



# Hartwig Air Policy

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## ACCESS, EQUITY & DIVERSITY Policy

This document is created with reference from, and to satisfy requirements of the following Acts, Rules, Guidelines, Standards and statements

- VET Student Loans 2020<sup>1</sup>
- VET Student Rules 2020<sup>2</sup>

### PURPOSE

It is the purpose of this policy to clarify Hartwig Air position in regard to the provision of open access, equity and fairness principles to all stakeholders of the organisation.

### EQUAL AND FAIR TREATMENT OF STUDENTS SEEKING TO ENROL

VET Student Loan ACT 2016 and VET Student Loans Rules 2016 have the following requirement

1. An approved course provider's processes and procedures must provide for equal and fair treatment of all students seeking to enrol in an approved course.
2. An approved course provider must have open, fair and transparent procedures that the provider reasonably believes are based on merit for making decisions about:
  - The selection of students seeking to enrol in approved courses; and
  - The treatment of such students.
3. the approved course provider is to consider that a student may be enrolled in an approved course in accordance with an arrangement that:
  - Was entered into between the provider and an employer or industry body; and
  - Limits or restricts enrolments in some or all the places in the course.

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RTO NUMBER 4439 CRICOS NUMBER 02845E ABN 87 132 770 480



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## SCOPE

The scope of this policy encompasses all:

- Candidates for enrolment in Hartwig Air courses or qualifications whether domestic, international or VET Student Loans;
- Students of Hartwig Air whether domestic, international or VET Student Loans;
- Candidates for employment with Hartwig Air;
- Employees of Hartwig Air;
- Sub-contractors of Hartwig Air;
- Other stakeholders.
- Anti-Discrimination, Human Rights, Equal Opportunity & Disability Discrimination are all covered by this policy.

## POLICY

Owing to a number of issues such as but not limited to cost, level of academic achievement, maturity, industry requirements and OHS Hartwig Air does not accept children less than 18 years of age into its training programs.

Hartwig Air "Access, Equity and Fairness Policy" directly reflects existing legislation, including the South Australian Equal Opportunity Act 1984, which forbids discrimination on the grounds of sex, sexuality, marital status, pregnancy, race, physical or intellectual impairment or age. Other Acts include but may not be limited to:

- Sex Discrimination Act 1984
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- National Strategy for the Education of Aboriginal and Torres Strait Islander People 1996 – 2002

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Access, equity and fairness policy is based in the following principles:

- All student candidates will be assessed and selected on merit; fairly and transparently ensuring that they meet qualification entry requirements;
- All students are provided with reasonable support mechanisms throughout the progress of their study.
- All Hartwig Air 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.
- No individual or group will be treated less favorably than another.
- All communications will be free of bias, prejudice and discriminatory language.
- Application of Merit

Hartwig Air is an equal opportunity employer and educator that values the diversity of its workforce and student community. This means that without discrimination of any type:

- The most capable person for placement in a position will be selected;
- All students will have equitable opportunities for enrolment, training and assessment;
- All stakeholders will be assisted to participate, maintain and develop;
- Favoritism or the granting of special favors will not apply to any stakeholder.

## STUDENTS

When making decisions in regard to enrolment, applications are considered on a case by case basis without the intent to preclude any eligible applicants from having their application to enrol being considered.

Hartwig Air's application/enrolment, training and assessment processes do not disadvantage any stakeholder. All eligible candidates are guaranteed processes which do not discriminate on any basis.

All processes include flexibility for working with candidates and students who have special needs.

The characteristics of potential candidates are individually identified to enable flexibility of delivery and assessment and appropriate support mechanisms.

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At initial interview the candidate will be afforded the confidential opportunity of disclosing any situation they believe may impede their ability to successfully complete without support or assistance. At this time a support plan will be developed, documented in writing and clearly identifying those services that are included in course fees and those that are not covered by course fees.

Appropriate and effective complaints and appeal resolution mechanisms linked to a proactive continuous improvement are in place to address and remediate any unintentional issue of unfairness or disadvantage identified.

Candidates applying for course entry will be availed of the Access Equity & Fairness Policy on application.

## EMPLOYEES

- The most capable person for the job will be selected every time.
- Performance Development focuses on development of the individual.
- Fair, reasonable and equitable targets will be applied for all employees.
- All employees have access to the Hartwig Air Appeals Policy and Complaints Policy.

## SPECIALIST RELATIONSHIPS

Hartwig Air will endeavor to establish a strategic relationship with organisations with relevant specialist equity skills to assist in reviewing this policy and procedure as required.

## ZERO TOLERANCE

### Definition

For the purposes of this document 'zero tolerance' means the high potential for instant dismissal if allegations are proven to be true and the mediation process is unsuccessful.

Hartwig Air will enforce zero tolerance in regard to all proven instances of Zero Tolerance Classified Behaviors and of complaints of a frivolous or malicious nature.

All stakeholders are strongly encouraged to discuss any issues or request information regarding access and equity.

### Zero Tolerance Classified Behaviors

\*\*Many forms of harassment and all forms of bullying are prosecutable offences under Australian law. Hartwig Air will notify Police in the event of such incidences occurring.

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A person commits a breach of the following behaviour, intentionally or unintentionally, in circumstances where a person would reasonably be able to anticipate that the person being harassed, bullied or discriminated against would be offended, humiliated or intimidated.

All persons should be conscious that every individual's perception of improper behaviour may be different to another.

Hartwig Air does not condone and enforces zero tolerance of the following behaviour:

**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 (e.g. posters, cartoons, jokes, graffiti, magazines, screensavers, email).

**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.

Discrimination is broadly defined as treating one person unfairly over another based on factors that are unrelated to their ability or potential. State and Federal legislation protects people from discrimination and from being treated unfairly because they have complained about discrimination.

Direct or indirect discrimination on the basis of one or more of the following attributes is unlawful:

- Age
- Sex
- Physical, psychiatric or intellectual illness or impairment
- Breastfeeding
- Gender identity
- Lawful sexual activity/ sexual orientation
- Marital status
- Physical features
- Political affiliation
- Pregnancy
- Nationality and/or cultural background
- Religious affiliation
- Status as a parent or carer

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## AWARENESS & RIGHTS

Employees, students and other stakeholders of Hartwig Air 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 Hartwig Air 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;
- Wherever 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 student or personnel records/files.
- All employees and students 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:

Students to - Chief Flying Officer or other member of Hartwig Air staff that you are most comfortable doing so;

Employees to - CEO or other member of Hartwig Air staff that you are most comfortable doing so;

Other Stakeholders - CEO.

Please refer to the Complaints Policy and Appeal Policy for information regarding process for these actions.

Hartwig Air employees and contractors are delegated with the authority to determine whether an individual should be immediately removed from a harmful situation.

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They are authorised to remove any stakeholder from a situation that they reasonable 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 CEO.

## RESPONSIBILITIES

### Students

All students 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 behaviour;
- 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 Hartwig Air'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.

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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.

## 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.

## ACTS & LEGISLATIONS

Please refer to the following websites and Acts/Legislation:

- <http://www.comlaw.gov.au>
- Equal Opportunity for Women in the Workplace 1999
- Equal Opportunity Act 1984 (SA)
- <http://www.legislation.sa.gov.au>
- Racial Vilification Act 1996
- [www.humanrights.gov.au/](http://www.humanrights.gov.au/)
- Human Rights & Equal Opportunities Act 2004
- Sexual Discrimination Act 1984
- Racial Discrimination Act 1975
- Racial Hatred Act 1995
- Disability Discrimination Act 1992

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