The updated [*Training Package Products Development and Endorsement Process Policy*](https://www.dewr.gov.au/skills-support-individuals/resources/training-package-products-development-and-endorsement-process-policy) *(TPPDEPP)* (effective January 2023) has a new requirement that *“an assessment that demonstrates that the training product meets anti-discrimination legislation, and associated standards and regulations has been undertaken, including the Disability Standards for Education 2005.1”* This is referred to as an Anti-Discrimination Assessment (ADA) and is included as part of the training package product submission pack to the Training Package Assurance Body (TPAB).

This Anti-Discrimination Assessment document describes the processes to be followed and considerations that must be made during a training package product project to ensure that:

* the methods and processes used to engage and consult with stakeholders and to receive feedback from them have been inclusive
* the content of products that are reviewed and developed do not discriminate in their language, and take into consideration any requirements in the products that may discriminate
* where possible, experts have been engaged to address any potential concerns related to meeting anti-discrimination requirements.

Further information is included below.

**Checklist**

The document also includes a checklist where project managers and developers must describe the actions taken and considerations made to meet anti-discrimination requirements during their project. Each project will have an allocated ADA assessor who will then check that the processes have been properly followed by reviewing the responses in the checklist and reviewing final draft products to check these requirements have been met.

A tracking document has been created to facilitate capturing feedback from the Assessor and responses from the Project Manager during the assessment process. This checking document should be included in the Submission Pack along with the final completed Assessment.

*1 Training Package Products Development and Endorsement Process Policy,* Section 5.1 Submission of draft training products to the Assurance Body, detail 13.

Purpose and application

Training products should incorporate contemporary language, for example, people/person with a disability, rather than special or additional needs, consider how the delivery of training may be supported through reasonable adjustments when creating assessment requirements, particularly performance evidence, and consider what terms are appropriate for their sector i.e., client, person, individual.

The anti-discrimination assessment (ADA) should consider the following (noting this is not an exhaustive list of considerations):

* the design of packaging rules that reduce disadvantage by providing a range of elective choices
* the inclusion of multiple entry and exit points to promote flexibility and increase access for a broad range of individuals
* whether the products limit unnecessary references to location to allow access by people in regional and remote areas
* whether the products limit the use of pre-requisites thereby limiting barriers to entry
* how foundation skills have been described and/or whether they are explicit in the products, and whether they reflect the foundation skills required for the vocational outcome
* whether the products use inclusive language
* whether the products have eliminated discriminatory language
* whether the products indirectly discriminate against a protected attribute\*. (The *Age Discrimination Act 2004, Disability Discrimination Act 1992 and Sex Discrimination Act 1984* specific areas where it is unlawful to discriminate.)

*\*The protected attributes broadly cover discrimination including race, colour, sex, sexual orientation, gender identity, relationship status, religion, age and disability (physical, intellectual, psychiatric, sensory, neurological or learning disability).*

The process on the following pages outlines some of the ways to avoid discriminatory language and tasks.

Information for project managers

Project managers (PM) should refer to the ADA Tracker and complete this document from the beginning of the project and through to its submission. That information is to be used to complete the final ADA which will be included in the submission pack.

Prior to the review of existing products, take note of any language which exists that may be considered discriminatory or where reasonable adjustments may not be possible.

During the review period, consultation with stakeholders should include discussion about any problematic areas and an explanation given about the importance of the type of language which should be used and how reasonable adjustment can be included in the products.

All products must be checked against the requirements of the current legislation before signing the ADA checklist.

Once completed, it is to be checked and signed off by the ADA assessor.

This information is to be submitted in conjunction with the final submission package.

Information for training package product developers

The developer is to determine if the content of each product contains requirements that may be considered discriminatory. While it is preferred that requirements are not too prescriptive, care should also be taken about being too generic.

Non-discriminatory language is crucial especially in the areas of Foundation Skills, Performance Criteria, Performance Evidence and Assessment Conditions. Consideration should be given to:

* Foundation Skills – specifically ‘Oral Communication’. Is it critical to include? Consider someone who may be nonspeaking. Using this skill may be considered discriminatory.
* Performance Criteria and Performance Evidence – care should be taken to ensure that requirements in these areas are not too prescriptive. What is essential in the performance of the job role? Can reasonable adjustments be made?
* Assessment Conditions – are the requirements too specific? Can reasonable adjustments be made? Does the prescribed location prevent a person being able to complete the unit of competency, skill set or qualification? What alternatives can be included? For example, can the assessment be simulated or contextualised?
* Other areas to be discussed during stakeholder consultation should be prerequisites and entry requirements. Are they necessary and could they exclude an individual from completing the qualification, skill set or unit of competency?

Relevant documentation and requirements

| DOCUMENT | SECTION | ADA REQUIREMENTS |
| --- | --- | --- |
| TPPDEPP | Step 2.2Step 3.1Step 5.1 | Undertake consultationsDetermine revisionsSubmission of draft training products to the Assurance Body – Compliance with requirements |
| Training Product Submission form | 5.2 – Vulnerable and Minority Cohorts | This section of the submission requires a description of how the consultation addressed the needs of vulnerable or minority cohorts. It should include women, people with disability, culturally and linguistically diverse communities, and First Nations people. This includes a description of how the method, location and timing of consultation activities supported engagement.This section must be completed regardless of changes to the strategy over time. |
| [Age Discrimination Act 2004](https://www.legislation.gov.au/Details/C2020C00283) | Part 1 – Preliminary. S4. Simplified outlinePart 4 – Unlawful age discrimination etc. S.26 Education | Direct discrimination – treating a person less favourably in situations where age should not be consideredIndirect discrimination – imposing a condition, requirement or practice which is unreasonable and likely to disadvantageIt is unlawful to discriminate against a person on the ground of the person’s age:* By refusing to accept the person’s application as a student
* By denying the person access to any benefit provided by the educational authority (the body administering and educational institution)
* Schedule 1 Laws for which an exemption is provided -https://www.austlii.edu.au/cgi-bin/viewdoc/au/legis/cth/consol\_act/ada2004174/sch1.html
 |
| [Disability Discrimination Act 1992](https://www.legislation.gov.au/Details/C2023C00355) | S4S 5 and 6 | The definition of disability in the DDA can be found in section 4 of the Act. Disability in relation to the DDA includes:* Physical
* Intellectual
* Psychiatric
* Sensory
* Neurological, and
* Learning disabilities, as well as
* Physical disfigurement.

These sections set out the types of conduct that will constitute direct and indirect disability discrimination. Direct disability discrimination is when a person with disability is treated less favourably than a person without disability * because of the disability, and
* in circumstances that are not materially different.

Indirect disability discrimination occurs when a person with disability: * is required to comply with a requirement or condition but they cannot comply because of their disability, and
* that requirement or condition is not reasonable in the circumstances.
* a failure to make reasonable adjustments to assist the person with disability to meet requirements or conditions
 |
| [Sex Discrimination Act 1984](https://www.legislation.gov.au/Details/C2023C00316) | S 5, 6 and 7 | The Sex Discrimination Act 1984 (Cth) (‘SDA’) covers discrimination on the ground of:* sex (defined in s 5);
* marital status (defined in s 6);
* pregnancy or potential pregnancy (defined in s 7); and
* family responsibilities (defined in s 7A)
 |
| [Racial Discrimination Act 1975](https://www.legislation.gov.au/Details/C2022C00366) |  | The Act makes it unlawful to discriminate against a person because of his or her race, colour, descent, national origin or ethnic origin, or immigrant status.Direct discrimination happens when a person is treated less favourably than another person in a similar situation because of his or her race, colour, descent, national or ethnic origin or immigrant status.Indirect discrimination can happen when employers or service providers put in place conditions, requirements or practices which appear to treat everyone the same, but which disadvantage some people because of their race, colour, descent, national or ethnic origin or immigrant status. If the requirement is not reasonable regarding the circumstances of the case, it could be indirect discrimination. |

Anti-discrimination assessment checklist

**Project title: Shearing and Wool Classing**

**Project scope:** Review of an initial 6 qualifications, 34 units of competency and 0 skill sets. Following updates, there are now 6 qualifications, 32 units of competency (including 1 new, 1 not updated due to proposal for future deletion and 2 units created through unit merges).

| Checklist Item | Project manager response and evidence | ADA assessor Response (insert comments where necessary) |
| --- | --- | --- |
| 1. Have the packaging rules been designed to reduce disadvantage?*For example, the range of elective choices.* | YES [x]  *How?*Particular focus on added Foundation Skills; that they do not introduce unnecessary barriers, particularly in literacy.Adding an elective bank to qualifications that were originally core-only – Certificates II and III in Shearing, Certificate II in Wool Handling and Certificate IV in Wool Classing – to increase flexibility in delivery.Two units initially proposed for deletion are being retained due to stakeholder support for their value in industry and/or their current or potential value in a school setting and in specialised programs with a youth focus:* AHCLSK3X62 Carry out post-shearing procedures*(Note that this was previously coded as a shearing sector unit with the code and title AHCSHG306 Carry out post-shearing procedures)*
* AHCWOL1X18 Support woolshed activities.

These units are packaged in Certificate III and Certificate I in Agriculture respectively.NO [x]  *Why not?*Pre-existing core-only structure for Certificate III in Wool Clip Preparation was maintained as a core-only structure based on strong support to keep the size of the qualification at an absolute minimum, while still meeting the requirements for registration with the Australian Wool Exchange as an Owner Classer.NOT APPLICABL*E* [ ] *Why?* | Has this requirement been adequately considered?YES [x] NO [ ]  |
| 2. Have pre-requisites or entry requirements been limited to promote flexibility and increase access for a broad range of individuals? | YES [x]  *How?*Entry requirements or unit pre-requisites were requested by multiple stakeholders to assist in delivery of the Certificate IV in Wool Classing. On further investigation with stakeholders, pre-requisites or entry requirements were deemed unsuitable for addressing the challenges raised in relation to the initial request.Pre-existing entry requirements for Certificate III in Shearing were maintained but updated to be less prescriptive thus allowing for recognition of prior experience. Stakeholders expressed that entry requirements should be maintained.NO [ ]  *Why not?*NOT APPLICABL*E* [ ] *Why?* | Has this requirement been adequately considered?YES [x] NO [x]    |
| 3. How have Performance Criteria, Foundation Skills, Performance Evidence and Assessment Conditions been considered with respect to anti-discrimination? | Based on stakeholder feedback, particular attention has been given to avoiding any additions to components that would act as a barrier to learners with low LLN levels, e.g. unnecessary specification of written reports. Performance Criteria sentence structure has been simplified to be direct, clear and devoid of bias.In all the units the Assessment Conditions specify that assessment can be conducted in an environment that replaces the workplace, thereby enabling simulated assessment. Simulation enhances assessment flexibility and decreases barriers.Mandatory Workplace Assessment is not required or present in any unit.  | Has this requirement been adequately considered?YES [x] NO [ ]    |
| 4. Do the products use contemporary language?*For example, using people with a disability rather than ‘special needs’ or ‘additional needs’, using nonspeaking instead of nonverbal. Avoidance of acronyms like ‘ATSI’.* | YES [x]  *How?*The Technical Committee agreed to use current industry terminology in preference to outdated terms in the Pastoral Award (such as overseer), which is becoming less recognised in the workplace.Word choice related to substance use in the unit *AHCSHG218 Maintain own health to promote personal wellbeing in the wool harvesting industry* was given special consideration. The Jobs and Skills Council HumanAbility advised on word choice, as did the Curriculum Maintenance Management Service (Victoria), based on their initial review of the unit *VU22877 Apply self management skills to maintain own health and wellbeing in the shearing industry*All language is gender neutral. The components within this project did not require specific mention of things such as *‘people with a disability’.* The use of ‘oral communication’ in the Foundation Skills was selected based on maintaining alignment with the ACSF.NO [ ]  *Why not?* | Has this requirement been adequately considered?YES [x] NO [ ]    |
| 5. Do the products limit unnecessary references to location, enabling access by people in regional and remote areas? | YES [x]  *How?*Wool types (specific to regions of Australia), are only specified when considered absolutely necessary to ensure wool handlers, shearers and classers have nationally-required skills. Evidence related to impact of a range of weather conditions was removed and retained as knowledge evidence in *AHCLSK373 Carry out post-shearing procedures,* to enable access across regions and seasons.NO [ ]  *Why not?* | Has this requirement been adequately considered?YES [x] NO [ ]    |
| 6. How have protected attributes been considered in the development of the training products?*For example, ensuring products do not indirectly discriminate against a protected attribute.* | There has been no need to identify protected attributes in this project’s scope; generic language is used throughout in relation to protected attributes. | Has this requirement been adequately considered?YES [x] NO [ ]   |

**Declaration**

This Anti-discrimination assessment has been completed by Penny McQueen and Anna Henderson. The assessor, Cathy Beven is satisfied by the information provided by the project manager and the products reviewed that the training products being submitted meet, as far as practicable, relevant anti-discrimination legislation, and that evidence of processes to address, (such as avenues to raise concerns is encouraged) is reasonable and adequate.

Signature:

Date: 3/10/2024

Training products provided for assessment

Qualifications

|  |
| --- |
| AHC21324 Certificate II in Shearing |
| AHC21424 Certificate II in Wool Handling |
| AHC32924 Certificate III in Shearing |
| AHC33024 Certificate III in Wool Clip Preparation |
| AHC33124 Certificate III in Advanced Wool Handling |
| AHC41324 Certificate IV in Wool Classing |

Skill sets

|  |
| --- |
| AHCSS00192 Introduction to the Wool Harvesting Industry Skill Set |
|  |

Units of competency

|  |
| --- |
| AHCLSK373 Carry out post-shearing procedures |
| AHCSHG211 Crutch sheep |
| AHCSHG212 Assist in preparing for shearing and crutching |
| AHCSHG213 Shear sheep to novice level |
| AHCSHG214 Shear sheep to improver level |
| AHCSHG215 Grind combs and cutters for machine shearing |
| AHCSHG216 Prepare handpieces and downtubes for machine shearing |
| AHCSHG217 Undertake basic shearing and crutching |
| AHCSHG218 Maintain own health to promote personal wellbeing in the wool harvesting industry |
| AHCSHG308 Prepare livestock for shearing |
| AHCSHG309 Prepare combs and cutters for machine shearing |
| AHCSHG310 Maintain and service shearing handpieces |
| AHCSHG311 Shear sheep to professional level |
| AHCSHG312 Maintain consistent shearing performance |
| AHCSHG404 Coordinate shearing and wool harvesting teams |
| AHCWOL102 Support woolshed activities |
| AHCWOL205 Pen sheep |
| AHCWOL206 Perform board duties |
| AHCWOL207 Carry out wool pressing |
| AHCWOL302 Appraise wool using industry descriptions |
| AHCWOL309 Prepare wool based on its characteristics for classing |
| AHCWOL314 Prepare skirtings and oddments |
| AHCWOL315 Supervise clip preparation |
| AHCWOL316 Prepare facilities for shearing and crutching |
| AHCWOL317 Press wool for a clip |
| AHCWOL318 Perform shed duties |
| AHCWOL406 Determine wool classing strategies |
| AHCWOL407 Use individual fleece measurements to prepare wool for sale |
| AHCWOL408 Plan, implement and review wool harvesting and clip preparation |
| AHCWOL409 Manage wool harvesting staff |
| AHCWOL410 Class fleece wool |
| AHCWOL411 Document a wool clip |