

Access, Equity and Anti-Discrimination Policy

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Document Owner: HR Manager	Jurisdictions: ACT, NSW, QLD, TAS and WA

1. Purpose

This policy aims to ensure NECA Training:

- provides an inclusive, equitable, and discrimination-free environment for all students, staff, contractors, and visitors;
- meets its obligations under Commonwealth and State and Territory anti-discrimination legislation;
- fosters a safe and inclusive learning environment;
- takes all reasonable steps to prevent unlawful discrimination, harassment, bullying, and vilification across its operations.

2. Scope

This policy applies to all staff, contractors, trainers, assessors, students, prospective students, employers of apprentices and trainees, and visitors across all NECA Training operations in the ACT, NSW, QLD, TAS, and WA, and to all modes of training delivery.

3. Responsibilities

3.1 HR Manager

The HR Manager is the Document Owner and is responsible for overseeing the implementation and maintenance of this policy, coordinating staff training, and managing discrimination, harassment, and bullying matters in conjunction with the GCA-001 process.

3.2 Chief Executive Officer

The Chief Executive Officer is ultimately accountable for NECA Training's compliance with all access, equity, and anti-discrimination obligations and will ensure adequate resources are allocated to support the implementation of this policy.

3.3 Operations Managers

The Operations Managers are responsible for ensuring equitable training delivery within their jurisdiction, identifying access and equity barriers, supporting reasonable adjustments in consultation with the HR Manager and the student, and ensuring compliance with state-specific funding contract obligations related to access and equity.

3.4 LSCC Manager

The LSCC Manager is responsible for ensuring training and assessment materials, strategies, and LMS content are accessible and support equitable participation, and for monitoring compliance with Outcome Standards 2.4 and 2.5.

3.5 Business Development Manager

The Business Development Manager is responsible for ensuring all marketing, advertising, and recruitment materials are non-discriminatory and comply with Compliance Standards

sections 7 and 8 and the anti-discrimination advertising provisions of applicable Commonwealth legislation.

3.6 Senior Technical Trainer

The Senior Technical Trainer is responsible for ensuring assessment practices do not discriminate against students on the basis of protected attributes and that assessment adjustments maintain assessment integrity.

3.7 All Staff, Trainers, Assessors, and Contractors

All individuals working for or on behalf of NECA Training are responsible for treating all individuals with dignity and respect, acting to prevent prohibited conduct, and reporting any conduct that may breach this policy to the HR Manager or their Operations Manager.

3.8 Students

Students are responsible for treating all individuals with dignity and respect, not engaging in prohibited conduct, and complying with NECA Training's policies and the Code of Conduct (COC-001-POL). Students have the right to equitable access to training, assessment, and support services free from discrimination, and to make complaints through GCA-001-PRO.

4. Policy

NECA Training promotes, encourages, and values equity and diversity across all aspects of its operations. NECA Training will conduct its business in a fair and equitable manner, free from bias, and will not accept any form of unlawful discrimination, harassment, bullying, or vilification. NECA Training will:

- embed access, equity, and anti-discrimination principles into all policies, procedures, training delivery, assessment practices, and workplace conduct;
- comply with all applicable Commonwealth and State and Territory anti-discrimination legislation, including the positive duty to take reasonable and proportionate measures to eliminate sex discrimination, sexual harassment, and hostile workplace environments;
- foster a safe and inclusive learning environment for all students;
- foster a culturally safe learning environment for Aboriginal and Torres Strait Islander peoples;
- support students with disability to disclose their disability if they wish, make reasonable adjustments where appropriate, and communicate reasons where an adjustment is not appropriate or not possible, as required by Outcome Standard 2.4;
- ensure all students and prospective students have equitable access to training resources, facilities, equipment, support services, information, training and assessment personnel, materials, and assessment opportunities, regardless of their protected attributes;
- ensure enrolment processes are conducted in an ethical and non-discriminatory manner;
- not tolerate discrimination, harassment, bullying, or vilification by any person within the NECA Training environment, and take all reasonable steps to prevent such conduct;
- monitor access and equity outcomes, identify areas for improvement, and act on findings through the continuous improvement process.

4.1 Prohibited Conduct

NECA Training will not tolerate any form of unlawful discrimination, harassment, sexual harassment, bullying, vilification, or victimisation. The following conduct is prohibited in all NECA Training environments, including training sites, workplaces, online platforms, and any setting where NECA Training business or training is conducted.

Conduct	Description
Discrimination	Any direct or indirect discrimination against a person on the basis of a protected attribute in any area of NECA Training's operations, including training delivery, assessment, enrolment, employment, and the provision of services. This includes failing to make reasonable adjustments for a person with disability where such adjustments are required under the Disability Discrimination Act 1992 and the Disability Standards for Education 2005.
Harassment	Unwelcome conduct that offends, humiliates, or intimidates a person on the basis of a protected attribute, including conduct that creates a hostile, intimidating, or offensive environment. This includes harassment in education as prohibited by section 37 of the Disability Discrimination Act 1992 and section 28F of the Sex Discrimination Act 1984.
Sexual harassment	Any conduct meeting the definition of sexual harassment in section 28A of the Sex Discrimination Act 1984, including unwelcome sexual advances, unwelcome requests for sexual favours, and other unwelcome conduct of a sexual nature. This prohibition extends to hostile workplace environments on the ground of sex as defined in section 28M of the Sex Discrimination Act 1984.
Bullying	Repeated and unreasonable behaviour directed towards a person or group that creates a risk to health and safety. A single serious incident may still breach this policy as harassment, violence, misconduct, or another safety or conduct obligation, even if it does not constitute bullying.
Vilification and racial hatred	Conduct that is unlawful under applicable Commonwealth, State, or Territory vilification provisions. This includes conduct prohibited under Part IIA of the Racial Discrimination Act 1975, including public acts done because of race, colour, or national or ethnic origin that are reasonably likely to offend, insult, humiliate, or intimidate, as well as conduct prohibited by applicable State and Territory vilification provisions.
Victimisation	Subjecting or threatening to subject a person to detriment because the person has made, or proposes to make, a complaint under anti-discrimination legislation, or has participated or proposes to participate in any proceedings under such legislation. Victimisation is prohibited under all Commonwealth anti-discrimination Acts and is a criminal offence under certain provisions.

4.2 Consequences

Persons who engage in prohibited conduct will be subject to disciplinary action. For staff and contractors, this may include termination of employment or engagement. For students, this may include removal from the training program. Serious cases of harassment, sexual harassment, vilification, or victimisation may constitute a criminal offence and may be referred to the relevant authorities. Formal complaints are managed through GCA-001-POL and GCA-001-PRO. Staff conduct matters are managed through COC-001-POL and COC-001-PRO.

4.3 Vicarious Liability

Under the Racial Discrimination Act 1975, the Sex Discrimination Act 1984, the Disability Discrimination Act 1992, and the Age Discrimination Act 2004, an employer may be vicariously liable for unlawful discriminatory or harassing acts done by its employees or agents in connection with their employment or duties, unless the employer establishes that it took all reasonable steps to prevent the conduct. Consistent with this framework, NECA Training takes all reasonable steps to prevent such conduct. This policy, the associated staff training and awareness procedures in AEA-001-PRO, and the Code of Conduct (COC-001) form part of the reasonable steps NECA Training takes to meet this obligation.

4.4 Records Management

NECA Training maintains all records relating to access, equity, and anti-discrimination activities in accordance with RMS-001-POL (Records Management Policy) and applicable retention obligations. Staff training completion records and acknowledgement forms are stored in the Octossure platform under Document Control. Discrimination, harassment, and bullying complaint and investigation records are stored in Octossure. Student-specific signed documents and reasonable adjustment records are stored in the student's file in VETtrak. Detailed records management procedures, including record types, retention periods, and system storage allocations, are set out in AEA-001-PRO.

4.5 Continuous Improvement

NECA Training reviews this policy at least annually, or sooner following any discrimination, harassment, or bullying incident or complaint trend, changes to applicable legislation or the Outcome Standards, feedback from staff, students, or regulators, or findings from internal or external review. Improvement actions are captured in the Octossure Continuous Improvement module, with implementation outcomes recorded to support demonstrable compliance with Outcome Standard 4.4. Continuous improvement activities are conducted in accordance with CIP-001-POL (Continuous Improvement Policy).

5. Legislative Framework

NECA Training's access, equity, and anti-discrimination obligations are established by the following Commonwealth and State and Territory legislation.

Jurisdiction	Legislation
Commonwealth	National Vocational Education and Training Regulator Act 2011
Commonwealth	National Vocational Education and Training Regulator (Outcome Standards for NVR Registered Training Organisations) Instrument 2025
Commonwealth	Privacy Act 1988
Commonwealth	Fair Work Act 2009
Commonwealth	Racial Discrimination Act 1975

Commonwealth	Sex Discrimination Act 1984
Commonwealth	Disability Discrimination Act 1992
Commonwealth	Age Discrimination Act 2004
Commonwealth	Disability Standards for Education 2005
ACT	Discrimination Act 1991 (ACT)
NSW	Anti-Discrimination Act 1977 No 48
QLD	Anti-Discrimination Act 1991 (QLD)
TAS	Anti-Discrimination Act 1998 (Tas)
WA	Equal Opportunity Act 1984 (WA)

The currency of legislative references in this document is confirmed as at the version date recorded in the footer. Amendments to legislation are monitored through the Legislative Reference Register. For questions about this policy or legislative requirements, contact the LSCC Manager.

6. Definitions

Term	Definition
Access and equity	Policies and approaches aimed at ensuring that vocational education and training is responsive to the individual needs of students whose personal characteristics, circumstances, or background may present a barrier to access, participation, and the achievement of suitable outcomes.
CALD	Culturally and linguistically diverse. Refers to people from backgrounds where English is not the primary language spoken, or whose cultural practices and values differ from those of the majority culture.
Culturally safe	An environment where there is no assault, challenge, or denial of a person's identity, of who they are and what they need. In a culturally safe environment, people feel respected and able to participate without fear of being diminished or discriminated against on the basis of their cultural identity.
Direct discrimination	Less favourable treatment of a person, compared to a person without the relevant attribute in the same or materially similar circumstances, because of a protected attribute.
Disability	As defined in section 4 of the Disability Discrimination Act 1992: total or partial loss of bodily or mental functions; total or partial loss of a part of the body; the presence of organisms causing or capable of causing disease or illness; malfunction, malformation, or disfigurement; a disorder or malfunction resulting in learning differently; or a disorder, illness, or disease affecting thought processes, perception, emotions, judgement, or behaviour. Includes disabilities that are past, present, future, or imputed.
First Nations peoples	Aboriginal and Torres Strait Islander peoples, being the first peoples of Australia. Used respectfully alongside "Aboriginal and Torres Strait

	Islander peoples" throughout this policy.
Indirect discrimination	Imposing or proposing to impose a requirement, condition, or practice that is not reasonable in the circumstances and has, or is likely to have, the effect of disadvantaging persons with a protected attribute.
Protected attributes	Characteristics protected under Commonwealth and State and Territory anti-discrimination legislation. These include (but are not limited to): age, disability, race, colour, descent, national or ethnic origin, sex, sexual orientation, gender identity, intersex status, marital or relationship status, pregnancy or potential pregnancy, breastfeeding, family responsibilities, religion, political opinion, and social origin.
Reasonable adjustment	A measure or action taken by an education provider that assists a student with disability to participate in education and training on the same basis as a student without disability, where the adjustment balances the interests of all parties affected and does not impose unjustifiable hardship.

7. Associated Documents and Forms

Document	Reference
Access, Equity and Anti-Discrimination Procedures	AEA-001-PRO
Grievances, Complaints and Appeals Policy & Procedures	GCA-001-POL & GCA-001-PRO
Code of Conduct Policy & Procedures	COC-001-POL & COC-001-PRO
Student Support Policy & Procedures	SUP-001-POL & SUP-001-PRO
Enrolments Policy & Procedures	ENR-001-POL & ENR-001-PRO
Recruitment and Onboarding Policy	RCT-001-POL
Child Safe Policy	CSP-001-POL
Marketing Policy	MKT-001-POL
Records Management Policy	RMS-001-POL
Continuous Improvement Policy	CIP-001-POL
Privacy and Information Management Policy	PIM-001-POL
Australian Human Rights Commission	www.humanrights.gov.au