustment affects others
 - how the adjustment will help them achieve the learning outcomes
 - the impacts on ASFA Learning.
- Depending on the reasonable adjustment required, students may be requested to provide documentation from a medical or other health professional to help guide this process.
- ASFA recognises that it may not have the internal knowledge and expertise to identify the support needed for certain disabilities. In these instances ASFA will engage and utilise external expertise from disability support agencies such as the **National Disability Coordination Officer Programme (NDCOP)** in relation to the disability and the reasonable adjustment that can be provided. External agencies may also be engaged to provide specialist services for individual students with disabilities on behalf of ASFA.

9. Reasonable adjustment

- When an individual support need or disability is disclosed to ASFA and an *Individual Support Plan* completed, the reasonable adjustment will be implemented to ASFA's usual process, environment or practice so long as it will not impose unjustifiable hardship on the person or ASFA. If required, ASFA may seek advice from government agencies or support organisations to determine what needs to be done to accommodate the requirements of the individual.
- Any reasonable adjustments made will not compromise the integrity of the learning or assessment process.
- Whilst the possibilities of reasonable adjustments are considerable and will always be based on the individual's needs, some examples of reasonable adjustments that can assist students meet course requirements include:
 - an adjustable workstation or ergonomic chair/desk
 - providing special adaptive technologies such as voice-activated computer software, special keyboard, large screen monitor or associated aids
 - note-takers or interpreters
 - referrals to language, literacy and numeracy (LLN) programs
 - referrals to counselling support
 - flexible scheduling and delivery of training and assessment
 - learning materials in alternative formats i.e. electronic, large print, braille
 - adapting the assessment methodology such as allowing extra time, oral questioning rather than written, audiotaped or videotaped answers instead of written answers.
- Any adjustments considered must be 'reasonable' in that it must not impose unjustifiable hardship on the person or ASFA. There may be adjustments which are considered not reasonable. Decisions on whether the adjustment can be made will be based on consideration of a range of factors, including the impact on ASFA, staff and other students, and the costs and benefits of making the adjustment as detailed in Section 10 of the Disability Standards for Education 2005, and in consideration of the definition of 'unreasonable hardship' defined under the Disability Discrimination Act 1992.

10. Staff Awareness and Professional Development of Access, Equity and Support

- All ASFA Learning staff are aware of the Commonwealth and State Based legislation regarding access, equity and support of students and the responsibilities of education providers under these. They also actively participate in ongoing professional development in the following areas:
 - this *Access, Equity and Support Policy and Procedure*
 - Disability Discrimination Act 1992
 - bullying, harassment and victimisation
 - reasonable adjustment and development and implementation of *Individual Support Plans*
 - monitoring of students with *Individual Support Plans*.

11. Access, Equity and Support Complaints and Appeals

- All students and staff are encouraged to bring any instances of perceived harassment, bullying, victimisation or unfair treatment to the attention of ASFA management by following ASFA's *Complaints and Appeals Policy and Procedure*.
- Students may also wish to appeal a decision made around whether an adjustment can be made and should do so following ASFA's *Complaints and Appeals Policy and Procedure*.



PROCEDURES

1. Language, Literacy and Numeracy

Refer SRTOs: Clause 1.7

Procedure	Responsibility
<p>A. Language, literacy and numeracy assessments</p> <ul style="list-style-type: none">Individuals enrolling in an accredited course with ASFA will need to show evidence that they have the language, literacy and numeracy (LLN) skills to succeed in the course by one of the following methods:<ul style="list-style-type: none">Providing a copy of a valid Australian Senior Secondary Certificate of Education (SSCE) issued on completion of Year 12Providing evidence of the successful completion of an AQF course at the same or higher level to the course they are applying for (where the language of instruction is English)Completing ACER's Foundation Skills Assessment Tool (FSAT) and achieving a minimum Exit level of 3 in both reading and numeracy.The outcome will be used to identify the current level of LLN skills the student has and the support required for the course. An <i>Individual Support Plan</i> may be developed if required to outline the additional support required for the student.If ASFA is unable to provide the required level of LLN support then the student will be referred to an external party for additional LLN support. External LLN support will be at the student's expense.	<p>Student Advisors / Training and Development Manager</p>

2. Individual support needs

Refer SRTOs: Clause 1.7

Procedure	Responsibility
<p>A. Assessing individual support needs</p> <ul style="list-style-type: none"> Review <i>Enrolment Form</i> to identify if the student has indicated they require any additional support on the form. Individual needs may also be identified verbally during the enrolment process or throughout their course duration. If additional support is identified during the enrolment or throughout their course, pass this information to the Training and Development Manager. The Training and Development Manager will consult with the student and discuss their needs to identify how ASFA can support the student. Evidence of the support need or disability (for example, school or medical reports) may be requested from the individual if required depending on the need. 	<p>Student Advisors / Trainer / Assessor / Training and Development Manager</p>
<p>B. Individual support plans</p> <ul style="list-style-type: none"> If individual support requirements are identified then an <i>Individual Support Plan</i> will be developed which will outline the strategies used to provide the student with additional support over and above what is normally offered in the course. This may include: <ul style="list-style-type: none"> Additional one-on-one support from a trainer/ assessor Assigning of a mentor/coach that is able to provide additional support in the workplace and who works closely with the student and the trainer/assessor Adjustments to the way training resources are accessed or provided Adjustments to the classroom or delivery of the course Adjustments to the way assessments are to be conducted or extra time for assessments Additional online support Linking with additional resources in the community. Individual Support Plans should be saved against the student's record in Microsoft Dynamics CRM and communicated to any parties as required i.e. the trainer if the adjustments required are to the classroom or delivery of the course. 	<p>Student Advisors / Training and Development Manager</p>

3. Reasonable adjustments

Refer SRTOs: Clause 1.7 and 1.8

Procedure	Responsibility
<p>A. Making reasonable adjustments</p> <ul style="list-style-type: none"> Reasonable Adjustments may be required to training and/or assessment methods for students with a disability to provide them with the same educational opportunities as everyone else. Reasonable adjustment needs will be discussed collaboratively with the learner and appropriate ASFA staff as required. If it is difficult to identify evidence of need or where the impacts are more complex, ASFA will engage and utilise external expertise from disability support agencies such as the National Disability Coordination Officer Programme (NDCOP). Refer to this guide for further information about how and when to make reasonable adjustments https://www.asqa.gov.au/sites/g/files/net2166/f/publications/201701/fact_sheet_providing_quality_training_and_assessment_services_to_students_with_disabilities.pdf?v=1500516917. When determining whether an adjustment is reasonable, refer to the Disability Standards for Education 2005: https://education.gov.au/disability-standards-education. If the individuals support requirements are considered not reasonable due to 'unjustifiable hardship' or unable to be provided due to specific requirements of the course such as Occupational Health and Safety requirements that preclude learners' participation in core course activities, the student will be notified in writing with the reasons the adjustment is unable to be provided. They may also be referred to an external service for support – this might be to English language courses, language, literacy and numeracy (LLN) programs, lower level or more suitable qualifications delivered by other providers. Individuals can appeal the decision of around whether an adjustment can be made by following ASFA's <i>Complaints and Appeals Policy and Procedure</i>. 	<p>Training and Development Manager</p>