



# Policy

## COPE Code of Practice

This policy outlines the code of practice of the College of Public Employment

### Purpose

This Access and Equity Policy is based on providing and maintaining training services that reflect fair and reasonable opportunity for all clients and staff, regardless of race, colour, religion, gender or physical disability allowing everyone to freely participate in training in a harassment free environment.

### Scope

The scope of this policy

- encompasses all:
- candidates for and participants of C.O.P.E. ;
  - employees of C.O.P.E.;
  - sub-contractors of C.O.P.E.;
  - other stakeholders. Anti-Discrimination, Human Rights, Equal Opportunity & Disability Discrimination are all covered by this policy. Policy It is the policy of C.O.P.E. to ensure an environment that is safe and equitable through zero tolerance of any form of harassment, bullying, discrimination and/or racial vilification and is in line with State and Federal legislation. C.O.P.E.'s Access, Equity and Fairness Policy is based in the following principles:
    - All participant candidates will be assessed and selected on merit; fairly and transparently, ensuring that they meet qualification entry requirements;
    - All participants are provided with reasonable support mechanisms throughout the progress of their study. • All C.O.P.E. policies, procedures are open, fair and transparent and developed to ensure best practice and equitability for all stakeholders.
    - All stakeholders will be treated with respect in an environment free of harassment and intimidation.
    - All decisions will be fair, reasonable, non-discriminatory and based on merit.



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- No individual or group will be treated less favourably than another.
- All communications will be free of bias, prejudice and discriminatory language. C.O.P.E. Responsibilities It is C.O.P.E.'s legal responsibility to ensure that harassment does not occur in our workplace and training environments. Complaints will be investigated in a confidential manner and action will be taken to ensure that the harassment stops. Appropriate warning or disciplinary action will be taken where harassment is found to have occurred. C.O.P.E. will not victimise or treat any person unfairly for making a harassment complaint. Client responsibilities Clients are to ensure that they do not engage or encourage any form of harassment, and must immediately report any form of harassment towards themselves, or other people in the workplace, to their trainer. Guidelines C.O.P.E. will not accept any form of discrimination and we will apply the following rules in support of access and equity:
  - All staff are to be given fair and reasonable opportunity to participate in relevant decision making processes and the allocation of resources and services as required to fulfil their duties and responsibilities.
  - All clients are to be given fair and reasonable opportunity to attend and complete training.
  - Deficiencies are to be investigated to determine whether a breach or policy discrepancy exists, and if so, the impact of that breach or deficiency and how the policy should be amended to eliminate the breach or deficiency.
  - All perceived deficiencies in the Access and Equity Policy are to be documented, assessed and reviewed at the scheduled review date

### Access and Equity Policy Equal Opportunity Legislation

Equal Opportunity Legislation protects those in the training system. This legislation makes discrimination and harassment in the provision of education; employment and the provision of goods and services unlawful. Discrimination occurs when a person is treated less favourably than others due to the person's circumstances, characteristics or beliefs. C.O.P.E. is an equal opportunity company and does not discriminate against or favour target groups in either recruiting or training. Target Groups are defined as:

- Age
- Sex
- Physical, psychiatric or intellectual illness or impairment
- Breastfeeding
- Gender identity
- Lawful sexual activity/ sexual orientation
- Marital status



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- Physical features
  - Political affiliation
  - Pregnancy
  - Nationality and/or cultural background
  - Religious affiliation
  - Status as a parent or carer
- Direct Discrimination** Direct discrimination takes place when a person, organisation or group of persons is treated less fairly than others on the basis of stereotyped beliefs or views. **Indirect Discrimination** Indirect discrimination includes rules, practices or policies which appear to be non-discriminatory and equally applicable, but operate in such a way that certain groups of people are excluded without just cause. **Workplace Harassment** Harassment is an unwelcome and unwarranted behaviour that offends, intimidates, humiliates or embarrasses another person. This behaviour can be physical, verbal or visual in nature. Harassment is not necessarily deliberate or intentional and can be one incident or several incidents occurring over a period of time. Harassment may be accompanied by an expressed or implied employment threat or benefit. **Sexual Harassment** May include sexual propositions, verbal or written requests of a sexual nature, sexually explicit conversations, sexual suggestions or innuendos, gender-based insults and taunting, invasive questioning, physical contact and the display of offensive material (eg. posters, cartoons, jokes, graffiti, magazines, screensavers, email)

**Access and Equity Policy** **Bullying Behaviour** of a physical, verbal or non-verbal nature, directed toward an individual or group of individuals and which is considered unreasonable or anti-social behaviour that is offensive, degrading, intimidating or humiliating. This behaviour can include but is not limited to public reprimand or behaviour intended to punish, ridicule, insult, or may be based in unsubstantiated allegations and cruelty. **Types of Harassment** There are many types of harassment. These can range from direct harassment such as abuse, threats, name calling and sexual advances; to less direct forms such as the creation of a hostile work environment, but where no direct attacks are made on an individual. **Sexual Harassment** The most common form of harassment is sexual harassment. Examples of sexual harassment include, but are not limited to:

- Unwanted touching.
- Sexual innuendo propositions.
- Nude pin-ups and posters.
- Obscene telephone calls.
- Wolf whistles.

**Verbal Harassment** Examples of verbal harassment include, but are not limited to:



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- Sexual comments, advances or propositions.
- Lewd jokes or innuendos. • Racist comments or jokes.
- Spreading rumours.
- Comments or jokes about a person's disability, pregnancy, sexuality, age or religion.
- Repeated questions about one's personal life.
- Belittling someone's work or contribution in a meeting.
- Threats, insults or abuse. • Offensive obscene language.
- Obscene telephone calls, unsolicited letters, faxes and emails. Non-Verbal Harassment Examples of non-verbal harassment include, but are not limited to:
  - Leering (e.g. staring at a woman's breasts).
  - Putting offensive material on notice boards, computer screen savers and emails.
  - Wolf whistling.
  - Nude or pornographic posters.
  - Displaying sexist or racist cartoons or literature.
  - Demoting, failing to promote, or transferring someone because they refuse requests for sexual favours. • Following someone home from work.
  - Standing very close to someone or unnecessarily leaning over them.
  - Mimicking someone with a disability.
  - Practical jokes that are unwelcome.
  - Ignoring someone, or being cold and distant to them.
  - Crude hand or body gestures.

## Access and Equity Policy Physical Harassment

Examples of physical harassment include, but are not limited to:

- Unwelcome physical contact such as kissing, hugging, pinching, patting, touching, or brushing up against a person.
- Indecent or sexual assault or attempted assault.
- Hitting, pushing, shoving, spitting, or throwing objects at a person.



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- Unfastening a person's attire.

## Disability

C.O.P.E. is committed to providing support services and equal access opportunities for clients with a disability, in accordance with the provisions of the Disability Discrimination Act (1992). C.O.P.E. will respect a client's right to privacy, confidentiality and be sensitive to their needs. Clients with a disability are required to have the ability to fulfil the core requirements of the units of Competence to attain the relevant award. However, it is recognised that flexibility in arrangements may need to be implemented. Such arrangements may be negotiated with the Trainer or management.

## AWARENESS & RIGHTS

- Employees, participants and other stakeholders of C.O.P.E. are expected to be conscious of actual and potential difference and to actively recognise and respect the boundaries directly or indirectly set by others.
- All people associated with C.O.P.E. may expect the following rights to;
  - be treated with respect and fairly;
  - be emotionally and physically safe in the environment;
  - have all reports of harassment treated respectfully, seriously, impartially, sensitively and with reasonable confidentiality and for those issues to be addressed immediately and appropriately;
  - where ever possible, have complaints resolved by a process of discussion, cooperation and conciliation; and
  - receive information, support and assistance in resolving the issue for all parties involved in the complaint.
- No person lodging a complaint, or assisting in the investigation of a complaint, will be victimised or treated unfairly.
- Timely access to their participant or personnel records/files.
- All employees and participants are expected to participate in the complaint resolution process in good faith. REPORTING Concerns regarding Equal Opportunity, Harassment, Discrimination or other inappropriate conduct should be reported immediately:
  - Participants to – your Trainer or other member of C.O.P.E. staff that you are most comfortable doing so;
  - Employees to – your Workplace Supervisor, your trainer or other member of C.O.P.E. staff you are most comfortable doing so;
- Other Stakeholders – to the C.O.P.E. General Manager. Please refer to the Complaints Policy and Appeal Policy for information regarding process for these actions. C.O.P.E. employees and



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contractors are delegated with the authority to determine whether an individual should be immediately removed from a harmful situation. They are authorised to remove any stakeholder from a situation that they reasonably deem to be harmful without prior consultation with senior management. All actual or suspected harmful situations or breaches of this policy are to be reported immediately to the General Manager.

Access and Equity Policy For further information please also refer to the following websites:  
<https://www.legislation.gov.au/Home> [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au) [www.humanrights.gov.au](http://www.humanrights.gov.au)

### RESPONSIBILITIES

Participants All participants have the responsibility to:

- Ensure that they avoid committing harassment or discrimination in any form.
- If harassed, take action to stop it, not only for self-protection, but to prevent others suffering the same form of discrimination.
- Make themselves aware of and act within the confines of relevant legislation and this policy.
- Enhance the learning experience by allowing others to learn without compromise of the learning environment through poor or distracting behaviours.
- Exhibit positive behaviour at all times.
- Follow instructions at all times.
- Request the assistance of another person in raising the complaint and in any subsequent resultant interviews. Employees All employees, including supervisors and management, have a responsibility for ensuring the work and learning environment is free of discrimination and harassment.

Each employee has the responsibility to ensure that C.O.P.E.'s culture is one of respect for others and to:

- Ensure that they avoid committing harassment or discrimination in any form.
- Offer support to anyone affected by harassment or discrimination. • Report any example of harassment or discrimination to the next level of management.
- If harassed, take action to stop it, not only for self-protection, but to prevent others suffering the same form of discrimination.
- Treat alleged perpetrators fairly.
- Any employee who feels that they have been harassed or denied equality in employment should initially contact their immediate supervisor.
- Request assistance of another person in raising a complaint and in any subsequent interviews.



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### Managers and Supervisors Responsibilities

All managers and supervisors are responsible for:

- Ensuring that staff are aware that harassment is unlawful, unacceptable and will not be tolerated.
- Setting an example by appropriate behaviour at all times.
- Establishing open lines of communication with staff to ensure reporting of incidents.
- Treating any report of unacceptable behaviour confidentially, sensitively, and seriously.
- Treating the alleged person impartially pending fair investigation.
- Acting on any complaints swiftly following procedures outlined in Complaints and Appeals Policies.
- Continuously monitoring, educating, informing and supporting the workforce reinforce a safe and equitable workplace.

The College of Public Employment's (C.O.P.E.'s) standards of quality are in compliance with the ASQA Standards for Registered Training Organisations 2015 made under the National Vocational Education and Training Regulator Act 2011. The Code of Practice is available to all learners and is enforced by all at The College of Public Employment.

### The College of Public Employment's Philosophy

#### Our Core Values

To be proud of our integrity – honesty in everything.

To demonstrate our discipline as professionals.

To ensure quality by being “a little bit better today than yesterday”.

To have a genuine desire to help others achieve success (preparing them for opportunity).

To have the courage to be innovative. To place great trust in our staff. To remain in business by being financially viable.

#### Our Main Organizational Goal

To be an excellent vocational training institution in order to offer our community the opportunity to flourish.

#### Our Key Learning Centre Targets



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Maintain continuous improvement in: Staff Performance Course Materials Administration Financial Control and Marketing

## Our Culture

We welcome and acknowledge ideas, improvements and positive behaviour.

Our Standards We aspire to be a pillar of our community in training and development.

## Our Pride

Our feeling of satisfaction in past/present achievements.

## Our Dedication

The degree to which we are prepared to devote our time to all elements of our work and to face our community with a positive attitude and a positive message.

## C.O.P.E. Assurance of Services to Stakeholders

Guideline Requirement	Code of Practice Statement
How the Registered Training Organisation (RTO) ensures learners' rights as a consumer are protected and they receive the services detailed in their agreement with the RTO.	Your rights as a consumer are important to us. We market and advertise our training services in an ethical and accurate manner. Before you enrol, we will advise you of all fees and charges and material costs you will be charged for throughout your training. In most cases all of our training and training materials will be free of cost to you. In the event that anyone has to pay a fee we have a refund policy that is fair and equitable and you will receive a copy of this before you enrol. We have systems in place to ensure that if we cannot fulfil our training obligations to you, that you will receive the refund of our services or be referred to another RTO at no extra cost. We maintain your academic, financial and other information in strict confidence.





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<p>How the RTO adheres to principles of access and equity and meets its legal obligations and maximises outcomes for each learner.</p>	<p>We comply with all Commonwealth &amp; State legislation related to how we operate as a Registered Training Organisation (RTO). We take steps to provide a safe, secure and healthy learning environment. You have access to your personal information at all times. You have access to a compliant/assessment appeal process. All of our marketing is current, ethical and accurate. Learners are informed of their rights, responsibilities and obligations prior to enrolment.</p>
<p>How industry is engaged in the RTOs operations so that learners can be confident that the qualifications issued by the RTO are recognised by industry.</p>	<p>We consult with Industry Experts when developing our training and assessment strategies. All assessors have current and relevant industry experience and qualifications. We engage with employees, members and other industry representatives regularly to ascertain their wants and needs. We encourage suitable workplace experience. Our assessment procedures all include a workplace component or a simulated workplace component. We recognise prior learning, industry skills and experience. Our organisation ensures we maintain industry currency and relevance by:</p> <ul style="list-style-type: none"><li>▪ Employing trainers and assessors that are qualified in our Hospitality Industry Sector</li><li>▪ Regularly engage with industry including employers, skills boards, on-job experience and professional bodies</li><li>▪ Attend regular professional development opportunities to ensure we maintain currency with regulations, legislative and industry requirements. Our trainers/assessors meet with employers, and industry experts on a regular basis</li></ul>
<p>How it assures the quality of training and assessment provided across all of its operations</p>	<p>Our organisation is committed to continuously improving the services it offers and to seek learner feedback through evaluation surveys conducted during and on course completion. The services provided by our organisation will continuously to be improved with ongoing collection; analysis and action on the data reported by our trainers, assessors and the learner. We will ensure that our organisation</p>



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	<p>complies with the required standards for RTOs by conducting regular internal audits. We will maintain effective internal and external communications of changes to policies through our web page. We employ fully qualified trainers and assessors with current industry knowledge and experience to deliver and assess our programs.</p>
<p>How it will meet the individual needs of all learners by assessing their current skills and knowledge prior to the commencement of training.</p>	<p>All trainers have relevant industry experience and vocational competence in their area of expertise. We will recognise existing skills and knowledge gained through work and life experience, and formal study. We tailor training to meet learner needs and legislative requirements. We recognise that you may already have skills and experience in the industry sector that you are studying which is relevant to learner course assessment. We can assist learners to gain recognition of prior skills and experience through a process called Recognition of Prior Learning (RPL). If you have completed relevant units of competency from the appropriate training package, we will credit these towards the completion of your qualification. We encompass training methodologies and principals of adult learning and flexible learning, tailored to provide relevance to each current industry sector.</p>

Rob Wallace

General Manager

College of Public Employment