

Student Wellbeing and Accessibility Policy

1.0 Purpose

This policy sets out Bendigo Kangan Institute's (BKI's) commitment to all students to ensure that:

- Students have an inclusive and equitable learning and assessment environment.
- Students have access to appropriate support services; and
- BKI meets its obligations under relevant legislation as a Registered Training Organisation.

2.0 Scope

This policy applies to all BKI employees, students and contractors who engage with current and prospective students concerning their participation in training programs and activities delivered by BKI.

If a student considers they have unique needs that are not covered by this policy, they are encouraged to discuss how these needs can be accommodated during training and assessment, with the relevant teaching area. All students can also seek support through BKI's student support services.

3.0 Legislative Context

- Disability Discrimination Act 1992 (*Cth*)
- Disability Standards for Education 2005 (*Vic*)
- Child Wellbeing and Safety Act 2005 (*Vic*)
- Children, Youth and Families Act 2005 (*Vic*)
- Education and Training Reform Act 2006 (*Vic*)
- Education and Training Reform Regulations 2007 (*Vic*)
- Charter of Human Rights and Responsibilities Act 2006 (*Vic*)
- Equal Opportunity Act 2010 (*Vic*)
- Privacy Act 1988 (*Cth*)
- Privacy and Data Collection Act 2014 (*Vic*)
- Carer Recognition Act 2010 (*Cth*)
- Health Records Act 2001 (*Vic*)

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Doc Custodian: Head of Student Services

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4.0 Principles

This policy is underpinned by the principles of:

- 4.1.1 Inclusion and equity
- 4.1.2 Accessible participation and support
- 4.1.3 Freedom of expression
- 4.1.4 Confidentiality and Privacy
- 4.1.5 Safeguarding Human Rights
- 4.1.6 Equal Respect and Non-discrimination
- 4.1.7 Intersectionality
- 4.1.8 Feedback and complaint
- 4.1.9 Collaboration.

These principles collectively protect and promote the rights and responsibilities of all students to:

- 4.1.10 Be respected and valued for who they are.
- 4.1.11 Have equal opportunities and responsibilities as all other members of the BKI learning community.
- 4.1.12 Exercise choice and have control over their education.
- 4.1.13 Have equitable access to a range of services to support the quality of learning.

5.0 Policy Statement

BKI adopts the Social Model of Disability, where the disability occurs because of the interaction between impairments and an environment filled with physical, attitudinal, communication, social, and behavioural barriers.

BKI is committed to ensuring that all students care, safety, and welfare meet regulatory requirements. BKI strives to provide students with an equitable, inclusive, respectful learning environment that is:

- Safe and inclusive
- Accessible, including exercising, where applicable reasonable adjustments to provide access for learners with disability.
- Free of bullying in any form, harassment, or discrimination.

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- Structured to provide feedback and respond to any concerns.

Students have a right to:

- An environment that is supportive of their continued learning outcomes.
- Knowledge of what their participation and attendance requirements are.
- A timely response to complaints and issues.

5.1 Accessibility and Reasonable Adjustment

BKI respects the rights of all students to access its programs, services, and facilities and to learn in an environment free from discrimination on the grounds of personal attributes such as disability, gender, cultural or carer status.

BKI will identify and respond to individual learning styles and learning needs to promote and support positive learning experiences and personal success.

As practicable as possible, BKI will ensure that students with a disability are:

- Able to enroll, participate and use the services on the same basis as students without a disability.
- Provided with reasonable adjustments to promote and ensure the learning needs of the student are met and supported.

Reasonable adjustments ensure that students living with a disability or health condition have equal access to teaching and learning. In making reasonable adjustments BKI ensures that the academic integrity of courses offered is maintained to the appropriate ASQA standards.

Students requiring adjustments must discuss their needs with a Disability Liaison Officer (DLO). The DLOs will recommend adjustments based on the medical documentations provided by the student and in line with legislative guidelines.

These Reasonable Adjustments will be arranged between the Lead Educator or Education Manager and the DLO. The Lead Educator or Education Manager is responsible for advising the necessary employees of this arrangement.

<https://www.adcet.edu.au/disability-practitioner/reasonable-adjustments>

In some cases, an individual may not be admitted to a particular course of learning or continue if it is reasonably determined that:

- The student could not meet entry requirements and/or successfully participate even with reasonable adjustments in place, or

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- Requires extra services or facilities which cannot be made available, or
- It causes unjustifiable hardship to the Institute, or
- There is a risk of injury to that individual or others and it is not reasonable to take that risk.

BKI recognizes that budgetary and facility constraints may govern the extent to which this policy can be fully implemented.

The DLOs can assist students with disability in achieving learning outcomes. Students requiring support must provide medical documentation confirming the disability. DLOs can provide a variety of services such as those listed below:

- Consultation with the student regarding their support needs
- Development of Learning Access Plans, to formalise the students' requirements and BKI support actions.
- Provision of Accessibility Support Officers (ASO) to assist a range of support services including note taking and tutoring.
- BKI also engages external agencies to ensure all students with a disclosed disability that may impact their learning are appropriately supported.

Any students without a diagnosed or disclosed disability are encouraged to speak with their teacher or Student Wellbeing and Accessibility services to assess their learning needs.

Teachers and other staff can learn about providing reasonable adjustments to support students with disclosed and undisclosed disabilities by accessing Disability Awareness Program via People Hub and Educator Passport.

Learners seeking reasonable adjustment have full autonomy over when and to whom their disability status and access needs are communicated.

5.2 Student Wellbeing and Accessibility Services

BKI offers Student Wellbeing services that allow students to participate fully in student life. These services include support such as: Refer to Student Support Framework

- Student Counselling.
- Welfare and Scholarship Support.
- Disability Support catered to the learning needs of the student.
- Employment centre which aims to assist students with their employability, career counselling, and connect them with industry.

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- Library and Learning Support.

Teachers also treat students with courtesy, respect, and professionalism and can assist students with accessing services or providing referrals to services that may benefit students with their learning and wellbeing.

5.3 Grievances/Feedback

BKI provides appropriate mechanisms for students to provide feedback and to have grievances and complaints addressed efficiently and effectively in the Feedback (Compliments and Complaints) Policy and Procedure.

Students' grievances or complaints will be addressed promptly, fairly, equitably and in accordance with the principles of natural justice.

Student Welfare and Accessibility Policy

6.0 Roles and Responsibilities

Role	Responsibilities
Chief Experience and Growth Officer	Overarching responsibility of ensuring governance and compliance with this policy insofar as it relates to the provision of student support services and the administration of disability liaison services.
Chief Industry Engagement and Education Delivery Officer	Overarching responsibility of ensuring governance and compliance with this policy insofar as it relates to the application of reasonable adjustment to education, training and assessment services.
Customer Service Centre	Provide clear and concise information relevant to all students. <ul style="list-style-type: none"> • General course information • Enrolment • General enquiries • Referral to Support Services, including disability services as appropriate.
Disability Liaison Officer	The Disability Liaison Officer provides: <ul style="list-style-type: none"> • Assessment to establish if the student is eligible for assistance. • Help with application and enrolment. • Advice provided to teachers about special needs or learning problems. • Advocacy on behalf of students with disabilities, including negotiating alternate or modified assessments, or extra time in a course. • Organising additional learning assistance both in and out of class, e.g., note-takers, participation assistants, tutors or sign language interpreters.

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Facilities Department	Providing safe, clean and accessible buildings and physical facilities within the Institute, to students where it is deemed to not cause unjustifiable hardship.
Marketing	Production and dissemination of information on courses and support services in alternate and accessible formats.
Student Wellbeing and Accessibility Services	Providing a range of services to include but not limited to: <ul style="list-style-type: none">• Counselling• Disability support• Welfare• Youth Support• Employment Centre• Child Safety• Library• Learning Support

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Role	Responsibilities
Teaching departments	<p>During application:</p> <ul style="list-style-type: none"> • Providing accurate, alternate, and accessible information. • Provide applicants the opportunity to disclose whether they have a disability or other concerns that may impact upon their prospective studies. • Providing assistance and support as appropriate, <p>Upon disclosure of disability during selection and enrolment:</p> <ul style="list-style-type: none"> • Selecting all students on the same basis as all other students i.e., on merit. • Making reasonable adjustments as directed by DLOs or other employees to ensure fair and equitable access to courses. <p>During training and assessment:</p> <ul style="list-style-type: none"> • Making reasonable adjustments as directed by DLOs to ensure equitable access to training and assessment in all courses and programs.
Timetabling Officer	Allocation of physically appropriate classrooms to enable access for all students, regardless of abilities, when notified.

Student Welfare and Accessibility Policy

7.0 Definitions

Word/Term	Definition
Accessibility	The degree to which a program, information, service, and facilities are available to students.
Adjustment	The act or process of changing or adapting to make it possible for a student with a disability to take part in training on the same basis as other students.
Bullying	<p>Is a deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm. It can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening.</p> <p>Bullying can happen in person or online, via various digital platforms and devices and it can be obvious (overt) or hidden (covert). Bullying behaviour is repeated, or has the potential to be repeated, over time (for example, through sharing of digital records). (Source Department of Education and Training Victoria Types of bullying include but are not limited to:</p> <ul style="list-style-type: none"> • Harassing someone based on their race, sex, religion, gender, or a disability. • Face to face (involves physical actions such as punching and kicking or direct verbal actions such as name calling and insulting; • Covert bullying (less direct) Can include things such as excluding people from groups or spreading lies or rumours; • Cyberbullying: Occurs through the use of using information or communication technologies such as instant messaging, text messaging, email and social; networking sites or forums.
Child	Person under 18 years of age.

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<p>Disability</p>	<p>(a) The Disability Discrimination Act 1992 (DDA) defines disability broadly as:</p> <p>(b) total or partial loss of the person's bodily or mental functions; or</p> <p>(c) total or partial loss of a part of the body; or</p> <p>(d) the presence in the body of organisms causing disease or illness; or</p> <p>(e) the presence in the body of organisms capable of causing disease or illness; or</p> <p>(f) the malfunction, malformation or disfigurement of a part of the person's body; or</p> <p>(g) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or</p> <p>(h) a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgement or that results in disturbed behaviour.</p> <p>Disability Types</p>
<p>Disability Discrimination</p>	<p>The denial of equal opportunity on the grounds of disability. Includes direct and indirect discrimination on the basis of past, present, future and imputed disability.</p>

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Word/Term	Definition
Merit	To evaluate all applicants individually on how well they meet the selection criteria, assessing them, on the best evidence obtainable, on how they would meet the training requirements.
Prospective Student	A person seeking to enroll in a course of study at the Institute.
Reasonable Adjustment	<p>As per Department of Education and Training guidelines, a reasonable adjustment is a measure or action taken to help a student with a learning difficulty and/or disability take part in their education on the same basis as their peers.</p> <p>Reasonable adjustments ensure that students with a disability or health condition have access to and participate in the academic, occupational and social activities at BKI. In making reasonable adjustments BKI ensures that the academic integrity of courses and programs offered is maintained to the appropriate standards.</p>
Social Model of Disability	The social model sees disability as the result of the interaction between people living with impairments and an environment filled with physical, attitudinal, communication, and social barriers. Under the social model, impairment is seen as a natural variation of human experience, and the burden of responsibility of access is placed on society rather than individuals with impairment.
Student	An enrolled student at the Institute.

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Word/Term	Definition
Unjustifiable Hardship	<p>An exception that allows the Institute to refuse to make an adjustment because the cost involved and the impact on the Institute and other people would be too great. The Institute must prove that the adjustment would cause it unjustifiable hardship. To do this, the Institute would need to look at:</p> <ul style="list-style-type: none"> • The benefits or disadvantages that would result from making the reasonable adjustment. • The effect of the disability of the student in question. • Its own financial position and the costs of making the reasonable adjustment. <p><i>Source: Disability Discrimination Act 1992 (DDA) Education Standards</i></p>
Bullying	<p>(a) Is a deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends:</p> <p>(b) to cause physical, social and/or psychological harm. It can (c) involve an individual or a group misusing their power, or (d) perceived power, over one or more persons who feel unable to stop it from happening.</p> <p>(e) Bullying can happen in person or online, via various digital (f) platforms and devices and it can be obvious (overt) or hidden (g) (covert). Bullying behaviour is repeated, or has the potential to (h) be repeated, over time (for example, through sharing of digital (i) records). (Source Department of Education and Training Victoria</p> <p>(j) Types of bullying include but are not limited to: (k) • Harassing someone based on their race, sex, religion, (l) gender, or a disability. (m) • Face to face (involves physical actions such as punching and (n) kicking or direct verbal actions such as name calling and (o) insulting; (p) • Covert bullying (less direct) Can include things such as (q) excluding people from groups or spreading lies or rumours; (r) • Cyberbullying: Occurs through the use of using information (s) or communication technologies such as instant messaging, (t) text messaging, email and social; networking sites or forums.</p>

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Harassment	<p>Harassment can be against the law when a person is treated less favourably based on certain personal characteristics, such as race, pregnancy, marital status, breastfeeding, age, disability, sexual orientation, gender identity or intersex status. Some limited exemptions and exceptions apply.</p> <p>Harassment can include behaviour such as:</p> <ul style="list-style-type: none">• telling insulting jokes about racial groups• sending explicit or sexually suggestive emails or text messages• displaying racially offensive or pornographic posters or screen savers• making derogatory comments or taunts about someone's race• asking intrusive questions about someone's personal life, including his or her sex life. <p>(Source: Australian Human Rights Commission)</p>
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8.0 Supporting Documents

Procedure name
Human Rights Policy
Privacy and Freedom of Information Policy
Training and Assessment Policy
Assessment Procedure
Fact Sheet – Reasonable Adjustment and Student Support
Student Code of Conduct Policy and Procedure
Feedback Procedure (Compliments and Complaints)
Child Safety Policy and Procedure

9.0 Version Control and Change History

Ver.	Issue Date	Document Custodian	Description of Change	Approval Authority
1.0	04 Dec 2014	Executive Director Learner Experience	The content of this policy originated from Kangan Institute Supporting Students with a Disability Policy POL 1.42 version 1	Board
2.0	02 Mar 2015	Executive Director Learner Experience	Editorial change: removal of logos from template	n/a
3.0	20 June 2016	Executive Director Learner Experience	Merging of supporting students with a disability and student welfare policy	Legal Risk and Policy Temporary
4.0	28 Sep 2019	Chief Academic Officer	Updating of policy as review needed	Board of Studies
4.1	06 Feb 2020	Chief Academic Officer	Updating to include VETiS and medical devices	Board of Studies
4.2	11 Apr 2022	Head of Student Services	Minor change to incorporate Feedback Policy and Procedure and update child safety information.	Head of Legal, Governance, Risk and Compliance
5.0	28 Jun 2023	Head of Student Services	Removal of duplicated content available under Child Safety Policy. Clearer articulation students with unique needs but without a	Chief Experience and Growth Officer

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			<p>disability can still access support services and request adjustment. Change of title to Student Wellbeing and Accessibility Policy. Added information regarding application of reasonable adjustment during class, assessment and support and inclusion of a 'fact sheet' to provide additional guidance.</p>	
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10.0 Document Owner and Approval Body

Document Custodian	Approval Authority	Approval Date	Issue Date	Scheduled Review Date
Head of Student Services	Chief Experience and Growth Officer	28 Jun 2023	28 Jun 2023	29 Jun 2026

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