

Student Welfare and Accessibility Policy

1.0 Purpose

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

- Students have an inclusive learning environment;
- Students have access to appropriate support services; and
- The Institute meets its obligations under relevant legislation.

2.0 Scope

This policy applies to all Bendigo Kangan Institute staff, students and contractors who engage with current and prospective students in relation to their participation in training programs and activities delivered by Bendigo Kangan Institute.

Students have a mutual responsibility to act in accordance with the requirements of this policy for their own welfare and that of other students. Bendigo Kangan Institute policies and procedures are subject to the specific requirements of the Department of Justice and/or Department of Human Services at Corrections campuses.

3.0 References

[Disability Discrimination Act 1992](#) (*Commonwealth*), "DDA".

[Disability Standards for Education](#) 2005

[State Disability Act](#) 2006

Children, Youth and Families Act 2005 (*Vic*)

Education and Training Reform Act 2006 (*Vic*)

Education and Training Reform Regulations 2007 (*Vic*)

Children's Services Act 1996 (*Vic*)

Children's Services Regulations 2009 (*Vic*)

Charter of Human Rights and Responsibilities Act 2006 (*Vic*)

Information Privacy Act 2000 (*Vic*)

Health Records Act 2001 (*Vic*)

4.0 Principles

This policy is underpinned by the principles of

- Equality
- Dignity and Self-Determination (Choice)
- Diversity
- Non-Discrimination

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

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

5.0 Policy Statement

Bendigo Kangan Institute is committed to ensuring the care, safety and welfare of all students, in accordance with regulatory requirements. Bendigo Kangan Institute strives to provide students an equitable, inclusive, respectful learning environment that is:

- Free of bullying, harassment, discrimination, and injuries.
- A safe environment.
- Structured to provide feedback and respond to any concerns raised.

Students have a right to:

- An environment that is supportive of their continued learning outcomes,
- Knowledge of what their participation and attendance requirements are,
- An understanding of how issues will be managed if they arise.

Accessibility and Students with Disabilities

Bendigo Kangan Institute endorses the right of all students to access its programs, services and facilities and to learn in an environment free from discrimination caused by harassment or victimisation on the grounds of disability.

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

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

- Able to enrol, participate and use the services on the same basis as students without a disability
- Provided with the necessary reasonable adjustments to do so wherever possible.

We acknowledge that an individual may not be admitted to a particular course of learning if it is reasonably determined that:

- The student could not meet entry requirements and/or successfully participate even with reasonable adjustments in place
- Requires extra services or facilities which cannot be made available, or
- It causes unjustifiable hardship to the Institute
- There is a risk of injury to that individual or others and it is not reasonable to take that risk.

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

Bendigo Kangan Institute will comply with the Federal Disability Discrimination Act (1992) the Disability Standards for Education 2005 and the Disability Act 2006 (Victorian).

This policy is underpinned by the Institute's Disability Action Plan.

Student Welfare

The following apply to all training and assessment activities, and are delivered through various procedures related to those activities.

Attendance

- Where training delivery is class based students are expected to attend a minimum of 80% of scheduled classes, unless specified otherwise in the student handbook.

Excursions & Practical Placements

- All excursions require Education Manager approval. Prior to arranging any over- night excursion that includes students who are under 18 years of age, teaching staff will obtain Executive Director approval. All excursions are to be undertaken with the agreement of participating students and, if under 18 years of age, with the written consent of the student's parent/guardian, upon Institute approved documentation, prior to the student leaving the campus.

Medication

- Bendigo Kangan Institute staff will only distribute medication to students who are enrolled in a Victorian Certificate of Applied Learning (VCAL) or Victorian Certificate of Education (VCE) course and are under 18 years of age, and only with the prior written consent of a parent/guardian and where the medication is provided by the parent/guardian. In such cases, medication is only distributed for the student to self-administer. Bendigo Kangan Institute staff do not administer medication. Medication must not be distributed to any other students.

Communication

- Students are informed about training, assessment and support services before they enrol or enter into an agreement. Course information, student obligations, disciplinary processes, student welfare matters, learning progress and celebration or events are communicated through various means, including a Student Handbook, course overviews, the Bendigo Kangan Institute websites and Student Portals, notices to parents/guardians, newsletters, invitations, pre-training interviews, orientation, parent/teacher interviews, and student/teacher interviews.
- Bendigo Kangan Institute seeks to foster communication and cooperation between members of the institute community and to provide an environment in which issues between parties can be resolved to mutual satisfaction.

Student Welfare Referrals

- Bendigo Kangan Institute makes every effort to provide strong pastoral care to all students through counselling, careers counselling and advice, youth workers, disability and learning support, apprenticeship support for 1st year apprentices aged 15-24 years and various other mechanisms as and if relevant.

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Grievances/Feedback

- Bendigo Kangan Institute provides appropriate mechanisms for students to provide feedback and to have grievances and complaints addressed efficiently and effectively, including a Student Grievance procedure.
- Students' grievances or complaints will be addressed promptly, fairly, equitably and in accordance with the principles of natural justice.

Parental Consent

- Parental/guardian consent will be obtained for students under 18 years of age where applicable, in accordance with legal and regulatory requirements.

Mandatory Reporting

- Bendigo Kangan Institute staff will report students who are under 18 years of age and considered to be at risk, in accordance with their legal and regulatory duty of care.

Conduct

- Bendigo Kangan Institute maintains a Student Code of Conduct, which is available on the Bendigo Kangan Institute websites, and is provided to students at orientation. All students are expected to adhere to the Student Code of Conduct at all times, including during class times, meal breaks, whilst on any campus, and when on excursion or representing Bendigo Kangan Institute.
- It is a condition of enrolment that students agree to abide by Bendigo Kangan Institute policies, processes and regulations which are publicly available via the Bendigo Kangan Institute websites; and outlined in the Student Handbook and the Student Code of Conduct. A student who has been alleged to have breached a Bendigo Kangan Institute policy, the Student Code of Conduct, or behaved in a manner that causes disruption to the core functions of Bendigo Kangan Institute will be held accountable and will potentially face disciplinary action.
- Bendigo Kangan Institute has a zero tolerance for any form of discrimination, bullying, harassment and/or victimisation. Procedures are maintained to discourage and appropriately address instances of discrimination, bullying or harassment.
- Misconduct and breaches of Bendigo Kangan Institute policies by a student will be subject to fair and just disciplinary processes. Sanctions imposed will be appropriate for the seriousness of the conduct/breach, ranging up to and including termination of enrolment.

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8.0 Roles and Responsibilities

Role	Responsibilities
Customer Service Centre	<p>Provide clear and concise information relevant to all students</p> <ul style="list-style-type: none"> • General course information • Enrolment • General enquiries • Referral to Support Services as appropriate
Facilities Department	<p>Providing safe, clean and accessible buildings and physical facilities within the Institute, to students where it is deemed to not cause unjustifiable hardship.</p>
Executive Team	<p>The overarching responsibility of ensuring governance and compliance of this policy.</p>
Marketing	<p>Production and dissemination of information on courses and support services in alternate and accessible formats.</p>
Student Support & Recreation Team	<p>Providing a range of services to include but not limited to:</p> <ul style="list-style-type: none"> • Counselling • Disability support • Recreation • Welfare
Teaching departments	<p>During application:</p> <ul style="list-style-type: none"> • Providing accurate, alternate and accessible information • Provide applicants the opportunity to disclose whether they have a disability or other concerns that may impact upon there prospective studies • Providing assistance and support as appropriate, upon disclosure <p>During selection and enrolment:</p> <ul style="list-style-type: none"> • Selecting all students on the same basis as all other students i.e. on merit. • Making reasonable adjustments when appropriate to ensure fair and equitable access to courses. <p>During training and assessment:</p> <ul style="list-style-type: none"> • Making reasonable adjustments when appropriate to ensure equitable access to training and assessment in all courses and programs.
Timetabling	<p>Allocation of physically appropriate classrooms to enable access for all students, regardless of abilities, when notified.</p>

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7.0 Definitions

Word/Term	Definition
Accessible	The degree to which a program, information, service and facilities are available to students.
Adjustment	The act or process of changing or adapting to make it possible for a student with a disability to take part in training on the same basis as other students.
Associates	A person or people accompanying or assisting a student or group of students.
Disability	(a) total or partial loss of the person's bodily or mental functions; or (b) total or partial loss of a part of the body; or (c) the presence in the body of organisms causing disease or illness; or (d) the presence in the body of organisms capable of causing disease or illness; or (e) the malfunction, malformation or disfigurement of a part of the person's body; or (f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or (g) a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour; and includes a disability that: (h) presently exists; or (i) previously existed but no longer exists; or (j) may exist in the future; or (k) is imputed to a person.
Disability Discrimination	The denial of equal opportunity on the grounds of disability. Includes direct and indirect discrimination on the basis of past, present, future and imputed disability.
Harassment	An action taken in relation to a person's disability that is reasonably likely, in all the circumstances, to humiliate, offend, intimidate or distress the person or their associate.
Merit	To evaluate all applicants individually on how well they meet the selection criteria, assessing them, on the best evidence obtainable, on how they would meet the training requirements.
Prospective Student	A person seeking to enrol in a course of study at the Institute.

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Word/Term	Definition
Reasonable Adjustment	<p>A measure or action taken by the Institute that means balancing the interests of all without impacting too much on other people. To determine if an adjustment is reasonable, the Institute must consider:</p> <ul style="list-style-type: none"> • The students disability and its impact on learning • The views of the student or their associates • Whether an adjustment will impact on the course standards and requirements • What advantages or disadvantages the adjustments may create for the people affected by it • The cost of making the adjustment
Student	An enrolled student at the Institute.
Unjustifiable Hardship	<p>An exception that allows the Institute to refuse to make an adjustment because the cost involved and the impact on the Institute and other people would be too great. The Institute must prove that the adjustment would cause it unjustifiable hardship. To do this, the Institute would need to look at:</p> <ul style="list-style-type: none"> • The benefits or disadvantages that would result from making the reasonable adjustment • The effect of the disability of the student in question • Its own financial position and the costs of making the reasonable adjustment <p><i>Source: DDA Education Standards</i></p>
Victimisation	<p>Subjecting or threatening to subject someone to any detriment because he or she:</p> <p>(a) has made or proposes to make a complaint under anti-discrimination legislation;</p> <p>(b) has brought, or proposes to bring, proceedings under anti-discrimination legislation;</p> <p>(c) has given, or proposes to give, any information, or has produced, or proposes to produce, any documents to any person performing a function under antidiscrimination legislation;</p> <p>(d) has attended, or proposes to attend, a conference held under anti-discrimination legislation;</p> <p>(e) has appeared, or proposes to appear, as a witness in a proceeding under antidiscrimination legislation; or</p> <p>(f) has reasonably asserted, or proposes to assert, any rights of any person under antidiscrimination legislation; or</p> <p>(g) has made an allegation that a person has done an act that is unlawful under antidiscrimination legislation.</p>

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8.0 Supporting Procedures

Procedure name
Student Code of Conduct
Receiving and Responding to Customer Feedback

9.0 Version Control and Change History

Ver.	Approved By	Approval Date	Issue Date	Description of Change	Next Scheduled Review Date	Document Owner
1.0	Board	27/10/2014	04/12/2014	The content of this policy originated from Kangan Institute Supporting Students with a Disability Policy POL 1.42 version 1	31/12/2015	Executive Director Learner Experience
2.0	N/A		02/03/2015	Editorial change: Removal of logos from template	31/12/2015	Executive Director Learner Experience
3.0	20/06/2016	Legal Risk and Policy Temporary	20/06/2016	Merging of supporting students with a disability and Student welfare policy	Currently being reviewed by ED – Learner Experience	Executive Director Learner Experience

10.0 KI Policy and Procedure Portal / BT BMS Requirements

Category	Key Words
Student Engagement and Retention	Disability Policy, Disability, Student, Student Support, Discrimination, Students with a Disability, Adjustment, Assistance, Harassment, Accessibility, Welfare,