

KAL MULTIMEDIA TRAINING

Fairness Policy and Processes

Background

KAL Multimedia Training (as “the provider”) values and celebrates the diversity of the KAL Multimedia community. It further promotes the acceptance of the equality of all people and the right of all people to be treated with fairness, equal opportunity and justice. This document reinforces these concepts.

Scope

This policy sets out acceptable behavioural standards for staff, students and other members of the KAL MULTIMEDIA community.

Our open, fair and transparent policies and processes are underpinned by legislation including:

- *Public Sector Management Act 1994 (ACT)*
- *Discrimination Act 1991 (ACT)*
- *Sex Discrimination Act 1984 (Commonwealth)*
- *Racial Discrimination Act 1975 (Commonwealth)*
- *Racial Hatred Act 1995 (Commonwealth)*
- *Schedule 1A of the Higher Education Support Act 2003 (Commonwealth)*
- *Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)*
- *National Vocational Education and Training Regulator Act 2011*

EEO

KAL Multimedia Training:

- will treat fairly:
 - a) all students and persons seeking to enrol in a VET unit of study and who are, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act; and
- has open, fair and transparent procedures that are based on merit for making decisions about:
 - a) the selection from among the persons who are, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act, and who seek to enrol with us; and
 - b) the treatment of students who are, or would be, entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act.

KAL Multimedia is committed to equal educational opportunity for all students, current, past and potential. It is not only a staff responsibility but also the responsibility of our whole learning community to make sure that no-one at KAL Multimedia is discriminated against in their treatment, assessment or admission because of ethnicity, colour, origin, nationality,

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gender, sexual preference, religious beliefs and/or any other circumstance, characteristic, appearance or belief.

All students and persons seeking to enrol with us, regardless of background, circumstance or present or potential eligibility for funding, will be assessed for entry to study through the same published entry requirements and through the same process.

Victorian Training Guarantee

All students who are or would be eligible for Victorian State funding under *Securing Jobs for Your Future – Skills for Victoria* provides demand driven funding as from 1 July 2009 for delivery to eligible students (including apprentices and trainees) in AQF levels 5 and above and all eligible students referred to training through *Skills for Growth: The Workforce Development Program* which is a Victorian Government initiative to improve and refocus the training system. A subsidised place is guaranteed to anyone who is eligible and you can access this entitlement more than once, as you move up the qualification scale. This is called the *Victorian Training Guarantee* and it came into effect for Diplomas & Advanced Diplomas VET Courses of study, as of 1 July 2009. The guaranteed place comes with some new eligibility (entry) requirements. (See flow chart below & at the end of the document)¹

This funding is for persons who meet strict eligibility criteria released by the Higher Education and Skills Group (formally Skills Victoria)

For those wishing to complete a Diploma, Advanced Diploma or a higher VET Course(s) of study under “fee for Service” government loan schemes, eg VET FEE -HELP or special programs such as “Skills for Growth” applicants will be advised of this right on application or interview for enrolment. Applicants will neither be advantaged nor disadvantaged by their eligibility for any loan scheme or program. All assessment from entry to the end of the VET course of study will be based on merit, on an individual and a case to case basis.

Applicants who are refused entry to a VET course of study have the right to appeal this decision to the Training Manager and then to the CEO, if the response is not satisfactory, and to receive a written explanation as to the grounds for refusal of entry.

KAL Multimedia actively promotes equity in access to, and participation in, vocational education and training. It applies the principle of ‘reasonable accommodation’ in providing support for students from equity groups. This support is provided on an individual, case by case basis.

Enrolment Procedures

KAL Multimedia have a open, fair and transparent enrolment procedures that, in the provider’s reasonable view, bases its decisions about students undertaking, and persons applying for, VET courses of study purely on the student’s merit.

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Application of merit

The application of merit in decision-making processes generally involves KAL considering each application on a case by case basis. We allow for flexibility in our policies so as to avoid precluding potentially eligible applicants from having their application considered.

No income test

KAL Multimedia doesn't apply an income test when making decisions about which of their students are eligible for VET FEE-HELP assistance.

Educational disadvantage

As per our company goals and mission statement, KAL Multimedia is able to take educational and socially disadvantaged persons for all courses. This involves consideration of the actual disadvantages that a particular student has experienced, by considering a particular student's specific circumstances before making a decision about whether the student has actually suffered educational disadvantage, without using 'proxy indicators'.

Restricted access arrangement

When making decisions about the selection of students, KAL Multimedia is able take into account students that are enrolled under a restricted access arrangement.

A restricted access arrangement is an agreement entered into between KAL Multimedia and an employer or industry body for the provision of a VET course(s) of study or places in a VET course(s) of study in which enrolment is limited or restricted to employees of the employer or industry body.

KAL Multimedia publish and make publicly available its equal benefits and opportunity procedures within the "General Course information for students"

Specific unacceptable behaviours

KAL MULTIMEDIA encourages fairness, respect and courtesy amongst all members of its learning community. All members of the KAL MULTIMEDIA community are entitled to a fair, safe and productive study and work environment that is free of all forms of harassment, bullying or vilification including:

- Harassment, bullying and vilification
- Racial vilification and racist behaviour
- Sexual harassment
- Discrimination on grounds of age, sex, marital status, pregnancy, sexuality or race
- Discrimination on ground of disability
- Discrimination on grounds of religion, political opinion, criminal record or trade union activity
- Discrimination on ground of family responsibilities
- Victimisation

Complaints

Staff, students and other members of the KAL MULTIMEDIA community who have a grievance under any of the areas mentioned above are encouraged to follow the KAL

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Multimedia Non-Academic Grievance and KAL Multimedia Academic Grievance processes available in KAL Multimedia's student handbook or through its administration offices.

Student Privacy

Obligations under the *Privacy Act 1988*

KAL Multimedia Training acknowledges and respects the privacy of students. It must comply with the information privacy principles (IPPs), set out in section 14 of the *Privacy Act 1988*, when it handles personal information obtained for the purposes of VET FEE-HELP assistance and the repayment of loans under Schedule 1A of The Higher Education Support Act 2003 as well as for all other student and staff information held within the company.

KAL also follows the Australian Privacy principles and has a comprehensive Privacy Policy published on its website.

KAL Multimedia Training and its officers, employees and those who perform services by or on behalf of the provider, must ensure that:

- personal information is collected in accordance with IPPs 1-3;
- suitable storage arrangements, including appropriate filing procedures, are in place;
- suitable security arrangements exist for all records containing personal information;
- access to a student's own personal information held by the provider is made available to the student at no charge;
- records are accurate, up-to-date, complete, and not misleading;
- where a record is found to be inaccurate, the correction is made;
- where a student requests that a record be amended because it is inaccurate but the record is found to be accurate, the details of the request for amendment are noted on the record;
- the personal information is only to be used for the purposes for which it was collected, or for other purposes where expressly allowed by IPP10; and
- Personal information is only disclosed in accordance with IPP11.

Access to files on campus

All hardcopy files are kept in accordance to the above conditions and are locked cabinets within a locked security access room. Data files have a secure password with limited access by minimal staff members. Back-up copies are keeping within a fireproof safe, for security purposes. All files are kept up to date, with students being checked for change of detail information on a regular basis.

Personal information access by student

KAL Multimedia Training also has a written procedure & policy form under which a student may apply to receive a copy of the personal information held by KAL in relation to that student. This form must be filled-in and signed for the release of any information, which also applies to information which the student wishes to be released to a third party.

Applicants to give informed consent

Students must give informed consent to their information being provided to the Australian Government. Therefore, in accordance with its obligations under IPP2, KAL Multimedia Training must ensure that students are given appropriate privacy notices at the time they provide their personal information (ie. via application/ Enrolment forms, websites and

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phone admission methods, and the *Request for VET FEE-HELP assistance* form).

All students applying for courses at KAL Multimedia Training apply directly to the provider, who is required to obtain the student's consent to provide personal information to Department of Education. The provider has two options for collecting this consent:

- the *Request for VET FEE-HELP assistance* form asks for the student's consent to provide information to DEEWR. If students submit such a form prior to the allocation of a CHESN, this will satisfy the requirement; or
- if the provider's business processes require the CHESN to be allocated prior to the submission of the *Request for VET FEE-HELP assistance* form, KAL has used the wording provided, within their enrolment form and this will need to obtain the student's informed consent on enrolment.

Privacy complaints and advice

KAL Multimedia Training is required to have student grievance procedures for dealing with students' complaints relating to non-academic matters. These procedures also extend to, but are not limited to, complaints about breaches of personal information by the provider (including its officers, employees and those who perform services by or on behalf of the provider) relating to personal information obtained by the provider for the purposes of VET FEE-HELP assistance to students and the repayment of loans under Schedule 1A of The Higher Education Support Act 2003.

VET personal information

VET personal information:

- is information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained from the information or opinion; and
- Obtained or created by an employee of KAL Multimedia Training (which includes a person who performs services for or on behalf of the provider) for the purposes of VET FEE-HELP assistance and repayment of HELP loans under Schedule 1A of The Higher Education Support Act 2003.

It is an offence under Schedule 1A of the Higher Education Support Act (Schedule 1A of The Higher Education Support Act 2003) for KAL Multimedia Training (and its employees) to disclose, copy or record VET personal information that was not made for the purposes it was intended. Schedule 1A of The Higher Education Support Act 2003 provides for a penalty of 2 years imprisonment.

A person commits an offence (penalty of 2 years imprisonment) if they cause any intentional access to or modification of VET personal information that is held in a computer with restricted access by or on behalf of KAL, and they knew that access or modification was unauthorised.