
National Academy of Professional Studies (NAPS)

Access and Equity Policy

Related Documents	004 Professional Code of Conduct HR003 Conflict of Interest Policy HR028 Employee Handbook SS001 Student Grievance and Appeals Policy and Procedure SS023 Adjustments Policy and Procedure
HE Standards Framework 2021	1.3 Orientation and Progression Part A: section 2.2 Diversity and Equity 6.2 Corporate Monitoring and Accountability

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1. Policy Rationale

This policy supports the National Academy of Professional Studies (NAPS) provision of a physical working, learning and social environment that enhances the educational and employment experience of students and staff with disabilities on the same basis as other members of the community. In addition, this policy aims to support NAPS' goal of creating a high-quality professional learning environment that values diversity, is free from harassment and unlawful discrimination, and promotes equality of opportunity.

2. Overview and Application

This policy applies to NAPS students, and to both academic and administrative staff, including sessional staff. It is based on the principles required by Australian Federal and State governments and guidelines which relate to access and equity. See SS001 Student Grievance and Appeals Policy and Procedure for procedures on how grievances can be handled. They can also be made externally. See the Complaints section for more details.

3. Access and Equity Principles

NAPS is committed to promoting and implementing the principles contained in the following legislation and relevant regulations:

- Disability Discrimination Act (1992) (Cth);
- Disability Standards for Education (2005) (Cth);
- Age Discrimination Act (2004) (Cth);
- Sex Discrimination Act (1984) (Cth);
- Anti-Discrimination Act (1977) (NSW);
- Fair Work Act (2009) (Cth);
- Disability Services Act (1993) (NSW); and
- any and all other State and Commonwealth legislation and regulations relevant to the aims of this policy.

NAPS is committed to ensuring the integration of the principles of equal opportunity for all staff and students in all of its policies, procedures, decisions and operations.

All NAPS activities are underpinned by the following principles:

- all members of NAPS have a right to be treated fairly and equitably;
- there is equitable access to students to receive an education; and
- there is equitable access to meaningful employment for staff.

All NAPS staff, students, agents, contractors and others involved with NAPS are entitled to work, operate and study in an environment:

- free from unlawful discrimination, harassment, vilification, bullying or other adverse and inappropriate behaviours;
- where diversity is promoted and supported through a policy of inclusiveness, including recent anti-discrimination provisions to protect attributes related to gender identify, intersex status and breastfeeding;
- which is inclusive and flexible, so special measures are provided when required; and
- where staff and students have the right to raise complaints in good faith under NAPS' complaints procedure without fear of retaliation or victimisation.

Equal opportunity does not mean treating everyone in the same way. To redress the past disadvantages of particular groups, special measures are needed to improve employment and educational opportunities for people from these groups. These groups include women, Aboriginal and Torres Strait Islander people, people with disability and people from culturally and linguistically diverse backgrounds.

NAPS is committed to:

- providing equal opportunity and promoting inclusive practices and processes for all students and clients within the limits of its resources;
- wherever possible, NAPS will seek to address and mitigate the under-representation and/or disadvantage experienced by identified groups. Specific consideration is given to the recruitment, admission, participation and completion of Aboriginal and Torres Strait Islander peoples; and
- integrating the principles of access and equity in its policies and procedures for students, clients and stakeholders.

4. Application in Learning and Assessment

These access and equity principles are applied in the development and implementation of all learning and assessment strategies and the process in which students are supported in their enrolment and progression.

- The student recruitment and admission process is bias-free and non-discriminatory.
- Admission to courses and programs is generally based solely on the applicant meeting published entry criteria and the availability of places. However, NAPS may take into account an individual applicant's overall background and may give extra consideration for those who have had to overcome particular challenges.
- Students with identified needs are consulted with in relation to their study requirements and support prior to and throughout their enrolment.
- The curriculum and course design is flexible and is inclusive of a range of student needs and avoids non-inclusive and discriminatory language and examples.
- The assessment process is fair, valid, reliable and consistent in relation to entry, recognition and progression through the subject or course.
- All students are provided with adequate information on course and subject or unit assessment prior to enrolment in the course.

- Students have the right to appeal an assessment or examination decision.
- NAPS provides reasonable accommodation within the learning environment for students with special needs through a range of services such as (but not limited to): reasonable adjustment, special consideration, physical access to premises and literacy, numeracy and counselling services.
- Grievances and appeals are addressed through an appropriate structure in a fair and equitable manner.
- Adaptive technology is acquired and made available where possible and practicable given all the circumstances.

For more details on how NAPS makes reasonable adjustments in its procedures and practices in order to accommodate the special needs of our students, see SS023 Adjustments Policy and Procedure.

5. Procedures

NAPS will promote equal opportunity by:

- taking all reasonable steps to ensure that the NAPS learning and working environment is free from unlawful discrimination, harassment, bullying, victimisation and other inappropriate behaviour;
- implementing inclusive policies, practices and programs in all its activities and services to take account of the needs of the diversity of its staff and students;
- developing and implementing programs and special measures to improve access, participation, retention and success of students from under-represented target groups;
- implementing training and awareness-raising strategies to ensure that all staff and students know their rights and responsibilities;
- providing an effective procedure for complaints based on the principles of natural justice; and
- ensuring that all NAPS staff and students are accountable for their own behaviour and that their conduct complies with NAPS' commitment to the principles of access and equity.

Gender Equality in the Workplace

Higher education institutions are also required by the *Federal Workplace Gender Equality Act 2012* to develop programs and strategies, and report annually on progress, towards achieving equal participation of women and men in the workplace. For NAPS, this includes strategies to address the common problems of the under-representation of women in senior positions, the under-representation of women in non-traditional areas of employment and study for women, workplace flexibility and the gender pay gap, although this is not expected to be an issue in law and nursing.

Complaints

Any complaints about breaches of the policy will be dealt with in accordance with SS001 Student Grievance and Appeals Policy and Procedure.

Complaints may also be made externally to the Australian Human Rights Commission, state Anti-Discrimination Boards or to the Federal Fair Work Ombudsman or the Tertiary Education Quality and Standards Agency.

Other Related Legislation

Laws and guidelines related to access and equity are available from the related Acts below:

Commonwealth Legislation

- Disability Standards for Education (2005)
- Disability Discrimination Act (1992)
- Human Rights and Equal Opportunity Commission Act (1986)
- Age Discrimination Act (2004)
- Racial Discrimination Act (1975)
- Sex Discrimination Act (1984)
- The Federal Government's Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022 (Respect@Work Act)
- Code of Practice for Managing psychosocial hazards at work ('the Code'). It is an approved Code of Practice under section 274 of the Work Health and Safety Act 2011 (WHS Act). (2022)

States/Territories

Each State and Territory has in force relevant legislation on discrimination, disability and/or equal opportunity. Parties may wish to review these as well.

Note: other legislation may be enacted from time to time and where relevant may also be applicable.

6. Policy Review

NAPS may make changes to this policy and procedures from time to time to improve the effectiveness of its operation. In this regard, any staff member who wishes to make any comments about this policy may forward their suggestions to their supervisor or to NAPS' Human Resources Office.

7. Further Assistance

Any staff member who requires assistance in understanding this policy should first consult their nominated supervisor who is responsible for the implementation and operation of these arrangements in their work area. Should further advice be required staff should contact NAPS' Human Resources Office.

8. Additional Resources

TEQSA Guidance Note: *Diversity and Equity*: Version 1.2, 11 October 2017: <https://www.teqsa.gov.au/latest-news/publications/guidance-note-diversity-and-equity> 