

HRD - Access, equity and conduct policy

Access, equity and conduct

Compliance

Standards for RTOs 2015 Standard 1.3, 5.2 (c), (e)

Related documents

- *HRD–Cheating and plagiarism policy and procedure*
- *HRD–Employee code of conduct*
- *HRD–Equal opportunity policy*
- *HRD–Learner performance policy and procedure*
- *HRD–Learner induction information*
- *HRD–Learner induction checklist*

Relevant legislation

Relevant legislation includes

- *Racial Discrimination Act 1975 (C'wealth)*
- *Sex Discrimination Act 1984 (C'wealth)*
- *Disability Discrimination Act 1992 (C'wealth)*
- *Racial Hatred Act 1995 (C'wealth)*
- *Equal Opportunity Act 2010 (Vic)*

Purpose/explanation

This policy provides an access, equity and behaviour code for HRD staff and learners. It also affirms the HRD commitment to offer access to learner support services.

Scope

This policy statement applies to all HRD Integrated Services trainees and staff and includes contract staff and staff working under auspicing arrangements.

Responsible parties

The Director and the Training Manager are responsible for the implementation and conduct of this policy and procedures.

Definitions

Access and equity	<p>Access and equity: access and equity within the terms of this policy is based on the following principles:</p> <ul style="list-style-type: none"> ▪ providing and maintaining training services that reflect fair and reasonable opportunity, and consideration for all trainees and staff, regardless of race, colour, religion, sexuality, marital status, pregnancy, gender or physical disability. ▪ equity for all people through the fair and appropriate allocation of resources and involvement in training. ▪ equality of outcome without discrimination. ▪ access to quality programs and services.
Academic misconduct	<p>Academic misconduct includes cheating, plagiarism and collusion as described in <i>HRD–Cheating and plagiarism policy and procedure</i>.</p>
Behavioural misconduct	<p>Behavioural misconduct is broadly defined as actions that breach HRD Integrated Services policies and procedures (or their intent), or impair the freedom of other persons to pursue learning. Behavioural misconduct includes (but is not limited to):</p> <ul style="list-style-type: none"> ▪ failure to comply with any reasonable or lawful request from a HRD Integrated Services employee in order to ensure the safety of any person and the orderly conduct of learning programs and other HRD activities ▪ any act or failure to act that endangers the safety or health of any other person, or causes others to fear for their safety or physical or psychological well being ▪ bullying or harassment of any other learner or staff member ▪ stealing, destroying, impairing the accessibility of, or defacing any part of HRD Integrated Services property, its resources or the property or resources of a leased training venue or site ▪ conduct which unduly disrupts or interferes with a class, a meeting or any other official HRD Integrated Services activity ▪ making a false representation or declaration regarding a matter affecting your learner status ▪ being under the influence of prohibited drugs and/or substances including alcohol while on HRD Integrated Services premises or while participating in a HRD Integrated Services–related activity.
Client	<p>The client is the employer of a learner. Training is conducted on behalf of the client; the learner is a participant in that training.</p>
Learner	<p>The student, apprentice or trainee who participates in training or a training and assessment event.</p>

POLICY

Access and equity

HRD Integrated Services adheres to principles of access and equity and maximises outcomes for learners.

The aim of the policy is to ensure that no learner or group is disadvantaged in accessing training by creating a workplace and training environment that is free from discrimination, harassment, bigotry, prejudice, racism and offensive behaviour.

HRD Integrated Services will ensure that its practices are as inclusive as possible and will not unreasonably prevent anyone from accessing its services. HRD will endeavour to ensure that equity principles for all people are implemented through the fair allocation of resources and the right to equal opportunity without discrimination.

To this end, all learners will receive fair and equitable treatment in all aspects of training without regard to political affiliation, race, colour, religion, national origin, sex, marital status or physical disability.

Equally important is the view that no person training with HRD Integrated Services will act in any discriminatory manner towards any other learner or staff member. HRD aims to provide a positive learning environment; no person should behave in such a way as to impair the learning process or work performance for others or in any way prejudice the good order or facility of HRD.

Instances of misconduct may provide grounds for disciplinary action.

A person with a disability may be excluded under this policy if the disability could cause occupational health and safety risks to the person and/or other students.

Learner services

HRD will endeavour to provide personal support, or access to personal support services, in relation to matters that directly affect or arise from a person's learning with us.

Learning support is available, consistent with the learner meeting their learner performance obligations.

HRD can provide referrals on request to a range of services, including personal counselling, accommodation and financial services or can refer a learner to a professional career counselling and advisory service if required.

If an issue relates to a learner's workplace or interactions with colleagues in the workplace, the learner will be advised to take up the matter with their supervisor or HR team.

PROCEDURE

Reference to policy provisions will be included in induction information provided to learners and referred to in information provided to trainers-assessors.

HRD's procedures relating to training and assessment activities will focus on objective criteria based on merit.

A learner seeking personal, career or learning support should first enquire with their trainer-assessor.

Any person with a complaint will be directed to use HRD's complaints and appeals process.

Implementation

Where an issue of misconduct that infringes another person's right to access, equity or a positive learning experience arises, every opportunity should be taken to resolve the issue by discussion with the parties involved prior to any formal action being taken. Where there is evidence of criminal activity, the police should be called.

Formal action – learners

In response to behavioural misconduct a learner may be excluded from the relevant class or work area on that day and their behaviour reported to their employer.

At the discretion of the Director, HRD Integrated Services a learner may be suspended indefinitely pending discussions with the employer to determine a suitable disciplinary action and/or to establish clear behaviour parameters.

In excluding a learner from a class, the staff member must be aware of any duty of care or employment issues that may be involved. The learner/trainee is to be advised that they must return to their place of employment.

Instances of cheating, plagiarism or collusion are to be dealt with according with *HRD–Cheating and plagiarism policy and procedure*.

All action in response to academic or behavioural misconduct is covered by *HRD–Learner performance policy and procedure* and must be documented and a copy retained as part of the trainee's file.

Summary action – staff

In response to misconduct by a staff member, the Director, HRD Integrated Services may take such action as is appropriate including temporary suspension with pay. Any staff misconduct leading to summary action by the Director will be noted on the staff member's personnel file with a copy going to the staff member.

Appeals

Any person(s) upon whom a penalty has been imposed may lodge an appeal with the Director who will then initiate the appeals process.