



Springvale Neighbourhood House Policy & Procedures Manual 2018

Springvale Neighbourhood House Policy Manual

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Section: SNH Learning Program	
Policy: Roles & Responsibilities	Effective: DATE

The governing body at SNH is the SNH Governance Committee. The SNH Governance Committee is responsible for the following:

- setting the organisation’s goals,
- policy development,
- overseeing the management of the House’s affairs,
- employing staff,
- ensuring compliance with relevant regulations, awards and legislation,
- entering into and ensuring compliance with contracts and agreements,
- being responsible and accountable to members of the house, the community, funding bodies and sponsors.

SNH MANAGER	
<ul style="list-style-type: none"> • In conjunction with the Governance Committee develop Strategic Plan • Advice and support to the Governance Committee • Oversight and accountability for implementation of the Strategic Plan (long term and short term plans), and compliance with policies and procedures • To provide leadership to the organisation • Line management of the management team (Administration Team Leader & Learning Program Team Leader) • Coordination of the House and support of Group Members • Ensure expenditures are within authorised budget • In conjunction with the Risk Management Subcommittee, assess and manage risks • Ensure effective internal controls and information management systems are in place • Ensure appropriate systems are in place to enable SNH to conduct activities both lawfully and ethically • Communicate effectively with Governance committee members, staff, funding bodies and government agencies, and key stakeholders 	
<p>Administration Team Leader</p> <p>Ensure effective & efficient administration of SNH community program & administrative support to SNH learning program</p>	<p>Learning Program Team Leader</p> <p>Ensure effective & efficient delivery of SNH learning program</p>
<ul style="list-style-type: none"> • Administrative Support Staff <ul style="list-style-type: none"> - Finance/Admin Officer - Admin/Events Officer - IT Support Officer 	<ul style="list-style-type: none"> • Tutors • Trainers/Assessors
<ul style="list-style-type: none"> • House Group Leaders 	<ul style="list-style-type: none"> • Administrative Support (from the House Team)
<ul style="list-style-type: none"> • Administration & Group Volunteers 	<ul style="list-style-type: none"> • Language and Literacy Volunteers
<ul style="list-style-type: none"> • Project Staff and Volunteers 	<ul style="list-style-type: none"> • Emergency Tutors & Volunteers



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Section: SNH Learning Program	
Policy: Records Management Policy	Effective: DATE

PURPOSE

The Springvale Neighbourhood House- Learning Program maintains effective administrative and records management systems to secure the accuracy, integrity and currency of records, to keep documentation up to date, and to safeguard any confidential information obtained by the Administrative staff and tutors.

We are committed to operating a management system that enables administrative staff and tutors to compile and maintain the required records to fulfil our obligations under legislation, quality and Australian Quality Training Framework Standards to improve the services offered by the Springvale Neighbourhood House-Learning Program staff and tutors.

All staff have responsibilities to create, keep and retain records in accordance with this policy.

PROCEDURES

Staff Records

The Springvale Neighbourhood House- Learning Program maintains staff profiles, certified copies of resumes and qualifications and records of currency in personal folders kept in Staff files (electronic database and paper based).

Student Records

- Student Statistics database on Easy stats.
- Student enrolment (paper based) records are completed and stored at SNH learning centre office. Duplicate copies are stored at outreach venues.
- Courses, qualifications, module titles and codes are recorded on relevant documents and stored at Springvale Neighbourhood Learning Program in tutor/course folders in filing cabinets in The Springvale Neighbourhood Learning Program office.
- Student results are recorded upon completion of modules/units on individual assessment records and group grids and stored in course folders in a cabinet in the office.
- Qualifications are issued on completion of courses or on request when a student leaves the organisation.
- All student records including records of qualifications and Statements of Attainment issued by the centre as an RTO are stored for retention, archiving and retrieval for a period of 30 years in a secure location in fireproof and flood proof cabinets.
- Electronic back up of database records are stored on external hard-drive and stored in a secure, locked filing cabinet.

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- Information about a student, except as required by law or as required under the Standards for Registered Training Organisations, is not disclosed without the student's written permission.
- Students have access to personal records upon making a request to their tutor or a member of the administrative staff.

Records of tutor meetings

- Minutes to be taken and approved to create a record of the meeting.
- The record should adequately document attendance, decisions made at the meeting and include a copy of the agenda and all documents considered at the meeting.
- Scanned minutes to be emailed to all tutors.

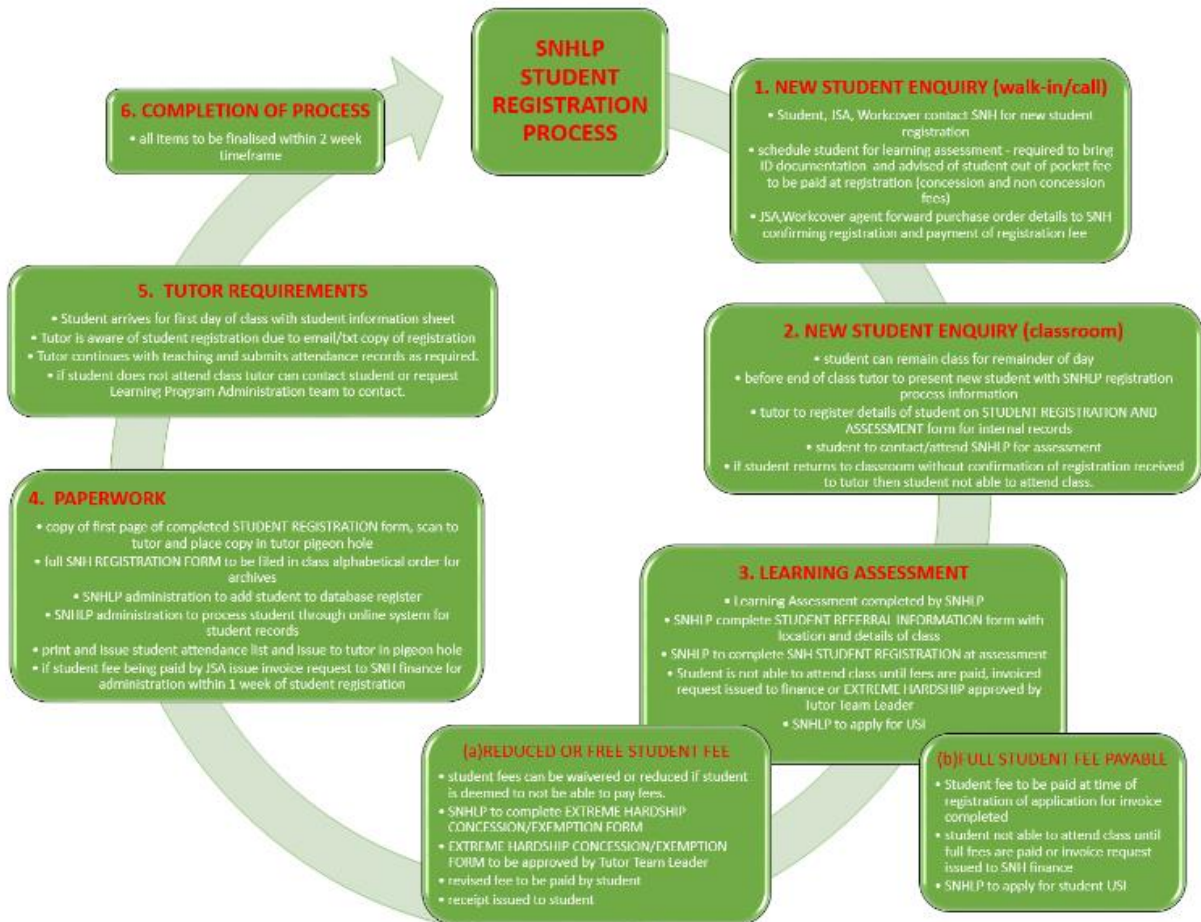
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Section: SNH Learning Program	
Policy: Enrolment of Learners	Effective: 01/01/2018

PURPOSE

The Springvale Neighbourhood House- Learning Program maintains an open and welcoming environment for students and visitors. These procedures ensure all students are treated equally and in accordance with the conditions of our contractual obligations.



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PROCEDURES

Springvale Neighbourhood House's Enrolment Strategy comprises of the following steps:

- Upon enquiry, learners are given/sent a copy of SNH Learner Handbook which is also available of [SNH website](#) The handbook provides the necessary detail regarding the interview and enrolment process, course duration and hours involved, learner rights and other policy.
- Springvale Neighbourhood House follow up within 24-48 hours with intended learner (via phone or email). Depending on learner response, SNH will either arrange for an interview and pre-training assessment, or if appropriate refer enquirer to a more suitable course.
- To enrol in a course, learners complete the Springvale Neighbourhood House Learner Enrolment Form, which forms the basis for the learner interview and subsequent pre-training assessment. The enrolment process includes a check on eligibility criteria and collection of documentation including proof of residency/citizenship status & photo ID.

Pre-Training Review

The Springvale Neighbourhood House pre-training Interview and assessment will take approx. 40 minutes per learner.

Although much of the information regarding the learner is obtained from the enrolment form, a comprehensive assessment of characteristics can be determined after meeting and interviewing each learner. The interview provides an opportunity for each learner to discuss:

- Learning style and preferences
- Language, Literacy and Numeracy (LLN)
- Socio-cultural background and needs
- Previous formal/informal education experience
- Learning support needs
- Why they want to enrol in this course
- Their current employment status (level and breadth of experience)
- Future goals

Springvale Neighbourhood House Pre-Training Assessment uses the Australian Core Skills Framework (ACSF) tasks on the Precision Consultancy website to assess language, literacy and numeracy competencies. These tasks have been validated by both ACSF and industry experts. Based on the ACSF performance levels (Learning, Reading, Writing, Oral Communication, Numeracy), Springvale Neighbourhood House Learner assessment staff will determine the appropriate course for the learner. Note: SNH has a protocol agreement with the City of Greater Dandenong Language & Literacy Officers to accept their referral and LLN assessments as part of our learner enrolment process.

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Springvale Neighbourhood House Pre-Training Review is recorded using the ACSF Assessment Record which includes learning support needs of the Learner. The ACSF Assessment Record is filed in the learner file and a copy forwarded to the classroom teacher along with the Classroom Referral Form.

List of Pre-Assessment Tasks

These tasks have been selected by SNH for use in Pre-training Review assessment include Open text - “about me”, Word Bingo, Pizza text Q & A, Recipe text Q & A, Advertisement text Q & A.

Enrolment & Fees

1. Following completion of enrolment and pre-training assessment tasks, the learner is given enrolment confirmation and the Class Referral Form detailing their course, location, trainer name, commencement date, class hours.
2. The enrolment process includes consideration of learner’s financial situation and whether concession or fee waiver should be applied.
3. Fees are paid on enrolment, or a payment plan is entered into. Learners are issued with a receipt for all fee payments.

Administration & Records

Administrative tasks following learner enrolment include:

- a. Data entry into Easy Stats and upload to SVTS within two weeks of commencement.
- b. Establishment of a hardcopy Learner file which includes copies of enrolment & assessment forms, verified photocopies of photo ID (passport/driver’s license) and Medicare/concession cards.
Note: original or certified copies of these documents must be sited at the time of enrolment.
- c. Class trainer receives notification of new learner enrolment & copy of Learner enrolment form which includes emergency contact details, and the ACSF Assessment Record.

Individual Learning Plan

The class trainer uses the entry level ACSF assessment to develop an Individual Learner Plan for each learner prior to the training. By determining the gap in foundation skills the trainers identify priorities and strategies to develop and strengthen the foundation skills for the learner to achieve the levels required across all core skills, to complete units successfully. The SNH Individual Learner Plan template is a MS Excel document with multiple choice drop-down menu which allows the Trainer to choose relevant priorities and strategies for each learner in each of the 5 ACSF assessment areas - Learning, Reading, Writing, Oral Communication and Numeracy. The ILP is completed on commencement of the course and reviewed each semester to measure Learner achievement and identify new learning priorities and strategies.

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ONLINE RESOURCES:

- Australian Core Skills Framework
© Commonwealth of Australia, 2012
<https://www.education.gov.au/download-acsf>
- ACSF Assessment Tasks User Guide
© Commonwealth of Australia, 2013
http://www.precisionconsultancy.com.au/acs_framework
- Australian Core Skills Framework Pre Level 1
© Commonwealth of Australia, 2017
<https://www.education.gov.au/download-acsf>

Relevant Documents and Forms:

- ACSF Assessment User Guide & Assessment Record
- ACSF Assessment Tasks (for Pre-Training Assessment)
- Class Referral Form
- Individual Learner Plan Template
- SNH Learner Handbook
- SNH Learner Registration Form
- SNH Learner Medical Permission Form

Section: SNH Learning Program	
Policy: Training & Assessment	Effective: DATE

PURPOSE

The purpose of the Training & Assessment Policy is to outline the approach taken by Springvale Neighbourhood House to train and assess learners and ensure that training and assessment strategies and practices are responsive to industry and learner needs and meet the requirements of training packages and VET accredited courses.

Definitions

ACSF is the Australian Core Skills Framework which is a tool to assist both specialist and non-specialist English language, literacy and numeracy practitioners describe an individual's performance in the five core skills of learning, reading, writing, oral communication and numeracy. Current versions are ACSF 2012 and ACSF Pre-Level 1 Supplement 2017 (use for CIALN learner Pre-Training Assessment)

Assessment is the process of evaluating a learner's achievement on a course, skill or type of behaviour.

AQTF - (Australian Quality Training Framework) is the national set of compliance Standards and Essential Conditions that the VET training provider must meet to become a Registered Training Provider.

CIALN - Certificate in Initial Adult Literacy & Numeracy

CSWE - Certificate in Spoken & Written English

Industry Engagement is the process of consulting with referring agencies on 'job ready' skills. Industry includes referring agencies such as Job Actives, Job Support Agencies, Centrelink, Department of Human Services (clients with intellectual disabilities), and local employers.

Moderation* is a quality control process for bringing assessment judgements and standards into alignment. It is a process that ensures the same standards are applied to all assessment results within the same Unit(s) of Competency. It is an active process in the sense that adjustments to assessor judgements are made to overcome differences in the difficulty of the tool and/or the severity of judgements.

Training is the process of teaching a person a particular skill or type of behaviour.

Validation* is a quality review process. It involves checking that the assessment tool reliably produced valid, sufficient, current and authentic evidence to enable reasonable judgements to be made as to whether the requirements of the relevant aspects of the Training Package or accredited course have been met. It includes reviewing and making recommendations for future improvements to the assessment tool, process and/or outcomes.

* Source: AQTF Users' Guide to the Essential Conditions and Standards for Continuing Registration, 2010

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Scope

This policy applies to all Training Package qualifications or nationally accredited courses, or components of courses, listed on Springvale Neighbourhood House's scope of practice:

CODE	QUALIFICATION	EXPIRY
22293VIC	Certificate I in Initial Adult Literacy and Numeracy	30/06/2020
22253VIC	Certificate III in EAL (Access)	31/12/2018
10364NAT	Certificate III in Spoken and Written English	30/09/2018
10363NAT	Certificate II in Spoken and Written English	30/09/2018
10362NAT	Certificate I in Spoken and Written English	30/09/2018
10361NAT	Course in Preliminary Spoken and Written English	30/09/2018

<http://www.vrqa.vic.gov.au/StateRegister/Provider.aspx/DetailsProvider?AccountID=32d5fd0d-0279-e711-80e0-005056825391>

Policy

Springvale Neighbourhood House is committed to providing Training and Assessment services that are quality assured and align with the requirements of the VET sector. This includes undertaking the following quality training and assessment practices:

1. Implementing a comprehensive Training and Assessment Strategy (TAS) for each of the courses Springvale Neighbourhood House undertakes to deliver.
2. Engaging with industry to ensure industry needs are met and graduates are 'job ready' upon successful completion of their course.
3. Supporting learners to meet the requirements of their course and to complete the relevant training.
4. Implementing an assessment system that meets the requirements of the training package and is conducted according to the Principles of Assessment and the Rules of Evidence.
5. Employing skilled trainers and assessors who maintain their vocational skills and competencies to the level being delivered and assessed.

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PROCEDURE

1. To ensure the implementation of a comprehensive Training and Assessment Strategy for each of the VET courses delivered by Springvale Neighbourhood House (SNH), the SNH Manager and the Tutor Team Leader are responsible to ensure that:
 - a. That each course to be delivered is listed on SNH Scope of Delivery granted by the Victorian Registration Qualifications Authority (VRQA) and that each curriculum package is within the period of accreditation.
 - b. Training & Assessment Strategies are clear and they are developed for each of the courses to be delivered by Springvale Neighbourhood House, prior to course delivery.
 - c. Training and Assessment Strategies are consistent with advertising and marketing materials provided to prospective learners and at a minimum, include the following information:
 - The code and title of the qualification/accredited course
 - The core and elective units (where this relates to a full qualification)
 - The mode of delivery - how the training and assessment is to be delivered—face-to-face, online, through workplace training or a mixture of different modes
 - Any entry requirements - these may include mandatory requirements for learners commencing the program, such as ACSF level, Australian residency/citizenship or Department of Immigration Education & Training eligibility
 - The duration and scheduling - how the training and assessment activities will be scheduled to ensure learners are able to fully develop the required skills and knowledge prior to being assessed
 - The learning resources to be used to guide learners obtain the required knowledge and skills prior to assessment
 - The assessment resources, methods and timing for assessment and any adjustments that may be needed to cater for different learner characteristics.
 - The human resources available to deliver the course. This ensures suitable trainers and assessors are available for all courses delivered and assessed
 - The physical resources needed for the delivery and assessment of the course/program
 - d. Training and Assessment Strategies are validated on a regular basis and updated where necessary to ensure they are in line with changes in training packages, legislation, industry technology and techniques, and the availability of resources within Springvale Neighbourhood House.
 - e. All trainers and assessors are provided with the Training and Assessment Strategies for the courses they are to deliver, at the time of their induction into Springvale Neighbourhood House. The SNH Manager and Tutor Team Leader will ensure that these are understood and followed by new and existing trainers and assessors at all times.

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2. To ensure that industry needs are met and that graduates are ‘job ready’ on successful completion of their course, the SNH Manager and/or the Tutor Team Leader or their delegated staff members, will be responsible to:
 - a. Engage with industry/employers to ascertain:
 - whether the training and assessment strategies align to current methods, technology, products and performance expectations for the workplace tasks
 - whether the selection of resources, trainers and assessors are suitable for the course and the AQTF level
 - b. Document the industry engagement activity in the form developed for this purpose, which sits in Springvale Neighbourhood House’s Quality Management System.
 - c. Pass all industry consultation evidence on to the SNH Manager and Tutor Team Leader check the recommendations made by industry and where necessary update the Training and Assessment Strategy and advise all trainers and assessors.
 - d. Retain all Industry Consultation evidence together with the TAS documentation in Springvale Neighbourhood House’s Quality Management System for future reference.
3. To support learners to meet the requirements of their course and to maximize their chance to successfully complete their training, Springvale Neighbourhood House will:
 - a. Determine the level of support needs of individual learners prior to their enrolment in a course – by conducting a Pre-Training Assessment (see Procedure for Enrolment of Learners Procedure Document).
 - b. Develop an Individual Learner Plan (ILP) for each Learner. The ILP will be developed by the classroom trainer prior to the learner commencing the course and will be reviewed at the end of each semester to maintain currency.
 - c. Provide access to educational and support services such as providing assistive technology, additional training materials and/or assistance in using technology as may be necessary, for the individual learner to meet the requirements of their course.
 - d. Provide clear information to all potential learners of any limitations to the support that Springvale Neighbourhood House is able to provide throughout a course.
 - e. Identify particular requirements such as literacy, numeracy, English language or physical capabilities learners would need so as to complete their course.
 - f. Develop and document support strategies where gaps are identified.

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4. To meet the assessment requirements of the training package, Springvale Neighbourhood House assessors will implement the following assessment systems:
 - a. Assessment methods and tools will be developed according to the Principles of Assessment (fairness, flexibility, validity and reliability) and the Rules of Evidence (validity, sufficiency, authenticity, currency)
 - b. When developing assessment materials, assessors will use the information from the unit elements, performance criteria and assessment requirements to determine what competence looks like.
 - c. For a learner to be assessed as competent they will:
 - actually undertake all required tasks identified in the elements of the unit
 - demonstrate that they are capable of performing these tasks to an acceptable level and in a variety of workplace situations, or accurately simulated workplace situations
 - demonstrate their ability to do so in different contexts and environments

This will ensure the learner has:

- The ability to perform relevant tasks
 - The understanding of what they are doing, and why, when performing tasks
 - The ability to integrate performance with understanding, to show they are able to adapt to different contexts and environments
- d. Assessment will always be based on the performance of the individual learner. If assessment tasks are undertaken as a group, each learner will be assessed on each component of the task individually.
 - e. Recognition of prior learning (RPL) will be conducted with the same rigor as any other form of assessment. The RPL process will use evidence from formal, non-formal and informal learning combined with assessment activities to determine competence.
 - f. Each training course will undergo validation at least once every five years.
 - g. Moderation of assessment judgments will be conducted by sampling 10% of the learner marked assessments for a specific unit of competency to determine if there is consistency in the judgments made by different Springvale Neighbourhood House trainers.

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5. Springvale Neighbourhood House will only employ skilled trainers and assessors who have:
- TAE40110 Certificate IV in Training and Assessment qualification or its successor OR a diploma or higher level qualification in adult education. AND
 - Vocational competencies and qualifications as stipulated in the Accredited Course guide. (CSWE = TESOL degree; CIALN = Master of Special Education or Bachelor of Education with Special Education specialisation)

Springvale Neighbourhood House will also ensure that:

- All trainers undertake professional development in their field of vocational knowledge and expertise, as well as in the Vocational Education and Training (VET) field which involves competency based training and assessment.
- All trainers attend an industry conference at least once every 2 years to keep up-to-date.

It is not a SNH policy to employ trainers who are not qualified trainers or assessors, however in exceptional circumstances, unqualified tutors may be employed for up to one term provided they work under the supervision of a qualified trainer and do not determine assessment outcomes.

Persons affected by this policy

- SNH Manager
- Tutor & Administration Team Leaders
- Administration Staff
- Tutors

Relevant documents and forms

- ACSF Assessment User Guide & Assessment Record
- ACSF Assessment Tasks (for Pre-Training Assessment)
- Class Referral Form
- Code of Practice Policy
- Individual Learner Plan Template
- Industry Engagement Policy & Procedure
- Moderation Policy & Procedure
- Procedure for Enrolment of Learners
- Trainer Profile Template
- Trainer Competence and VET Currency Register
- Trainer Training Register
- Validation Policy & Procedure

Relevant Standards: Standards for RTOs 2015 - Standard 1 Clauses 1.1 - 1.27



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Section: SNH Learning Program

Policy: **Industry Engagement**

Effective: DATE

PURPOSE

This policy and procedure ensures that Springvale Neighbourhood House is providing training and assessment services that meet industry needs and maximise learners' opportunities for employment, advancement or further education.

Engaging with industry stakeholders (such as VET training organisations, employers, employers) is critical to ensuring training and assessment is aligned to current methods, technology, products and performance expectations for the workplace tasks specified in the training package or VET accredited course.

Springvale Neighbourhood House will engage with relevant industry stakeholders for each industry area (& Qualifications) in order to:

- Design strategies for training and assessment
- Identify and/or develop suitable learning materials
- Identify appropriate methods of assessment
- Develop suitable assessment tools
- Identify the skills and knowledge required by its trainers and assessors
- Monitor the delivery and assessment of its programs

PROCEDURES

Identifying appropriate Industry Representatives

Springvale Neighbourhood House will identify relevant industry personnel or organisations who can provide the feedback on the training and assessment practices for each Industry area. A minimum of two (2) Industry Representatives must be consulted and engaged for each delivery and assessment program.

Industry Engagement may take place with the following people or organisations:

- Referring agencies
- Business owners/ employers in that particular industry that the qualification that the Strategy for Training and Assessment is being developed for
- VET Vocational Trainers and Assessors
- Union & workplace representatives
- Other relevant stakeholders to Springvale Neighbourhood House 's training and business opportunities

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Springvale Neighbourhood House will also ensure the collection of details about the Industry Representatives, such as:

- Name and company
- Description of how the representative is involved in the industry

Undertaking & Documenting Industry Engagement

Springvale Neighbourhood House will undertake Industry Engagement by providing a range of information in relation to the training and assessment program to the industry representatives, and seek feedback as to the most appropriate method of providing the training and assessment program, achieve suitable industry outcomes, and trainer and assessor requirements to ensure industry relevance.

This information is to include (but not limited to) the following:

- The qualifications' national code and title
- The units that make up the qualification (national code and title)
- Delivery arrangements of the course
- Duration and schedule
- Assessment methods
- Industry needs
- Requirements of trainers and assessors

Engagement with industry may occur via face to face meetings, email, or other relevant medium to ensure industry engagement can be achieved. This can also include:

- Liaison with referring agencies including job actives, disability support agencies, Centrelink, Workcover agencies and SJs- Skills & Job Centres (Bridge Employment, APM Employment, Uniting Care Life Assist, Workplace Rehabilitation Service, Alliance Aus Workers Compensation Rehabilitation Services, Max Employment, Direct Recruitment, WISE Employment, Gallagher Bassett Services, Campbell Page, Xchanging, CGU, Mission Australia, Chisholm TAFE SJC, Springvale Centrelink Multicultural Service Officer)
- AQTF & Internal Employer Surveys
- Liaison with disability support agencies
- Consultation with union and worker representatives (National Union of Workers, Australian Workers Union, Don Valley Consulting)
- Attendance at adult education industry training, AGMs and events (VDC- VET Development Centre workshops & update sessions, VALBEC - Victorian Adult Literacy and Basic Education Council, ACFE - Adult Community & Further Education Regional Forums & Annual Conference, Neighbourhood Houses Vic - annual conference & workshops)

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- Meetings with local VET vocational training organisations to develop programs for delivery, i.e. Australian Vietnamese Women's Association (Childs Services & Individual Support-Aged Care Certificates) , Springvale Learning & Activities Centre (Business, Community Service & Community Development Certificates/Diplomas) , Keysborough Learning Centre (Information Technology, Childs Services, Safe Food Hygiene, First Aid, Individual Support- Aged Care Certificates)
- Attending networking events with employers (SE Automotive worker project, Melbourne South East Jobs Fair, Pathways to Work launch)

How industry engagement is documented and evidenced

A range of documents are used to evidence industry engagement with employers including:

- Training and Assessment Strategies (TAS)
- AQTF Employer Surveys
- Internal Employer Surveys
- Professional Development Register

To document this Industry engagement & consultation, the Manager will ensure industry representative's feedback is documented. This may take the form of an 'Industry Engagement Questionnaire' or other relevant method that ensure the feedback can be maintained by Springvale Neighbourhood House.

In developing Training and Assessment Strategies and practices, Springvale Neighbourhood House will seek input from the industry representatives in relation to:

- Elective unit selection
- The mode of study
- Training methodology
- Assessment methods
- The skills and knowledge required by trainers and assessors

All feedback received will be reviewed and where appropriate will be:

- Incorporated into Springvale Neighbourhood House 's Training and Assessment Strategies
- Reflected in the delivery and assessment methodology and assessment tools
- Where relevant, included in the knowledge and skills required of trainers and assessors

Ongoing Industry Engagement

To ensure the ongoing appropriateness of the training and assessment services being provided by Springvale Neighbourhood House, industry engagement will be undertaken on an annual basis.

This annual review and engagement will identify:

- Any changes to industry practices
- Continued relevance of the training and assessment methodology and materials
- Any update in knowledge and skills required for trainers and assessors



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Section: SNH Learning Program	
Policy: Code of Practice	Effective: DATE

PURPOSE

Our Commitment

- We take into account the unique and individual nature of people.
- We treat all clients with respect and dignity.
- We recognise all differences arising from cultural, ethnic, & religious backgrounds.
- We are inclusive of people with all levels of ability, gender preference and political beliefs.
- We explain the reasons for the information that we require and our commitment to keeping personal information private and securely stored

The Springvale Neighbourhood House Learning Program

PROCEDURES

Administration

The management and staff undertake to maintain all records in an efficient and effective manner.

Assessment

- The management and staff of SNH undertake to provide quality learning and assessment in a friendly and safe environment to all learners
- All assessment shall be competency based
- All learners shall have the facility for re-assessment if required.
- Assessments use appropriate assessment tools tailored to suit the individual learner
- All assessments for recognised training shall be conducted in accordance with the requirements of the relevant Training Packages, Victorian Registration and Qualifications Authority (VRQA) Standards, and the Australian Quality Training Framework (AQTF)
- Learners shall have the right of appeal of assessment decisions

Strategic Plan

- Our Strategic Plan includes strategies which act as the foundation for our programs.
- The implementation of this plan is monitored and reviewed on an ongoing basis.
- Our Governance Committee and staff are involved in the review of achievements and setting of strategic directions.

Class Allocations

- All accredited courses are allocated to provide learners with as much flexibility as possible.
- Trainers are allocated to classes based on their expertise and qualifications.

Learner Counselling

- SNH undertakes to provide support as part of their Code of Practice.
- Such support includes learning support, personal distress, career and post programme support.
- Referrals to specialists will be made where needs are beyond the expertise of SNH staff.

Learner Input

- Feedback is actively sought from learners.
- SNH will collect feedback from learners for review by management. This information will be used as one of the methods for enhancing the quality of training and assessment processes, services and activities.

Complaints

If at any time during your study with SNH you are not satisfied with any part of your course or SNH, please speak to your trainer, or the Tutor Team Leader. If your complaint cannot be addressed at this level, please ask to see SNH Manager.

A complaint can also be submitted to the Australian Skills Quality Authority (ASQA) via the online complaint form, phone or e-mail. Details are:

- Online process: <http://www.asqa.gov.au/complaints/making-a-complaint.html>
- E-mail: enquiries@asqa.gov.au
- Phone: ASQA info line 1300 701 801

Copyright

- SNH undertakes to ensure that it holds appropriate approvals and licenses for all products and services utilised and comply with appropriate legislation.

Course Information

- SNH undertakes to provide learners with suitable and sufficient information regarding courses to enable learners to make informed decisions about course enrolment.
- All learners shall be provided with a student handbook outlining detailed arrangements for all aspects of training and assessment.
- Where fees are charged for accredited training or assessment, participants shall be provided with a detailed description of costs and an official receipt.
- All learners will be provided with details of SNH course fee refund policy at the time of enrolment.

Qualifications

- Qualifications and/or statements of attainment shall be awarded to learners based on whole units of competency achieved.

Education Standards

- Policies and procedures are implemented to safeguard our learners and maintain consistency of training and assessment.
- The management undertakes to provide facilities and resources suitable to the delivery and assessment of all courses.

Entry Requirements

- For each accredited course offered, details of requirements for admission will be available.
- Course participants will be selected in accordance with equal opportunity principles and government legislation related to antidiscrimination.
- In Victoria it is against the law for someone to discriminate against you because of a characteristic that you have, or that someone assumes you have. These personal characteristics include:
 - [age](#)
 - [carer and parental status](#)
 - [disability](#) (including physical, sensory and intellectual disability, work related injury, medical conditions, and mental, psychological and learning disabilities)
 - [employment activity](#)
 - [gender identity, lawful sexual activity and sexual orientation](#)
 - [industrial activity](#)
 - [marital status](#)
 - [physical features](#)
 - [political belief or activity](#)
 - [pregnancy and breastfeeding](#)
 - [race](#) (including colour, nationality, ethnicity and ethnic origin)
 - [religious belief or activity](#)
 - [sex](#)
 - [expunged homosexual conviction](#)
 - [personal association](#) with someone who has, or is assumed to have, one of these personal characteristics.

It is also against the law to [sexually harass](#) or victimise someone, or to [vilify someone because of their race or religion](#).

Flexible Delivery

- SNH recognises the principles of flexible delivery and strives to maximise access to all groups and learners.

Physical Resources

- All resources are kept up to date and maintained in good order. Lighting and ventilation is to be of a level consistent with the requirements of the appropriate legislation.

Grievances

- All learners will be provided with information on their rights to appeal an assessment decision and the facilities available for reassessment if required.
- SNH will maintain and make available details for the resolution of participant grievances or appeals, meeting standards required under the VET Quality Framework.
- SNH will actively seek feedback from all participants attending our programmes to assist us in reviewing our courses as we continually endeavour to enhance the quality of the training and assessment processes, services and products offered by SNH.

Insurance

- The management of SNH will maintain up to date and adequate insurance cover for facilities, workers compensation and public liability.

Internal Monitor & Review

- SNH will implement a strict and thorough process for internal monitoring and review.

Liaison with Industry

- The management of SNH will maintain effective contact with industry organisations and employers to keep abreast of developments in the industries covered by our training and assessment products.
- Feedback will be collected from industry to confirm the relevance of training provided. Industry will be involved in the development of new courses.

Marketing

- Marketing for accredited training will be clear and accurate and reflect national and ASQA guidelines for marketing and advertising of training.

National Principles & Standards

- Springvale Neighbourhood House undertakes to adhere to and operate within the requirements of all registering and accrediting bodies (VRQA, AQTF) and funding bodies (Skills First and Adult, Community and Further Education (ACFE)).

National Recognition of Qualifications

- As a Registered Training Organisation, Springvale Neighbourhood House recognises the qualifications or statements of attainment issued by other Registered Training Organisations under the Australian Qualifications Framework.

Workplace Health & Safety

- The safety of our staff and learners is of primary concern.
- SNH observes all relevant occupational health and safety.

Recognition of Prior Learning (RPL)

- All participants who are enrolled in a course leading to a recognised qualification shall be afforded the opportunity to apply for recognition of prior learning.
- Students shall be provided with suitable information, support and opportunities to achieve RPL.
- Clients will be advised promptly of outcomes and course attendance adjusted accordingly.



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Privacy Statement

Springvale Neighbourhood House is subject to the provisions of the Privacy Act 1988. The personal information provided by you on the application form will be used to process your application for enrolment into the training program(s) specified on the front of the application form. Failure to sign or complete all the information required may result in your application being unsuccessful.

Springvale Neighbourhood House is a Registered Training Organisation (No. 4098). To comply with the Standards for 2016 VRQA Guidelines for VET Providers and Standards for Registered Training Organisations (RTOs) 2015, we are required to maintain a record of all participants on all our training programs for a period of thirty (30) years. There is also an obligation to ensure that such records are adequately secured whether they are kept as a written document or kept as a soft copy within a computerised system of record keeping.

You have the right to access and correct any of your personal information that SNH holds about you. SNH may disclose your information to third parties who may provide services under contract or agreement with SNH. These contracts or agreements require the third party to keep your personal information confidential and secure.

Cancellation & Refund Policy (Units of Competency)

Springvale Neighbourhood House reserves the right to reschedule a class or classes in the event of special circumstances. SNH will make every effort to accommodate each learner, rescheduling to another class or classes at no additional cost.

In the event where Springvale Neighbourhood House (SNH) accepts prepayment for a course, SNH undertakes to refund course fees according to the following criteria:

1. Where a learner does not commence the course or withdraws within three weeks.
2. Withdrawal after the "no fee" clause above, will result in a pro-rata refund.

Staff

All staff will be selected based on their qualifications and suitability based on Position Descriptions. All staff will meet and exceed industry requirements for specialist skills and training qualifications.

- All staff will operate in accordance with SNH policies, procedures
- All staff will be committed to access and equity principles in the course of their duties.
- All staff will participate in the company's staff development program and be committed to maintaining and developing their specialist skills.

Support Services

- Course participants will have access to a range of training support services to assist with the completion of their course study.

Trainers & Assessors

- Training and assessment is provided by qualified educators who meet national industry standards and the requirements of the relevant training package.

Section: SNH Learning Program	
Policy: Moderation	Effective: DATE

PURPOSE

Springvale Neighbourhood House (SNH) is committed to the processes of assessment moderation at the systemic and individual level.

SNH defines moderation as a quality assurance process directed at ensuring that assessment is accurate, consistent and fair. Moderation is required for every assessment which involves a degree of subjectivity. Moderation can be effected through several methods and is part of the quality cycle. Moderation spans the entire assessment event, including the design and post-event analysis of the validity of the assessment.

The purpose of moderation is to promote quality and ensure consistency. Moderation should address the following:

- a. Ensure courses and units meet AQF standards
- b. Courses and units are comparable with other higher education foundation skills providers
- c. Courses and units meet the standards of external accreditation authorities
- d. The currency of professional academic standards is maintained
- b. SNH's commitment to quality and standards is communicated externally

PROCEDURES

Principles:

Within the context described above, moderation can be viewed as a set of tasks and actions undertaken internally and externally. To guide the tasks and actions, the following principles and responsibilities have been developed to facilitate effective moderation:

- Procedures for assessment are explicit, valid and reliable and these procedures are made public to all stakeholders
- Assessment tasks reflect the learning outcomes and performance criteria as stated in the unit outline
- Students are made aware of assessment requirements in the first week of trimester
- All assessment tasks are graded against a marking scheme (rubric) that is consistent with the assessment criteria
- SNH maintains transparent and fair mechanisms for marking and moderating grades
- Moderation processes are evaluated annually

All trainers must be prepared to present their moderation tasks to peer and external auditors. All assessments should incorporate the needs of all categories of learners such as:

- Indigenous
- Culturally diverse
- Special needs
- Educationally disadvantaged
- People from remote communities

Internal Moderation:

SNH Tutor Team Leader creates a schedule of moderation per semester as indicated on the monthly tutor meeting roster. The moderation process follows the following steps

Tutors prepare a moderation cover sheet per assessment task which is presented together with student samples of tasks to the moderation/validation group

Section: SNH Learning Program	
Policy: Student Fees	Effective: DATE

PURPOSE

This policy relates to fees for student enrolments within the Language & Literacy Cluster of the City of Greater Dandenong

PROCEDURES

Standard Fees

- Yearly fees are due at the time of enrolment (unless otherwise arranged in an approved payment plan):
- Fees for all courses are calculated as specified by the Department of Education Victoria and are stated on the Learning Program brochure & our Schedule of Fees .

Access & Equity

Fees and charges have been developed to ensure access and equity for all participants and ensure a standardised approach to charging fees for adult education programs:

Concession

- Concession rates are available to concession card holders. A maximum fee of \$60 per year (calculated according to the hours of the course) has to be paid in advance
- The above stated fee can be paid according to a payment plan if necessary. It is the policy of SNH to offer an instalment payment plan due to the high number of financially disadvantaged people attending classes.

Exemption

- If extreme hardship is demonstrated, fees can be subsidised where appropriate by the Neighbourhood Learning Program concession funds. The reasons for exemption will be documented on the enrolment form.
- No additional administration fee is charged

Section: SNH Learning Program	
Policy: Plagiarism & Cheating	Effective: DATE

PURPOSE

This policy and procedure is to document that the SNH-Learning Program does not tolerate plagiarism, cheating, collusion or unauthorised collaboration.

DEFINITIONS

Plagiarism: The presentation of work which has been copied in whole or in part from another person's work, as one's own work, without due acknowledgement.

Plagiarism can also occur when:

- Phrases and passages are used without quotation marks, without a reference to the author.
- Another student's work is copied or partly copied.
- Design and images are presented as the student's own work.

Cheating: The use of another person's work as though it were one's own, with intent to gain an unfair advantage. This includes re-wording or changing key words and the taking of unauthorised material into examinations such as notes.

Collusion: The consent for your work to be used in plagiarism or cheating.

Unauthorised Collaboration: The presentation of work which is in whole or in part compiled by multiple persons such that an assessor is unable to use the work submitted to make a judgement of competency. It is the student's responsibility to ensure that they do not submit work that is not their own.

RELEVANT LEGISLATION AND STANDARDS

Victorian Guidelines for VET Providers 2009 (Victoria) Section 2.2 INTRODUCTION

PROCEDURE

SNH-Learning Program recognises its obligation to educate students in the definition, identification and avoidance of plagiarism. On enrolment, students agree that they must abide by the Code of Conduct as defined in policies and procedures of the SNH Learning Program, including that plagiarism is not acceptable in assessment.

- Students will be made aware of the Policy on Plagiarism & Cheating and its consequences through orientation activities for commencing students.

STUDENT RESPONSIBILITY

Students must take responsibility for their actions and abide by the statement on the student declaration form, that assessments will be their own work.



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POTENTIAL PLAGIARISM, collusion, unauthorised collaboration or cheating:

- During the process of investigation the student/s will not be accused, only made aware that there is the suspicion that plagiarism, collusion, unauthorised collaboration may have occurred. However the responsibility is on the student to fully cooperate with investigations conducted by the Tutor Team Leader & trainers.

SUSPICION OR DETECTION:

- An assessor who suspects or detects evidence of plagiarism or cheating should bring the evidence to the attention of the Learning Program Manager.
- The Manager will contact the student/s to obtain an account of the circumstances and request that the student/s supply a written submission.

CONSEQUENCES:

- After investigation if plagiarism, cheating, collusion or unauthorised collaboration is confirmed, the Disciplinary Policy and Procedure will be brought into effect.

References:

www.reiv.com.au

Section: SNH Learning Program
Policy: Student Conduct & Disciplinary Policy
Effective: DATE

PURPOSE

The SNH-Learning Program Student Conduct and Disciplinary Policy establishes principles, responsibilities and staff procedures for maintaining appropriate student conduct in order to implement disciplinary provision applicable to all students on SNH -Learning Program property or engaged in related activities on offsite delivery of courses, and approved field trips/excursions .

All SNH-Learning Program staff are empowered, through the appropriate authority level, in applying the provisions detailed within the SNH-Learning Program -Student Discipline Scheme.

Definitions:

Aggressive or violent behaviour includes but is not limited to the following:

- assaulting, threatening, physically or verbally abusing or intimidating (invading personal space; spitting on/at a person or object/image in the class) another member of the SNH-Literacy community.
- acting in a way which endangers the health, safety or well-being of Others; damage, misuse, or threat to, or the unauthorised removal of, SNH-Learning Program property or the property of students or employees.
- self-harming
- Actions which are violations of Criminal Law.

Aggressive and violent behaviour can be viewed on a continuum from behaviour that disrupts learning to physical violence. Behaviour that is threatening but does not include physical assault of a person can be deemed aggressive. State and Federal law govern physical violence - assault/ vandalism/criminal damage.

Disruptive student behaviour is repeated behaviour that does not conform to acceptable norms in the training environment and has not ceased after warnings and requires further action.

Exclusion restricts a student from class or use of a facility for a temporary period of time.

Expulsion terminates a student's right to enrol in SNH -Learning Program courses.

Suspension the enrolment of a student for a period of time.



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PROCEDURES

The SNH-Learning Program acknowledges, through the Student Conduct and Disciplinary Policy, that appropriate standards of conduct are fundamental to maintaining a safe, positive and effective teaching and learning environment. The SNH-Learning Program is committed to:

- promoting the principles of mutual respect by informing students of behaviour that The SNH-Learning Program considers appropriate,
- the implementation of fair and just procedures for managing possible cases and consequences of inappropriate student conduct;
- providing a supportive environment to assist students reach their full academic potential and successfully complete their training.

The SNH-Learning Program Student Conduct and Disciplinary Policy outlines guidelines for student academic behavioural conduct which applies to all students irrespective of their medical condition or academic needs. The safety of the student and of those around them is paramount and where there are clear indications that the student is in imminent and serious danger of seriously harming themselves or other people; The SNH Tutor Team Leader/ staff member should be contacted immediately.

Disciplinary Action:

- Monitor students' behaviour and warn students whose behaviour do not comply with the SNH-Learning Program Disciplinary Policy.
- If anti-disciplinary behaviour continues after three successive warnings, exclude students from learning activities for a temporary period of time.
- The Manager and staff investigate and evaluate the situation and make a disciplinary decision against student/students.
- Review and confirm/cancel the decision to expel a student/or students.

References:

<http://www.decd.vic.gov.au/docs/documents/1/SchoolDisciplinePolicy.pdf>

www.tafesa.edu.au

Section: SNH Learning Program
Policy: Student Safety and Security
Effective: DATE

PURPOSE

Springvale Neighbourhood House and Learning Program staff and tutors are responsible for:

- providing a safe environment which includes: protection and support against bullying, abuse, assault.
- undertaking preventative measures to address the risk of inappropriate alcohol consumption and the misuse of drugs.
- advising students about transport options that are available to and from the Learning Program and other outreach venues especially if there are evening classes scheduled.
- most classes run between 9.00am and 3.00pm except in a few instances when classes run from 6.00pm -8.00pm. Tutors are responsible to check that safe transport is available.
- meeting the planning and implementation requirements for excursions and other co-curricular activities.
- make provision for students with disabilities to fully participate in all learning activities

The Springvale Neighbourhood House Learning Program

PROCEDURES

For students with physical disabilities, tutors should:

- ensure that students with a physical disability be assigned the most spacious area of the classroom to be seated
- instruct other students to provide space to enable all students mobility within the classroom
- ensure there are no trip or other hazards, i.e. student bags on floor.

Safety Rules:

All students have a responsibility to themselves, their fellow students, staff and to SNH-Learning Program and all outreach venues, to conduct themselves in a safe manner without risk of injury or accident.

First Aid:

A First Aid kit is kept in a cabinet in the office. Seek first aid assistance through the tutor in class or office staff. Medication in the form of tablets will not be issued to students under any circumstances.

Valuables:

- Students should be responsible for their own valuables. SNH cannot be held responsible for loss or theft of personal items



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Security:

To ensure the security of personal items, resources, and equipment, the following should be observed:

- Do not leave valuables or money unattended during class hours
- Do not leave valuables or money in a vehicle parked in the premises of a centre.
- Take valuables with you during tea breaks and at lunchtime
- Under no circumstances should a student leave children in a car
- No students are permitted in the computer room without permission

Fire & Evacuation Procedure:

It is the responsibility of all students at the SNH -Learning Program and outreach venues to be aware of the Emergency fire drill & Evacuation Process. Emergency Exit Plans are displayed in every room.

- In the event of an emergency an authorised staff member will call out for all those present to evacuate the building and walk to the nearest emergency exit. Do not panic.
- Make your way to the assembly area (displayed on Emergency Exit Plans).
- Tutors will mark the students' attendance roll at the assembly area.
- Remain there with your tutor until you are dismissed by the authorised staff member.

Reporting Emergencies:

Students have the right and responsibility to report all incidents, unsafe conditions, and accidents to the group Tutor or the office staff.

Section: SNH Learning Program	
Policy: Recognition of Prior Learning	Effective: DATE

PURPOSE

SNH recognises nationally accredited qualifications, assessment decisions and Statements of Attainment issued through Registered Training Organisations following AQTF (Australian Quality Training Framework) standards.

SNH informs their staff of their obligation to recognise nationally accredited qualifications, assessment decisions and Statements of Attainment by Registered Training Organisations (RPL) through staff procedural documentation.

SNH informs their students/potential students of the Centre's recognition of nationally accredited qualifications, assessment decisions and Statements of Attainment by Registered Training Organisations (RPL) through student handbooks and brochures (during advertising, the induction process and during the referral assessment process (conducted by the English Language & Literacy Access (ELLA) at the Springvale & Dandenong Libraries).

The Springvale Neighbourhood House Learning Program

Section: SNH Learning Program	
Policy: Production & Issuing of Certificates	Effective: DATE

PURPOSE

All Certificates are issued by SNH after being endorsed by the Chairperson of the SNH Committee or the Manager.

Once assessment has been successfully completed, the Application for Award paperwork will be signed off by the Assessor.

The Certificate will show the SNH House logo, funding body logo and the logo to signal that the qualification is compliant with the Victorian Registration and Qualifications Authority.

PROCEDURES

- Update certificate samples as required with correct codes, logos, etc.
- Ask tutors to record the number of Certificates on a Certificate Order Form.
- Photocopy certificates onto certificate paper.
- Sign & record certificate numbers (for accredited classes) on certificates.
- Record certificate numbers on computer.
- Certificates are awarded to students on the last day of the course.
- Certificates for students not in attendance on the last day of the course, will be posted within three working days.
- On request, duplicate copies of certificates will be issued to students, within five working days.
- Students can request a copy of a current statement of attainment, within five working days.

Section: SNH Learning Program	
Policy: Student feedback & Other surveys	Effective: DATE

PURPOSE

Springvale Neighbourhood House and our Learning Program conduct and complete many surveys and feedback forms each year. The following is a list of the standard surveys and feedback forms:

Accredited Courses:

- The Learner Survey (AQTF) is completed by students at the end of their course.
- The Employer Survey (AQTF) is completed by referring JSA case managers at the end of each year.

The feedback is uploaded to the National Centre for Education Research by June 30th in the following academic year as part of the Quality Indicator Reporting requirements for Higher Education & Skills.

- The Registering Body Report (learner & employer survey feedback) will be tabled at a Tutor Meeting for discussion and action where indicated.

Pre-accredited Quality Framework (ACFE):

- Learner Plan: completed by students at the commencement of pre-accredited courses.
The tutor uses the individual learner plan to create/modify the course including lesson plans, resources and delivery.
- Learner Review: filled in by students at the completion of pre-accredited courses.
Tutors use the Learner Reviews to review and modify, where appropriate, the course including lesson plans, resources and delivery for the following year.

Course Evaluation:

All students in all courses (pre-accredited & accredited) complete surveys in terms 1 & 3.

Results will be used by individual tutors to engage with students who are experiencing difficulty in class.

Client Assessment Feedback Survey

This survey is used to evaluate student satisfaction with the course assessment tasks. It is administered to students at least once during the course.

Results from these surveys are used by the individual tutor to modify assessment **tasks**.

Springvale Neighbourhood House surveys:

To get feedback from community groups and adult learners who attend classes within the Springvale Neighbourhood Language & Literacy Cluster.

Results from these surveys are aggregated and presented to the Springvale Neighbourhood House Committee for consideration on an annual basis.



Springvale Neighbourhood House Policy Manual

Neighbourhood House Victoria

NH Vic conducts bi-annual neighbourhood house census of users over a 2 week period, and annual service delivery surveys on behalf of the Victorian Department of Health & Human Services. Completion of these surveys is part of our Neighbourhood House Coordination Program funding agreement.

Results of these surveys will be use for service planning and presented to the Springvale Neighbourhood House Committee for consideration.

Section: SNH Learning Program
Policy: Tutor Procedures
Effective: DATE

PURPOSE

The Springvale Neighbourhood House Learning Program employs tutors as permanent full-time & part-time, on fixed term contracts, and as casuals for emergency tutor replacement.

PROCEDURES

Emergency Tutors

To **obtain an Emergency Tutor please follow the following procedures**

- Refer to E.T. list in the contact list folder at The Learning Program - indicating availability and give them the level, time, day, venue of class and current tutor's phone number if necessary
- Check if current tutor has left work for students to go on with.
- Update emergency teacher availability list every 6 months. Hand emergency tutor availability proforma out if necessary.

Tutor meetings

Tutor meetings are held weekly at the Neighbourhood Learning Program*

- Agenda is on wall of the office for staff to add items for discussion.
- Chairperson and minute taker of the meetings rotate.
- Minutes are filed in a folder in the Neighbourhood Learning Program office (Staff Meeting).
- Minutes are scanned and emailed to all tutors.
- Tutors are invited to attend yearly planning days.

Class excursions

A joint language & literacy class cluster excursion is held once every semester

- Refer to excursion folio for information
- Consult tutors in staff meeting to determine date, time, and venue of a joint excursion
- Book venue
- Book buses
- Prepare an information sheet to put on notice board and give to Tutors
- Organise cheques for the day excursion



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Tutor Supervision

A formal observation of 60hrs will be conducted in order to recognise the ESL experience of Tutors.

The observation will be conducted by suitably qualified practitioners.

SNH will observe the practical classroom delivery of Tutors in the following contexts.

- Classroom visits
- Performance appraisals
- Weekly tutor meetings
- Internal validation/moderation meetings

Tutor resources

- Tutors are allocated a resource budget for each class. The Literacy Manager will advise Tutors the amount of money allocated before the class begins. Generally this is \$50.00 per class.
- The Literacy Manager will organise a 'Resource Display' at a staff meeting (preferably early in the year).
- Ask Tutors to compile a list of reference resources.
- Order Resources required collectively.

Other resources

Stationery

- Stationery is ordered monthly or as required.
- Administration Officers at SNH Office and the Learning Centre can order stationery through our online Officeworks account.
- SNH Finance Officer pays invoices
- All invoices filed under month of expenditure.
- The tutors who teach in outreach venues, distribute supplies to relevant locations, within the Language & Literacy cluster.



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Appendix 1: Victorian Charter of Human Rights & Responsibilities

The *Charter of Human Rights and Responsibilities Act 2006* (the Charter) is fundamentally about the relationship between the Victorian Government (state and local) and the Victorian public. It requires all public authorities in Victoria to think about human rights when they make decisions about people. In 2006, the Victorian Parliament introduced the Charter.

In passing the Charter as law, Parliament reaffirmed its commitment to promoting awareness and understanding of human rights in Victoria. A human rights culture ensures the rights of all people are protected and promoted through policy, legislation and service delivery.

The Charter protects 20 human rights in Victoria in three main ways:

1. Public authorities must act in ways that are compatible with human rights

Public authorities are organisations that provide a service of a public nature, like a public school, hospital or public housing. Public authorities, including Victorian State and local governments, must consider human rights when they develop policies and make decisions that affect the community. This means that the public can raise human rights issues with any government department or agency. These can be organisations like Victoria Police or VicRoads, a State Government department, such as the Department of Human Services or a local council.

2. Human rights must be taken into account when developing new laws

When introducing new laws into Victoria's Parliament, A statement of compatibility that indicates how the proposed law meets the standards set out in the Charter must be tabled in Parliament. This helps Parliament consider the human rights impact of the laws it passes.

3. Courts must interpret and apply all laws compatibly with human rights

All Victorian laws must be interpreted in a way that upholds the human rights outlined in the Charter, as far as this is possible. Parliament has the final say in deciding what laws are in the best interests of the Victorian community.

Did you know

Human rights laws exist at the federal level to guide the work of the Australian Government and at the state level to guide the work of the Victorian Government. This is just like any other laws that govern the activities of public authorities. For example, there is both federal and state legislation covering privacy obligations, freedom of information, financial management, record-keeping and codes of conduct for public servants. The Charter. Like these laws, is about good public sector management and accountability.

Which rights are protected?

Human rights are the basic entitlements that belong to every one of us, regardless of our background, where we live, what we look like, what we think or what we believe.

Some human rights have been protected in Victorian law for a long time. Criminal procedure laws that set out the right to a fair trial are an example of this. However, other basic rights that many Victorians take for granted - such as the rights to freedom of expression and freedom of association - were not clearly protected.

The Charter addresses these gaps and sets out our fundamental rights clearly and simply in one place. This makes them accessible for all Victorians. The Charter protects the following 20 rights.

Your right to recognition and equality before the law (section 8)

Everyone is entitled to equal and effective protection against discrimination, and to enjoy their human rights without discrimination.

For example, a government agency changed its policy requiring a driver's licence as identification for use of its services because this discriminated against people with disabilities who were unable to drive. They now accept other forms of identification.

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Your right to life (section 9)

Every person has the right to life and to not have their life taken. The right to life includes a duty on government to take appropriate steps to protect the right to life.

For example, if the government takes on the care of person in prison or foster care, then they must take positive steps to ensure that the person is in a safe environment.

Your right to protection from torture and cruel, inhuman or degrading treatment (section 10)

People must not be tortured. People must also not be treated or punished in a cruel, inhuman or degrading way. This includes protection from treatment that humiliates a person. People must not be subjected to medical treatment or experiments without their full and informed consent.

For example, hospitals should have established procedures to make sure that patients scheduled for treatment understand what is involved and have agreed to the treatment.

Your right to freedom from forced work (section 11)

A person must not be forced to work or be made a slave. A person is a slave when someone else has complete control over them.

For example, an agency cannot force a person to work by threatening punishment if they don't perform the work. This does not include work done in detention because of a work court order, work done in the community because of a community order or a civic obligation such as jury service.

Your right to freedom of movement (section 12)

People can stay in or leave Victoria whenever they want to as long as they are here lawfully. They can move around freely within Victoria and choose where they live.

For example, a parole order which required a man to stay in Victoria while on parole was found to be a reasonable limitation on his freedom of movement.

Your right to privacy and reputation (section 13)

Everyone has the right to keep their lives private. Your family, home or personal information cannot be interfered with, unless the law allows it.

For example, VicRoads takes steps to protect the personal information it has about you. It can only give that information to people who lawfully require it.

Your right to freedom of thought, conscience, religion and belief (section 14)

People have the freedom to think and believe what they want, for example, religion. They can do this in public or private, as part of a group or alone.

For example, a local council extended the hours when a community hall could be used for religious activities to accommodate the practices of different religious groups in their community.

Your right to freedom of expression (section 15)

People are free to say what they think and want to say. They have the right to find, receive and share information and ideas. In general, this right might be limited to respect the rights and reputation of other people, or for the protection of public safety and order.

For example, people can generally hand out information about their local political campaign in a public space.

Did you know

The Charter also applies to the actions of private bodies such as businesses and charities when they are doing things on behalf of the government, such as when the government pays them to run a prison or provide health services to the community.

Springvale Neighbourhood House Policy Manual

Your right to peaceful assembly and freedom of association (section 16)

People have the right to join groups or unions and to meet peacefully.

For example, people have the right to march and rally in public to promote their cause. In general, it is the responsibility of the police to respect this right and allow people to rally peacefully. Limitations or conditions can be placed on this to ensure other people's rights are also respected.

Your right to protection of families and children (section 17)

Families are entitled to protection. Children have the same rights as adults with added protection according to their best interests.

For example, a government agency considers the protection of the family and the best interests of the child in deciding to provide extra support services to parents with disabilities to help them look after their children.

Your right to taking part in public life (section 18)

Every person has the right to take part in public life, such as the right to vote or run for public office.

For example, people with a vision impairment have the right to vote privately in state elections. The government provides specialised computer software for people with a vision impairment to assist them to vote privately in Victorian state elections.

Cultural rights (section 19)

People can have different family, religious or cultural backgrounds. They can enjoy their culture, declare and practice their religion and use their languages. Aboriginal persons hold distinct cultural rights.

For example, Parks Victoria has permission from the Victorian Civil and Administrative Tribunal to employ local Aboriginal people in their field office to care for and protect Wurundjeri country. The Tribunal's decision recognises the right of Aboriginal people to maintain their distinctive spiritual, material and economic relationship with the land.

Property rights (section 20)

People are protected from having their property taken, unless the law says it can be taken.

For example, authorities cannot confiscate or seize a person's property unless it is illegal (i.e. drugs), was purchased from the proceeds of a crime, or stolen.

Your right to liberty and security of person (section 21)

Everyone has the right to freedom and safety. The right to liberty includes the right to not be arrested or detained except in accordance with the law. The right to security means that reasonable steps must be taken to ensure the physical safety of people who are in danger of physical harm.

For example, government policy says that any disability service wishing to severely restrain a patient must first apply to the senior practitioner to ensure there are proper protections in place when someone is deprived of their liberty.

Your right to humane treatment when deprived of liberty (section 22)

People have the right to be treated with humanity if they are accused of breaking the law and are detained.

For example, people accused of a crime must be treated humanely and must not be detained with people who have already been convicted of a crime.

Rights of children in the criminal process (section 23)

A child charged with committing a crime or who has been detained without charge must not be held with adults. They must also be brought to trial as quickly as possible and treated in a way that is appropriate for their age. Children are entitled to opportunities for education and rehabilitation in detention.

For example, children are able to complete their high school education while in the juvenile justice system. It is the responsibility of the government to ensure this opportunity is provided.

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Your right to a fair hearing (section 24)

A person has a right to a fair hearing. This means the right to have criminal charges or civil proceedings decided by a competent, independent and impartial court or tribunal after a fair and public hearing.

For example, you have the right to take your matter to court; you have the right to advice and representation, such as Legal Aid if you are eligible; your hearing should go ahead without too much delay; and all relevant evidence should be disclosed. Sometimes, the right can extend to an obligation on a decision-maker to give you reasons for their decisions.

Rights in criminal proceedings (section 25)

There are a number of minimum guarantees that you have when you have been charged with a criminal offence. These include the right to be told the charges against you in a language you understand; the right to an interpreter if you need one; the right to have time and the facilities (such as a computer) to prepare your own case or to talk to your lawyer; the right to have your trial heard without too much delay; the right to be told about Legal Aid if you don't already have a lawyer; you are presumed innocent until proven guilty; and you don't have to testify against yourself or confess your guilt unless you choose to do so.

Did you know?

The Charter is based on the International Covenant on Civil and Political Rights, which was introduced in 1966. Australia is one of 167 countries to agree to be legally bound by the covenant.

Right not to be tried or punished more than once (section 26)

A person will only go to court and be tried once for a crime. This means if the person is found guilty they will only be punished once. If they are found to be innocent they will not be punished.

For example, a person charged with stealing something can only be tried for that crime once. If they are found to be guilty, they will pay their penalty or serve their time in gaol, and that is the end of the matter. The prosecutors can't try to convict them again for the same crime.

Retrospective criminal laws (section 27)

A person has the right not to be prosecuted or punished for things that were not criminal offences at the time they were committed.

For example, in 2011 Parliament introduced new serious bullying offences in Victoria (known as Brodie's law). These laws only apply from that time forward. They do not apply to actions people took prior to 2011.

Benefits of the Charter

The common language of human rights has made it possible for Victorians to navigate the complex patchwork of laws and service standards. It has been a catalyst for transparency and accountability in government by giving everyday Victorians the tools to question and challenge laws, policies and decisions made by public authorities that have the potential to impact their human rights.

People are achieving real outcomes outside the courts because they are raising their human rights concerns with public authorities through one-off discussions to rectify a particular case, or through more robust negotiations to rectify serious systemic issues.

The Charter in operation

Much of the Charter's work is done when government is developing laws and interacting with the community.

The Charter addresses basic rights that are everyday concerns but that we may not have thought of as involving human rights. The Charter can help you hold a public authority accountable by placing human rights at the forefront of their decision making and actions.

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For example:

- your local hospital needs to consider the right to privacy when it deals with your personal information.
- the residential-care home where your grandfather lives has to think about people's right to be treated humanely when it's looking after him.
- your local council needs to think about people's rights to participate and have a reasonable opportunity to have their say when setting rules about council procedures.
- your children's school needs to think about the rights to equality, culture and religious freedom to ensure that children from different backgrounds have a fair go at an education in an environment where they can thrive.

Where can I get help?

If you want to find out more about your human rights, you can contact the Commission.

If you have concerns about how a public authority has treated you, you can talk to them about it, and in many circumstances you can make a complaint to Ombudsman Victoria who can look at the issue from an independent perspective (03) 9613 6222.

Need more information?

Contact the Commission:

Enquiry Line 1300 292 153 or (03) 9032 3583

Fax 1300 891 858

TTY 1300 289 621

Email enquiries@veohrc.vic.gov.au

Website humanrightscommission.vic.gov.au

Accessible formats

This publication is available to download from our website at humanrightscommission.vic.gov.au/resources in PDF and RTF. Please contact the Commission if you require other accessible formats.

We welcome your feedback!

Was this resource useful? Easy to use? Would you like to see something else included? Please email us at

communications@veohrc.vic.gov.au.

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Disclaimer: This information is intended as a guide only. It is not a substitute for legal advice.

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Appendix 2: Victorian Disability Act Information sheet 1

The Disability Act 2006

Introduction

The *Disability Act 2006* ('the Act') commenced on 1 July 2007.

The Act provides the framework for a whole-of-government and whole-of-community approach to enable people with a disability to more actively participate in the life of the community. The Act is guided by the principles of human rights and citizenship and provides substantial reform to the law for people with a disability in Victoria. The Act also provides the framework for delivery of more flexible provision of supports based on maximum choice and a person's individual requirements. The Act will ensure that services are of high quality and accountable to people with a disability using those services.

What are the principles of the Act?

The Act outlines two sets of principles that, wherever possible, should be given effect to, in administering the Act and providing disability services. These principles relate to people with a disability and disability services.

Principles for people with a disability

People with a disability should have the same rights and responsibilities as other members of the community, including the right to:

- respect for their human worth and dignity as individuals
- live free from abuse, neglect or exploitation
- realise their individual capacity for physical, social, emotional and intellectual development
- exercise control over their own lives
- participate actively in the decisions that affect their lives and have information and be supported where necessary, to enable this to occur
- access information and communication in a manner appropriate to their communication and cultural needs
- services that support their quality of life.

Principles for disability services

Disability services are provided by either the Department of Human Services, or an agency funded and registered by the department to provide services for people with a disability.

The principles for disability services include that they should:

- assist people with a disability to be included and take part in activities in the community
- maximise choice and independence for people with a disability
- recognise that people with different types of disability may need different sorts of support
- consider and respect the role of families and other people who are important to a person with a disability
- where possible strengthen and build the capacity of families who are supporting people with a disability
- be aware of the needs of children with a disability
- be aware of any extra disadvantage a person may have because of their culture, language or where they live
- ensure that people with a disability have support, if they need it, to make decisions

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- be of high quality and protect the rights of people using the service
- choose the least restrictive option possible, if a person's rights or opportunities need to be restricted.

Principles for people with an intellectual disability

The Act contains some provisions that are specific to people with an intellectual disability. Section 6 of the Act outlines principles and assessment criteria and references other areas of the Act that apply only to people with an intellectual disability.

The following principles apply specifically in respect of people with an intellectual disability.

- People with an intellectual disability have a capacity for physical, social, emotional and intellectual development.
- People with an intellectual disability have the right to opportunities to develop and maintain skills and to participate in activities that enable them to achieve valued roles in the community.
- Services for people with an intellectual disability should be designed and provided in a manner which maximises opportunities for people living in residential institutions to live in community based accommodation.
- People with an intellectual disability living in a residential institution have the right to a high quality of care and development opportunities whilst they continue to reside in the institution.
- Services for people with an intellectual disability should be designed and provided in a manner that ensures the developmental opportunities exist to enable the realisation of their individual capacities.
- Services for people with an intellectual disability should be designed and provided in a manner that ensures that a particular disability service provider cannot exercise control over all or most aspects of the life of a person with an intellectual disability.

For more information about the *Disability Act 2006*:

Disability Services Division, Department of Human Services

Telephone: 1300 366 731 (9am to 5pm, Monday to Friday)

TTY users: phone 13 36 77, then ask for 1300 366 731

Email: disability.legislation@dhs.vic.gov.au

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Appendix 3: Victorian Equal Opportunity Act - Quick Guide

The *Equal Opportunity Act 2010* provides protections from discrimination in public life in Victoria. It provides avenues for people to resolve discrimination disputes and outlines the Commission's role in helping government, business and the community to identify and eliminate discrimination.

Under the *Equal Opportunity Act 2010*, it is against the law to discriminate against a person on the basis of:

- age
- breastfeeding
- carer status
- disability
- employment activity
- gender identity
- industrial activity
- lawful sexual activity
- marital status
- parental status
- physical features
- political belief or activity
- pregnancy
- race (including colour, nationality, ethnicity and ethnic origin)
- religious belief or activity
- sex
- sexual orientation
- expunged homosexual conviction

personal association with someone who has, or is assumed to have, any of these personal characteristics.

It is also against the law to sexually harass someone.

The *Equal Opportunity Act 2010* covers discrimination in employment, education, accommodation, clubs, sport, goods and services, land sales and transfers, and local government, as well as sexual harassment.

Features of the Equal Opportunity Act 2010

The *Equal Opportunity Act 2010* has a number of important features:

It makes discrimination - or unfavourable treatment on the basis of a personal characteristic - unlawful in various areas of public life. The law covers situations when a person is treated unfavourably, and also situations when a practice or condition might appear neutral, but has the effect of disadvantaging people with a protected personal characteristic.

It prohibits discrimination in a range of settings, including at work, in education, when a person provides goods and services or accommodation, sport and clubs, and local government.

An obligation on organisations covered by the law to take proactive, reasonable and proportionate steps to eliminate discrimination, sexual harassment and victimisation.

A duty to provide reasonable adjustments for people with disabilities in employment, education and when providing goods and services, to help the person with a disability to perform the job or access education and goods and services.

An obligation for employers to accommodate the responsibilities of a parent or carer, unless refusing to do so would be reasonable.

Protection of employees, volunteers and unpaid workers from sexual harassment in employment.

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An **exception for religious bodies** from the Act, which allows them to discriminate against people on the basis of sex, marital status, gender identity and sexuality in some circumstances where discrimination is required to conform with religious belief.

A **dispute resolution service** that provides quick, informal, flexible and free assistance to resolve claims of discrimination brought to the Commission.

Powers for the Commission to investigate systemic issues without waiting for an individual complaint.

Help you comply with the Equal Opportunity Act

The Commission develops practice guidelines in key areas, such as understanding sexual harassment laws and avoiding discrimination in recruitment, to help people understand how to comply with the law.

Organisations can lodge an equal opportunity action plan with the Commission, detailing how they plan to eliminate discrimination in their organisation.

If you ask us, we can review your policies, procedures and practices for compliance with the *Equal Opportunity Act 2010*.

Check our training calendar for equal opportunity training opportunities and events.

Check our information, including guidelines, on our website at humanrightscommission.vic.gov.au.

Subscribe to our eupdate and ebulletin service through our website.

Call us on **1300 292 153** or email enquiries@veohrc.vic.gov.au for more information.

Key definitions and explanations

In the law, certain words and phrases are used with a particular and precise meaning. This quick guide summarises some key definitions based on the *Equal Opportunity Act 2010* in plain English.

This material deliberately simplifies the law and should not be relied on by anyone who requires specific legal advice. More details are available on the Commission's website: humanrightscommission.vic.gov.au.

To read the most up-to-date, full legal definitions in the Act, download the Act from the Victorian Statute Book at legislation.vic.gov.au.

Equal opportunity

Equal opportunity is about giving and getting a fair go. It does not assume everyone is the same and it does not mean treating everyone the same. In some circumstances, treating everyone the same is unfair and against the law (see 'indirect discrimination' below).

Discrimination

Discrimination is unfavourable treatment of a person in an area of public life (for example, at work) due to one of their personal characteristics. The *Equal Opportunity Act 2010* details two types of discrimination:

direct discrimination

indirect discrimination.

Direct discrimination is when a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably, because of that personal characteristic. Direct discrimination often happens because people make unfair assumptions about what people with certain personal characteristics can and cannot do.

Indirect discrimination is also against the law and refers to situations where treating everyone the same is unfair. This occurs when an unreasonable requirement, condition or practice that purports to treat everyone the same ends up either actually, or potentially, disadvantaging someone with a personal characteristic protected by the law.

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Discrimination can become systemic when entrenched, structural and sometimes institutional patterns of behaviour or actions affect a range of people. These behaviours and actions are often part of organisational culture and are reinforced by policies or procedures. If your organisation receives a lot of complaints about the same or similar issues, it might be a result of systemic discrimination.

Discrimination checklist

Discrimination is against the law when:

1. unfavourable treatment (actual or proposed) of a person or group occurs, and
2. it is in an area of public life (see the eight areas listed on the next page), and
3. it is because that person or group has (or is assumed to have) a personal characteristic protected by the law (18 personal characteristics listed on the next two pages).

1. Unfavourable treatment

For discrimination to be against the law, there needs to have been (or proposed to be) some unfavourable treatment. In the area of employment, unfavourable treatment may include:

- being denied or refused a benefit that is made available to others
- being provided a benefit on unfavourable terms (for example, less pay or greater inconvenience)
- bullying or harassment
- unfair allocation of tasks (too many tasks or an unfair share of unpleasant tasks)
- unfair rostering (including the allocation of leave and overtime)
- exclusion from essential communications
- being refused essential resources needed to do the job.

2. Area of public life

Victorian equal opportunity law applies to eight areas of public life, including:

- employment (full-time, part-time and casual) and all work-related matters
- provision of goods and services (whether paid for or free)
- education (pre-school, primary and secondary school, post-secondary, technical and further education)
- accommodation (including rental and hotel accommodation)
- sport (amateur and professional)
- clubs and club membership (an association of 30 or more people that has a licence to supply liquor under the *Liquor Control Reform Act 1998*)
- disposal of land (selling land by auction or public sale)
- local government.

3. Personal characteristics protected by the law

In the areas of public life listed above, it is against the law in Victoria to treat someone unfavourably because (or substantially because) they have, or are assumed to have, a personal characteristic protected by the law (listed over).

It is also against the law to treat someone unfavourably because they do not have, or are assumed not to have, a personal characteristic protected by the law.

Disability (previously called 'impairment')

a disability, disease or injury, including behaviour that is an outward sign or symptom of a disability

Sex

- whether male, female or intersex

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Sexual orientation

- whether gay, lesbian, bisexual, queer or heterosexual

Gender identity

- including identifying as transsexual or transgender

Lawful sexual activity

- taking part in sexual activity that is not against the law

Pregnancy and breastfeeding

- including being pregnant or the potential to get pregnant, or because a woman is breastfeeding a child or expressing milk

Marital status

- whether married, divorced, unmarried, in a de facto relationship or a domestic relationship

Parental status and carer status

- where a person is responsible for caring for children or other dependents

Note: does not cover those who are being paid to provide such care.

Race

- race, colour, descent or ancestry, nationality, ancestry or ethnic background

Religious belief

- includes taking part in a lawful religious activity, or not holding a lawful religious belief

Political belief or activity

- includes taking part in political activity, or not taking part in political activity at all

Industrial activity

- including being a member of an industrial organisation like a trade union or taking part in industrial activity, or deciding not to join a union

Employment activity

- for example, where someone asks a question or raises concerns about their rights or entitlements at work

Age

- whether young or old, or because of age in general

Physical features

- such as height, weight, size, hair or birthmarks

Personal association

- an association with someone who has, or is assumed to have, one of these characteristics, such as being the partner of an industrial activist

No personal characteristic?

It may still be against your organisation's policies to treat someone unfavourably, even if it is not discrimination under this law. Most organisations have an internal complaint process to allow staff and others to raise concerns about the implementation of policies, decisions or actions.

If such treatment is repeated, unreasonable and creates a risk to health and safety (including emotional or psychological health) it may be bullying under the *Occupational Health and Safety Act 2004*.

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Note: Some other state and federal laws make discrimination against the law when it happens because of other personal characteristics such as:

- social origin (for example, harassing someone because of their class or status in society)
- irrelevant criminal record (for example, refusing to employ someone as a bus driver because they were once convicted of billposting)
- intersex status. ability

The *Equal Opportunity Act 2010* includes an explicit duty to address discrimination experienced by people with disabilities by making reasonable adjustments in the areas of employment, education and service provision.

For example, in the area of employment the Act provides a list of factors that help determine when it might be reasonable for adjustments to be made in a workplace. These factors are:

- the employee's circumstances, including the nature of their disability
- the nature of the role being offered
- the type of adjustment that is needed to accommodate the employee's needs
- the financial circumstances of the employer
- the size and nature of the workplace and the business
- the effect on the workplace and the business of making the adjustments, including the financial impact, the number of people who would be advantaged or disadvantaged by making them, and the impact on efficiency and productivity of staff
- the consequences for the employer if the adjustments are made
- any relevant action plan that has been made under the *Commonwealth Disability Discrimination Act 1992*
- any relevant disability standards made under the *Disability Discrimination Act*. Adjustments do not need to be made where the relevant activity complies with the *Disability Discrimination Act*.

Making reasonable adjustments requires an employer to balance the need for change with the expense or effort involved in making this change. If an adjustment requires a disproportionately high expenditure or disruption, then it will likely not be reasonable.

The *Equal Opportunity Act 2010* includes a limited exception to the duty to make reasonable adjustments, which allows duty holders to discriminate where adjustments are not reasonable or where the person with the impairment could not participate in the employment, education or service provision even if the adjustments were made.

The *Equal Opportunity Act 2010* includes an obligation on employers to not unreasonably refuse to accommodate an employee's responsibilities as a parent or carer. For instance, an employer may be able to accommodate a person's responsibilities as a parent by offering work on the basis that they could work additional daily hours to provide for a shorter working week or occasionally work from home.

The Act provides a list of factors that help determine when it might be reasonable for adjustments to be made in a workplace, which are:

- the employee's circumstances, including the nature of their responsibilities
- the nature of the role
- the nature of the arrangements that is needed to accommodate the employee's needs
- the financial circumstances of the employer
- the size and nature of the workplace and the business
- the effect on the workplace and the business of accommodating those responsibilities, including the financial impact, the number of people who would be advantaged or disadvantaged by making them, and the impact on efficiency and productivity the business
- the consequences for the employer and the employee if the adjustments are made, or not made.

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