

Student Equal Opportunity and Fair Treatment Policy

Policy number	RTOPO29	Version	1.1
Drafted by	Sally Wynd	Approved by Board on	28/3/2018
Responsible person	Service Manager	Scheduled review date	28/3/2019

Purpose

Eagles RAPS Inc. is committed to the principles of equal opportunity and fair treatment and this Policy provides guidelines in regard to equal opportunity, fair treatment, and harassment and discrimination matters.

Scope

This Policy applies to all staff and students.

Policy

Eagles RAPS Inc. is committed to providing a learning environment free from discrimination and harassment with equal opportunity and fair treatment for all students. Not only is the principle of equal opportunity and fair treatment integral to the values of Eagles RAPS Inc. but is legislated at both Federal and State level, and this policy ensures compliance with those laws.

Eagles RAPS Inc. will take all reasonable steps to identify and eliminate unequal opportunities, unfair treatment, harassment, bullying and discrimination from its practices and premises.

The policy applies to all aspects of Eagles RAPS Inc. programs:

- Admission and enrolments;
- Teaching and learning;
- Student management;
- Course development and delivery;
- Training and instruction;
- Assessment;
- Access to resources and facilities;
- College culture.

Equal Opportunity

Equal Opportunity is the principle of non-discrimination on any basis, e.g. race, gender, religion, disability, etc. and the opportunity to participate fully, freely and on an equal level to all others.

Discrimination

Discrimination is when a student is denied equal opportunity or treated less favourably than another student on the grounds of personal characteristic or attributes such as race, gender, religion, disability, etc.

Discrimination can be either direct or indirect. The following discriminatory grounds apply under various Federal and State legislation:

- Age;
- Breastfeeding;
- Carer status;
- Family responsibilities;
- Impairment/disability;
- Industrial activity;
- Lawful political belief or activity;
- Lawful religious belief or activity;
- Lawful sexual activity;
- Marital status;
- Parental status;
- Physical features;
- Race, colour, nationality, ethnic or national origin;
- Sex;
- Personal association with a person identified by reference to one of the above attributes.

Sexual Discrimination

Sexual Discrimination is when a person is treated less favourably than that of a person of the opposite sex would be treated in a same or a similar circumstance.

The following sexual discriminatory grounds apply under various Federal and State legislation.

- Sexual orientation;
- Gender identity;
- Intersex status;
- Lawful sexual activity;
- Personal association with a person identified by reference to one of the above attributes.

Eagles RAPS Inc. does not tolerate any discrimination and students who believe they may be subject to unlawful discrimination should initially discuss their concerns with the perpetrator if appropriate and safe to do so, or discuss their concerns with the Coordinator or Service Manager. Students can also lodge a complaint in accordance with the Complaints Policy.

It must be highlighted that not all discrimination is unlawful, and in some instances discrimination on certain educational grounds may be necessary and fair, such as entry age; language requirements; supplying special services or facilities for a person with a disability that would impose an unjustifiable hardship on Eagles RAPS Inc.

Harassment

Harassment is perceived or actual unwelcomed conduct that humiliates, offends or intimidates people. Harassment is bullying conduct that is neither appropriate nor acceptable in any situation. This includes words, as well as acts, pictures and images that create a hostile or threatening atmosphere. Behaviours that can be considered harassment include:

- Verbal abuse;
- Offensive gestures;

- Ignoring or segregating a person or group.

The effect of harassment is to make a person feel insulted, offended, intimidated and unable to perform a task effectively or, ultimately safely.

Sexual Harassment

Sexual Harassment is unwanted or unwelcome sexual behaviour, whether verbal, physical or electronically communicated which makes a person feel offended, humiliated or intimidated.

Examples of sexual harassment include:

- Staring or leering;
- Unnecessary familiarity, such as deliberately brushing up against a person or unwelcome touching;
- Suggestive comments or jokes;
- Insults or taunts of a sexual nature;
- Intrusive questions or statements about a student's personal life;
- Displaying screen savers of a sexual nature;
- Sending sexually explicit emails or text messages;
- Inappropriate advances on social networking sites;
- Accessing sexually explicit internet sites;
- Requests for sex or repeated unwanted requests to go out on dates;
- Behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Sexual harassment is **not** interaction, flirtation or friendship which is mutual or consensual. It is not mutual attraction or friendship.

Bullying

Bullying is harassment and is when a person or group of people use power to intimidate or intentionally harm others.

Bullying can be overt such as physical, verbal, or cyber harassment, or covert such as social exclusion or intimidation. Examples of bullying are:

- Unfair and excessive criticism;
- Excluding someone from a group (including online or in person);
- Ignoring a person's point of view;
- Constantly changing or setting unrealistic targets for a person;
- Undervaluing the efforts of a person;
- Intentionally and repeatedly hurting a person physically;
- Stalking a person;
- Taking advantage of any power over someone else.

Eagles RAPS Inc. does not tolerate any bullying and students who believe they may be subject to bullying should initially discuss their concerns with the perpetrator if appropriate and safe to do so, or discuss their concerns with the Coordinator or Service Manager. Students can also lodge a complaint in accordance with the Complaints Policy.

Resources

Eagles RAPS Inc. integrates equal opportunities and fair treatment principles for students throughout its operations and it is affirmed in the following policies and procedures:

- Access and Equity Policy and Program
- Admissions Policy
- Complaints Policy
- Disability and Special Needs Policy
- Reasonable Adjustment Policy
- Special Circumstances Policy
- Privacy Policy
- Student Code of Conduct.

AUTHORISATION

SIGNED: Marten Wynd, President/Public Officer



DATE: 27 March 2018

Procedures number	RTOPR29	Version	1.1
Drafted by	Sally Wynd	Approved by Board on	28/3/2018
Responsible person	Service Manager	Scheduled review date	28/3/2019

Procedure

Responsibilities

- The Service Manager is responsible for:
 - Ensuring this policy is accessible to staff and students;
 - Ensuring implementation of this policy;
 - Monitoring this policy and amending the policy when required;
 - Establish a communication process between students and Eagles RAPS Inc. that is open, fair and confidential in Student at Risk matters;
 - Ensure that unlawful discrimination and harassment does not occur, and if it does, that it is dealt with swiftly and effectively;
 - Ensure that staff do not engage in discriminatory or harassing behaviour towards students including not vilifying or victimising a student who has voiced a discrimination or harassment complaint.
 - Any staff member engaging in discriminatory or harassing behaviour will face disciplinary action.
- Students are responsible for:
 - Behaving responsibly by complying with this policy and related policies;
 - Reporting unacceptable behaviour to staff;
 - Not engaging in discriminatory or harassing behaviour;
 - Students engaging in discriminatory or harassing behaviour will face disciplinary action.

Consequences of Discrimination or Harassment

Eagles RAPS Inc.

- Poor public image;
- Excessive absenteeism;
- Increased attrition rates;
- Poor retention rates;
- Litigation and compensation;

Student

- Low morale;
- Low productivity;
- Poor academic results;
- Excessive absenteeism;
- Withdrawal from studies;
- Stress related illnesses;
- Loss of confidence, reduced self-esteem, depression and suicide;
- Social isolation.

Eagles RAPS Inc. will discipline any person (student or staff) if it is proven through the complaint process that their behaviour was inappropriate under this policy.

Procedure for Reporting and Acting on Allegations of Discrimination or Harassment

If harassment or discrimination has occurred the student is encouraged to lodge a complaint in accordance with the Complaints Policy.

Eagles RAPS Inc. will ensure that:

- The above policy and procedure advises students of available support;
- The student is not vilified or victimised for making a complaint;
- The complaint is dealt with fairly, promptly and confidentially;
- Support is offered to the student where required;
- The matter is referred to legal representatives if required.

The student is to ensure that they maintain confidentiality of information when making the complaint.

If the complaint is substantiated that a student has behaved in a discriminatory or harassing manner to another student, Eagles RAPS Inc., can initiate the Student Misconduct Policy.

The consequential actions of such behaviour can include, but is not limited to:

- Requested apology to those involved.
- A formal warning on student perpetrator's file;
- Perpetrating student to attend counselling;
- Probationary enrolment for a period of up to 12 months, subject to good behaviour;

- Suspend the perpetrating student from the organisation for a period of time, not exceeding 12 months;
- Cancel credit or enrolment for any subject/unit of study.
- Exclude the student from Eagles RAPS Inc. permanently.

If the complaint is substantiated that a staff member has behaved in a discriminatory or harassing manner to a student, Eagles RAPS Inc. will initiate action under the Equal Employment Opportunity and Anti-Discrimination Policy. Consequences can include:

- Performance monitoring;
- Formal warning on the staff member's file;
- Dismissal or termination of contract.

Related Documents

- Access and Equity Policy and Program
- Admissions Policy
- Complaints Policy
- Disability and Special Needs Policy
- Reasonable Adjustment Policy
- Special Circumstances Policy
- Privacy Policy
- Student Charter/Code of Conduct.
- Equal Employment Opportunity Policy
- Anti-Discrimination Policy
- Equity, Anti-Discrimination and Workplace Harassment Policy
- Student Misconduct Policy

AUTHORISATION

SIGNED: Marten Wynd, President/Public Officer 
 DATE: 27 March 2018

Revision History

Revision	Date	Description of Modifications
1	30/6/2022	Change Education Programs Manager to Coordinator; change grievance to complaint. Minor typos
2		
3		
4		
5		
6		
7		
8		
9		

