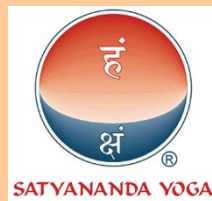


SATYANANDA YOGA® ACADEMY
AUSTRALASIA

POLICY AND PROCEDURE
MANUAL
Volume 3

Draft Edition 8.0

January 2011



Diploma of Satyananda Yoga Training (National Code: 91462NSW)

Satyananda Yoga Academy: Australian National Provider No. 90879

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Policies and Procedures Manual: Volume 3

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1 MANAGEMENT SYSTEMS

1.1 Quality Management Policy

Name:	Quality Management Policy	Contact Officer:	Administration Director
Approving Authority:	Satyananda Yoga Academy	Date of Adoption:	30/1/08
Due for Review:	30/6/11	Last Amended:	12/11/10

Policy Statement

Satyananda Yoga Academy is committed to using a systematic and continuous improvement approach to the management of its operations to ensure the highest quality of training and assessment.

a) **Definitions**

Risk Management Plan: a plan that records the strategies and plans in place to prevent, minimise or mitigate risk, and to manage the consequences of a risk event occurring.

Compliance with RTO Standards: The Academy continuing to meet the requirement for RTOs as defined in the "Standards for Registered Training Organisations".

Sound financial practice: best practice in financial management and accounting based on Australian Accounting Standards.

b) **References**

Legislation

- NSW Occupational Health and Safety Act 2000
- NSW Anti-Discrimination Act 1977
- NSW Vocational Education and Training Accreditation Act 1990
- Vic Equal Opportunity Act 1995
- Vic Occupational Health and Safety Act 1985
- Vic Accident Compensation (Workcover Insurance) Act 1993

Links to other policy and documents

- Complaints Resolution Policy
- Academic Appeal Policy
- Occupational Health and Safety Policy
- Equal Opportunity and Anti-Discrimination Policy
- Financial Management Policy
- Copyright Policy
- Student Fee and Refund Policy
- Insurance Manual and Policy Register

c) **Principles Underlying Policy**

There is relevant and sufficient documentation of management systems for the scope and scale of operations, staff know and meet their responsibilities for implementing the system, and the system is systematically monitored and improved.

d) Outcomes of Policy and Procedures

SYA continues to meet the **AQTF 2010 Standards for Registered Training Organisations.**

Risks are identified and managed appropriately by means of a Risk Management Plan, ensuring the ongoing viability of the organisation and its teaching programme.

e) Evidence of Compliance

- Development of systems appropriate for the Academy's size and scope
- A focus on quality training and assessment
- Consistent implementation of management systems
- Systematic monitoring and improving management systems.

f) Operational Procedures

The Administration Director will:

- Develop procedures to monitor the effectiveness and quality of the Academy's administration systems.
- Prepare an ongoing risk management plan to
 - eliminate unacceptable risks
 - mitigate/minimise risks that cannot be eliminated
 - monitor/review low levels of risks.
- Identify and implement opportunities for improvement.
- Review and update the plan at least annually.
- Implement strategies to maintain clear, documented and accountable financial management practices.
- Ensure the Academy's accounts are certified annually by a qualified accountant.
- On request of the RTO registering body, obtain a full audit from a qualified independent accountant and make this report available to the registering body.
- Develop accounting instructions to ensure no more than \$1000 is collected in fees per student prior to the course commencement.
- A fair and reasonable refund policy for student withdrawal from the course

g) Documents

- Risk register
- SYA accounting instructions
- Certified copies of annual accounts.

1.2 Student Fee and Refund Policy

Name:	Student Fee & Refund Policy	Contact Officer:	Administration Director
Approving Authority:	Satyananda Yoga Academy	Date of Adoption:	19/5/02
Due for Review:	12/6/11	Last Amended:	12/11/10

Policy Statement

Satyananda Yoga Academy is committed to providing students with a fair and reasonable refund policy and making this policy known to all prospective students.

a) Definitions

Refund: fees that are paid back to the student under certain conditions when the student withdraws from a module.

b) References

Links to other policy and documents

- Quality Management Policy

c) Principles Underlying Policy

Satyananda Yoga Academy will develop and maintain effective and efficient systems with clear accountability.

d) Outcomes of Policy and Procedures

- Students have a fair and reasonable refund policy.
- Students are aware of the refund policy.

e) Evidence of Compliance

- Documentation of refunds paid
- Internal audit
- Record of withdrawals and deferrals.

f) Operational Procedure

Fee Structure

Training fees are reviewed annually and are charged per module. Students are charged the fee current at the commencement of the module in which they are enrolled. Student fees are detailed in the current edition of the Course Handbook.

A deposit of \$1000 is required for each module, payable 7 days prior to the commencement date of the module. A portion of the deposit (as specified in the Course Handbook) is required to accompany the enrolment application, which must be received at least 30 prior to the module commencement date. The balance of the module fee is due at the commencement of the module and is payable on arrival at the Yoga Centre unless alternative arrangements have been made with the Academy.

Note: GST is included in all fees.

Fees include all meals and accommodation during residential components of the module. They also cover classes and tuition for the duration of the module, and any materials and outgoing postage costs involved in distance education.

Transfers and Deferrals

Students, who transfer from one module to another module, are liable to pay the fee which is current on the commencement date of the module they are transferring into. Fee payments already made will be transferred and students will be required to settle any difference prior to commencement.

Students who defer taking up an offer of a place in a module following payment of fees will be subject to the fees prescribed for the module they defer to.

Refunds – withdrawal of place by SYA

A total refund of all payments, including the initial deposit, will be made when:

- An offer of a place is withdrawn by SYA (unless the offer was made on the basis of incorrect or incomplete information being supplied by the applicant, in which the deposit will not be refunded).
- SYA is unable to provide or complete the module for which the student has applied for any reason.
- The module does not start on the advertised starting date.
- The student is not permitted to enrol or re-enrol because the relevant requirements (usually unit or module pre-requisites, or the terms of a conditional offer) are not satisfied.

This refund will be made within two (2) weeks of the default date. The refund will be paid by cheque accompanied by a statement detailing how the amount was calculated.

Overpayment of fees

In the case of overpayment of fees, students will be entitled to 100% refund of the overpayment

Refunds – withdrawal by Student

Students will be advised prior to enrolment that by completing and signing the enrolment form, they are entering into a written agreement with the Academy for the provision of training dependent on payment of fees. This agreement includes the following provisions:

- When a student notifies their formal withdrawal (in writing) from a module the refunds as detailed in the Course Handbook will apply.
 - This refund will be made within four (4) weeks of the default date. The refund will be paid by cheque accompanied by a statement detailing how the amount was calculated. As an alternative, the fees paid may be credited for future study within six months of the original payment.

Any dispute about eligibility for, or the amount of, refund due will be dealt with by the Academy's complaint resolution procedure, with provision of appeal to an independent panel. This agreement does not remove the student's right to take further action under Australia's consumer protection laws.

The student applying for a refund will:

- Apply in writing to the Enrolments Officer.
- Give details of:
 - name of the applicant.
 - title and dates of the module for which the refund is required.
 - date of written withdrawal notification to Course Coordinator.
 - name (payee) of the person to whom the refund may be paid.
 - postal address where any refund should be sent.

The Enrolments Officer will:

- Process the application.
- Document the decision for refund.
- Issue the refund if approved or letter detailing reason for not granting refund.

1.3 Records Management Policy

Name:	Records Management Policy	Contact Officer:	Administration Director, Human Resource Officer and Education Director
Approving Authority:	Satyananda Yoga Academy	Date of Adoption:	19/5/02
Due for Review:	30/06/11	Last Amended:	07/12/10

Policy Statement

Satyananda Yoga Academy is committed to effective records management procedures that insure privacy, integrity, accuracy, currency and general compliance with the Standards for Registered Training Organisations.

a) Definitions

Records: This policy applies to:

- Student information: on enrolment forms, assessment results, grade records, curriculum progress, records of competence, statements of attainment, certificates issued.
- Staff information: qualifications and CVs of all staff and volunteers working on behalf of SYA as trainers and assessors.

Prohibited Employment Declaration

The NSW Child Protection (Prohibited Employment) Act 1998 requires the Academy to protect children and other vulnerable persons by means of screening staff, employed or voluntary, who work in the Academy and students who undertake practical training as part of their course. The "Prohibited Employment Declaration" is required to be signed by staff members prior to commencement of duties and by students enrolling in Yogic Studies 4 module.

b) References

Legislation

- Commonwealth Privacy Act 1988
- Privacy Amendment (Private Sector) Act 2000
- NSW Child Protection (Prohibited Employment) Act 1998

c) Principles Underlying Policy

- The records maintained by the Academy support the continuous improvement of its operations and compliance with the **AQTF 2007** Essential Standards for Registration.
- Students have timely access to current and accurate records of their participation and progress.

d) Outcomes of Policy and Procedures

- Documents are securely stored, backed up and retained for legal and contractual required periods of time.
- Records comply with external reporting requirements.
- Staff and students have access to their personal records.
- The privacy of staff, students and clients is adequately protected.
- Information about staff and students is not disclosed to a third party without written consent.

e) Evidence of Compliance

- Annual review of AQTF 2010 compliance

f) **Operational Procedure**

Student records

The enrolment form will include the standard questions required for the database to be AVETMISS compliant.

Student records are entered and managed on the Course Management System (CMS), a purpose built database (ORACLE) built specifically for SYA's needs.

Description of record keeping process

- Upon application for enrolment, students are entered into the larger SYA database.
- Upon acceptance of enrolment into the Diploma, they are enrolled into modules in the CMS.
- Outcomes of assessments are recorded by the Academic Registrar.
- When all assessment criteria have been satisfied, then a unit of competence is completed.
- When all assessment criteria for a module have been satisfied, the module is completed and a Statement of Attainment is issued, showing all completed units
- When relevant units and modules are completed and requirements for ATQF qualifications are met, then the certificate for the qualification may be generated.

Procedure for recording attendance and participation during residential learning periods

The Course Coordinator will:

- Ensure attendance at all residential sessions is recorded on the student roll record and signed-off at the end of each day as an accurate record.
- Ensure students submit all course work required.
- Ensure all attendances and submissions are entered into the CMS system.
- Maintain the system in CMS for managing receipt, marking and return of assessment tasks and records.

Procedure for management of distance assessment records

The Registrar will:

- Maintain the student records for recording marks.

The Course Coordinator will:

- Ensure all results of assessment tasks are recorded accurately in the CMS system

Procedure for management of formative assessment records and end-of-term assessment records

The Course coordinator will:

- Resource the assessment.
- Collect evidence from assessor.
- Ensure all results of assessment tasks are recorded accurately in the student record system.
- Maintain an electronic copy of all training and assessment materials used in a module, including a copy of student records, all electronically received and marked homework, Resource folders and Session Plans, and an assessment trail of three (3) representative students, one from the upper, the middle and lower end of the performance spectrum.
- Maintain a hardcopy record of assessment agreements, assessment checklists and all hardcopy marked homework. A separate record of the hardcopy submissions for the three (3) nominated representative students is also kept.
- Make two (2) copies of the information listed above on CD.
- At the end of the Module, one copy of the CD is retained by the Course Coordinator and the other copy is given to the Academic Registrar, together with all of the hardcopy evidence.

The Registrar will:

- Add results to student record system.

- Archive each module's training and assessment materials and retain for a period of seven (7) years.
- Maintain a representative sample of all assessments, archiving on an annual cycle.
- Maintain copies of all work for the duration of any student's enrolment.
- Maintain all RPL evidence for three (3) years.
- Make duplicate hardcopies of all end-of-term student reports (one copy stored on site, one copy stored off-site at 119 Pemberton's Hill Rd).

Privacy of records

See Privacy Policy.

Integrity of records

The Education Director will ensure:

- All student records are accurate, reflecting current enrolment status, assessment results, units completed and attainments awarded.
- Units completed are dated and duly authorised.
- The Course Management System complies with external reporting requirements.
- Ensure that documentation of student results contains sufficient information to enable re-issue of a qualification or statement of attainment.

The RTO Human Resource Officer will ensure:

- Up-to-date records are maintained of verified qualifications and experience of staff working as trainers and assessors, by review at the annual audit.
- All staff records are accurate, reflecting current status and conditions, staff review results and professional development undertaken.

Security of records

The Administration Director, Enrolments Officer, Education Director and Human Resource Officer will ensure that:

- All hard copy records containing personal or health information are kept in a locked office, accessible only to authorised personnel.
- Access to the Course Management System will be controlled by password protection with only the Education Director, the Enrolments Officer, the Education Administration Manager, and the Academic Registrar having privileges enabling academic results to be entered or amended.
- The database is not left open while not in use.
- Electronic records are backed up at least weekly with appropriate security in secure storage.
- Electronic copies of student results are archived securely (from fire or flood) for a minimum of 30 years by database manager.
- Regularly (at least weekly) copies of backup tapes are removed from the site and stored securely.
- Backups are kept so that there are always copies of electronic records a week, a month, six (6) months, and one (1) year old. At least one (1) copy of every year's historic data is kept.
- Students are informed that their assessment results are available to them on request.
- People external to the Academy who act on its behalf, e.g. external assessors, auditors, will be made aware of the confidentiality procedures before being granted access to student records.

Access to Records

The Registrar and/or Course Coordinator, as appropriate, will:

- Provide students access to their personal records at any convenient time by arrangement.
 - Enrolment details
 - Learning support needs and plans
 - Attendance records

- Outcomes at unit of competence or module level and qualification level
- Statements of attainment and qualifications issued.

- **Staff** can access their personal file at any convenient time by arrangement with the Human Resource Officer.

g) Documents

- Front Office Enrolment Processing Form
- Student Enrolment and Acknowledgement Form
- Registrar's Enrolment Checklist
- Registrar's Assessment Inward and Outward
- Course Coordinator's Summary of Assessment Results
- Written Assessment Instructions to Candidate
- Student Roll Book
- Course Coordinator Assessment
- Consent form for information disclosure
- Prohibited Employment Declaration

1.4 Document Version Control Policy

Name:	Document Version Control Policy	Contact Officer:	Quality Assurance Officer
Approving Authority:	Satyananda Yoga Academy	Date of Adoption:	19/5/02
Due for Review:	30/6/09	Last Amended:	12/3/09

Policy Statement

Satyananda Yoga Academy is committed to ensuring that records relating to its scope of registration as an RTO have effective version control procedures so that their currency and availability are accurately maintained.

a) Definitions

Version control: a system to track and manage an organisation's documents so the date of creation and currency of the document are clearly specified. Such documents are referred to as "controlled documents".

Documents relating to RTO registration: training course materials, including student handouts, course information, material in module folders, assessment materials, Course Handbook, Policy and Procedure Manual, Quality Assurance Framework for Learning and Assessment, RTO Staff Handbook.

b) References

Links to other policy and documents

c) Principles Underlying Policy

Staff and students are ensured access to current documents.

d) Outcomes of Policy and Procedures

- Staff and students have access to the latest and authorised materials.
- Staff and students are aware of version control procedures.
- Only duly authorised staff approve changes to "controlled documents".

e) Evidence of Compliance

- Annual review of AQTF compliance.

f) Operational Procedure

The Education Director and Quality Assurance Officer will be the person authorised to make amendments to the:

- Policy and Procedure Manual
- Learning and Assessment Plan

The RTO Human Resource Officer will be the person authorised to make amendments to the:

- RTO Staff Handbook.

The Education Director will be the person authorised to make amendments to:

- All course material.

The Course Coordinators will be the person authorised to make amendments to:

- All course material for the module for which they are responsible.

The Enrolments Officer will be the person authorised to make amendments to the:

- The Course Handbook.

All persons making amendments to controlled documents will:

- Ensure that a new version Identifier is recorded on the footer of the document.
- The current version is stored in a directory titled as the “current”.
- The superseded version is archived in a folder clearly marked as “archive”.

Note: Staff acting in the above positions in the absence of the designated person above will have the same authority to make amendments.

g) Documents

All controlled documents

2 POLICIES RELATED TO LEGISLATION

2.1 Occupational Health & Safety Policy

Name:	Occupational Health & Safety Policy	Contact Officer:	Administration Director
Approving Authority:	Satyananda Yoga Academy	Date of Adoption:	11/4/01
Due for Review:	30/6/09	Last Amended:	12/3/09

Occupational Health & Safety Policy Statement

Satyananda Yoga Academy is committed to following the principles and fulfilling the responsibilities embodied in the various acts, regulations and codes of practice relating to health and safety in Australia. It is committed to providing all people who enter its premises with a safe and healthy environment.

a) **Definitions**

Occupational Health and Safety: The protection of the health, safety and welfare of people at work.

Application of NSW OHS Act: The provisions of the Act apply to every place of work in NSW, including paid and voluntary work.

Risk Register: A register of all identified risks.

Risk event: An event which results in injury to a person, significant damage to, or malfunction of, Academy property, significant financial loss or other negative impact on the Academy's ability to fulfil its functions.

Near Miss: An event which, in other circumstances, may have resulted in an injury to a person, damage to property or some other negative impact on the Academy.

b) **References**

Legislation

- NSW Occupational Health and Safety Act 2000
- NSW Workplace Injury Management and Workers Compensation Act 1998
- Add. OH&S Regulation 2001
- NSW Work Cover Administration Act 1989 Needs confirmation of currency
- NSW Occupational (Manual Handling) Regulation 1991
- NSW Occupational (Hazardous Substances) Regulation 1996
- NSW Occupational (Health and Safety Committees in Workplaces) Regulation 1999
- Vic Occupational Health and Safety Act 1985 amend to 2004
- Vic Accident Compensation (Workcover Insurance) Act 1993

c) **Principles underlying Policy**

Satyananda Yoga Academy aims to create a healthy and safe working environment for the welfare of all staff, students and members of the public by:

- Making available the appropriate resources and allocating time for its supervisors and staff to fulfil their safety responsibilities.
- Providing clear and simple information, instruction and training to staff, students and clients to ensure their health, safety and welfare, and that of others.

- Supporting the election of an OH&S representative to make health and safety a cooperative effort between the coordination team, supervisors and staff.
- Developing clear communication channels for dealing with reported health and safety problems to encourage early reporting of health and safety concerns.
- Ensuring that supervisors are informed/aware and have the authority and time to carry out their delegated health and safety tasks.
- Applying health and safety criteria in specifications for plant, equipment and chemical substances purchased.

d) Outcomes of this Policy and Procedures

- Safe working practices are established and maintained.
- Hazards are identified, eliminated or managed.
- All users of the Academy receive appropriate training in OHS.
- Effective consultation procedures operate.

e) Evidence of Compliance

- Action plans for OHS. Hazard identification and risk management. Training in OHS for all staff. (Prof. Dev. Info seminar legislative changes)
- Awareness of OHS throughout the Centre, e.g. signage, etc.

f) Operational Procedures

The delegated person/authority

- Be elected by the staff of YAMM and SYA.
- Regularly review “Incident Report Forms” and “Hazard Report Forms” for needed remedial action.
- Investigate any health and safety issues reported and ensure that any actions taken are recorded.
- Recommend actions for improvement and maintenance of safety and health. The Administration Director will have the power to authorise these actions to be carried out.
- Set up a program of activities and procedures that will be continually reviewed and effectively carried out. This program relates to all aspects of occupational health and safety, including:
 - OH&S training and education.
 - Review of work design, workplace design and standard safe work methods.
 - Changes to work methods and practice, including those associated with technological change.
 - Safety rules, including penalties.
 - Emergency procedures and drills.
 - Provision of OH&S equipment, services and facilities.
 - Workplace inspections and evaluations.
 - Reporting and recording of incidents, accidents, injuries and illnesses.
 - Provision of information to staff and students.

The Administration Director will:

- Oversee the operation of this policy and retain overall responsibility for its implementation.
- Ensure the relevant Acts and Regulations that apply to working conditions and the work environment are observed and enforced.
- Ensure supervisors inform staff and students of any hazards in the workplace and how to assess and control risks.
- Encourage consultation in addressing safety issues.
- Ensure that safe working practices are developed for the operation of plant and machinery.
- Ensure equipment, materials and personal protective equipment are maintained in good condition.
- Ensure the provision of adequate safety information, training and supervision.

Staff will:

- Adhere to safe work practices, instructions and rules.
- Take reasonable care for their own health and safety and the health and safety of others.
- Use all equipment safely and, where required, use personal protective equipment (PPE).
- If an incident or “near miss” affecting health or safety occurs -
 - If it is within their power to do so, remedy the situation as soon as is practical and in the interim: stop / cordon off / isolate / signpost the unsafe environment.
 - Provide the necessary assistance to any injured person if it is within their power to do so.
 - Report the incident or “near miss” using the “Incident Report Form”, available at Reception, Kitchen, Education, and Maintenance office.
- If they observe an unsafe situation:
 - If it is within their power to do so, remedy the situation as soon as is practical and in the interim: stop / cordon off / isolate / signpost the unsafe environment.
 - Report any unsafe work condition or equipment to their supervisor, initially verbally, and then in writing, using a “Hazard Report Form” available from Education, Reception, Kitchen, and Maintenance office.
- Not misuse, damage, refuse to use, or interfere with anything provided in the interest of occupational health and safety.
- Perform all work duties in a manner which ensures individual health and safety and that of all other staff and members of the public.
- Encourage fellow staff members to create and maintain a safe and healthy work environment.
- Cooperate with all other staff members, supervisors and management to enable the health and safety responsibilities of all staff members be achieved.

Supervisors will:

- Ensure that the workplace under their control is safe and without risks to health - the supervisor will always be held accountable for identifying any unsafe or unhealthy conditions or behaviour.
- Ensure that the behaviour of all persons in the workplace is safe and without risks to health.
- Identify hazards and assess risks in the work environment.
- Tell staff, students and participants under their control about hazards in the workplace.
- Provide those under their control with information, instruction, supervision and appropriate training on safe work methods.

- Ensure those under their control use all equipment safely and, where required, wear personal protective equipment.
- if an incident affecting health or safety occurs:
 - If it is within their power to do so, remedy any unsafe situation as soon as is practical and in the interim: stop / cordon off / isolate / signpost the unsafe environment.
 - If they do not have the authority to fix the problem, be held accountable for reporting the matter promptly, together with any recommendations for remedial action, to the OH&S representative. The OH&S representative will be held accountable for taking prompt remedial action to eliminate any unsafe or unhealthy conditions or behaviour.
- Ensure that any safety issue and the action taken are recorded on the “Incident Report Form” or “Hazard Report Form”.

Trainers and assessors will:

- Identify hazards and assess the OHS risks in their training/assessment environment.
- Ensure that any safety issue and the action taken are recorded on the “Incident Report Form” or “Hazard Report Form”.
- Tell participants about hazards in the environment.
- Ensure all participants follow all requirements for health and safety.
- Provide participants with information, instruction, supervision and appropriate training on safe work methods.
- Ensure that participants use all equipment safely, and where required, use personal protection equipment.

Penalties for safety offences:

- Staff and/or students who fail to fulfil their OH&S obligations may face disciplinary action.
- For a first offence - maximum penalty of \$550,000 for corporations and \$55,000 for persons.
- For second offences - maximum penalties can be increased by 50%.

g) Documents

- Incident Report Form
- Hazard Report Form
- Training programme documents

2.2 Sexual Harassment Policy

Name:	Sexual Harassment Policy	Contact Officer:	Grievance Officer
Approving Authority:	Satyananda Yoga Academy	Date of Adoption:	22/12/10
Due for Review:	30/6/11	Last Amended:	

Sexual Harassment Policy Statement

Satyananda Yoga Academy is committed to ensuring that Satyananda Yoga is conducted in an environment free from sexual harassment. Sexual harassment will not be tolerated under any circumstances, and swift disciplinary action will be taken against any person who breaches the policy. .

a) **Definitions**

What is sexual harassment? “Sexual harassment is **unwelcome** conduct of a **sexual nature** which makes a person feel offended, humiliated and/or intimidated where that reaction is **reasonable** in the circumstances.”

SEXUAL HARASSMENT IS UNLAWFUL IN EVERY WORKPLACE – under the Sex Discrimination Act. This includes volunteer workers, unpaid staff, contractors and consultants.

It can take many forms, including unwelcome physical contact, hugging or kissing, suggestive comments or jokes, propositions, insults or taunts of a sexual nature, the display of offensive material, sexually explicit email or SMS messages or other behaviour that creates a sexually hostile or uncomfortable environment.

What is not sexual harassment?

Sexual harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is consensual, welcomed and reciprocated, it is not sexual harassment.

SOME TYPES OF SEXUAL HARASSMENT CAN BE CRIMINAL OFFENCES:

Physical molestation or assault, indecent exposure, stalking, obscene communications (telephone, email, and letters).

Personal liability: Persons are personally liable for – their own acts of sexual harassment, or victimisation, as well as causing, instructing, inducing, aiding or permitting sexual harassment.

Vicarious liability: An employer may be held legally responsible for acts of sexual harassment committed by employees, unless they have taken all reasonable steps to prevent it taking place.

b) **References**

Legislation

- NSW Anti-Discrimination Act 1977
- Commonwealth Racial Discrimination Act 1975
- Commonwealth Sex Discrimination Act 1984
- Workplace Relations Acts

Links to other policies and documents

- “Effectively preventing and responding to sexual harassment: A code of practice for employers” – 2008 – Australian Human Rights Commission
- SYA Equal Opportunity and Anti-Discrimination Policy

- SYA Complaints Resolution Policy

c) *Principles Underlying Policy*

Satyananda Yoga Academy is committed to an organisational culture which ensures freedom from sexual harassment, in keeping with the “Satyananda Code of Ethics”. It seeks to prevent any occurrences of sexual harassment and to respond swiftly and effectively to any breaches of this policy.

Management and staff are aware of their obligations, responsibilities and rights in relation to sexual harassment.

d) *Outcomes of this Policy*

- An environment free from sexual harassment, where all are treated with dignity, courtesy and respect.
- Training and awareness raising to ensure all know their rights and responsibilities
- An effective procedure for complaints based on the principles of procedural fairness.
- All complaints treated in a sensitive, fair, timely and confidential manner
- Complainants supported and informed of processes
- Guaranteed protection from any victimisation or reprisals
- Promotion of appropriate standards of conduct at all times

e) *Evidence of Compliance*

- Complaints register.
- Feedback from staff and students

f) *Operational Procedure*

PREVENTIVE ACTIONS

The Education Director and Administration Director will

- Monitor the Academy environment to ensure that acceptable standards of conduct are observed at all times
- Model appropriate behaviour
- Ensure all staff, volunteers and ashram residents are aware of the Academy’s sexual harassment policy
- Organise training for staff, volunteers and residents when appropriate

All staff, accredited teachers and all who represent Satyananda Yoga will:

- Comply with the Satyananda Code of Ethics
- Comply with SYA’s sexual harassment policy

All staff will:

- Model appropriate behaviour.
- Offer support to anyone who is being harassed and direct them to the Grievance Officer or other suitable person for help and advice
- Maintain complete confidentiality if they provide information during the investigation of a complaint. Spreading gossip or rumours may expose a person to a defamation action or a claim of victimisation

IF AN INCIDENT OCCURS:

The Academy has a three step approach to dealing with incidents of sexual harassment.

If the behaviour does not constitute a serious criminal offence, or if the complainant does not want to take legal action:

STEP 1: Direct Action

Satyananda Yoga Academy strongly encourages:

- Any person who feel they have been harassed to take action, preferably by making it clear that such behaviour is unwelcome and offensive;
- If this action does not resolve the issue or is inappropriate in the circumstances, to make a complaint by contacting the Grievance Officer

STEP 2: Informal Intervention

Complaints may be made verbally and informally to the Grievance Officer, who will:

- Interview the complainant, the respondent and any other persons involved
- Provide or make available mediation, in which the respondent is made aware of the allegations and is given the right to respond.

This procedure will be complete when the respondent respects the individual's request to cease the unwanted or unwelcome behaviour

If this does not occur, or if the behaviour is serious, or the complainant is not satisfied, the complaint may be made formal

STEP 3: Formal Complaints Procedure

Formal complaints are made in writing to the Grievance Officer, who will:

- Contact and consult with the complainant about the most appropriate and desired action.
- Advise the complainant of their right to make an external complaint to the Human Rights Commission or to take legal action
- Inform the Education Director or Administration Director, who will:
- Personally conduct an investigation, or appoint an appropriate independent person with expertise, to conduct an investigation
 - the investigation will involve interviews with all parties and collection of other relevant evidence
- Ensure all records of interviews or other evidence are kept in a confidential and secure place.
- Make a determination on the course of action
- Inform all parties of the outcome

Outcomes may include, but are not limited to, any combination of the following:

- Counselling or psychological/psychiatric treatment
- Disciplinary action against the respondent (eg transfer, suspension, probation or dismissal)
- Official warnings that are noted on the respondent's personnel file
- Disciplinary action against the complainant if the complaint is found to be vexatious or malicious
- A formal apology and undertaking that the behaviour will cease

- Conciliation/mediation conducted by an impartial third party where the parties to the complaint agree to a mutually acceptable resolution
- Reimbursing any costs associated with the complaint
- Re-crediting any leave taken as a result of the harassment

Outcomes will depend on:

- The severity and frequency of the discrimination or harassment
- The weight of evidence
- The wishes of the complainant
- Whether the respondent could have been expected to know such behaviour was a breach of policy
- The level of contrition
- Whether there have been any prior incidents or warnings

External avenues for complaint:

- A person who has been subjected to sexual harassment can make a written complaint to the Human Rights Commission.
- The complaint will be investigated and generally the Commission will endeavour to settle it by conciliation.
- If this is unsuccessful or inappropriate, the complainant may apply to the Federal Court for judicial determination. Criminal acts (such as assault) may also be reported directly to the Police.

g) Documents

- Record of complaints and outcomes.

2.3 Equal Opportunity and Anti-Discrimination Policy

Name:	Equal Opportunity and Anti-Discrimination Policy	Contact Officer:	Grievance Officer
Approving Authority:	Satyananda Yoga Academy	Date of Adoption:	25/5/02
Due for Review:	30/6/09	Last Amended:	12/3/09

Equal Opportunity & Anti-Discrimination Policy Statement

Satyananda Yoga Academy is committed to the goals of equal opportunity in education. It aims to provide a study and work environment for staff and students that fosters fairness, equity, and respect for social and cultural diversity; that is free from unlawful discrimination, harassment and vilification.

a) Definitions

Equal Opportunity Education: The right of all students and staff to be treated with dignity, courtesy and respect in a learning environment which is free from unlawful discrimination, harassment and vilification.

Unlawful discrimination: Unfair treatment of a person or adverse consequences applying to a person due to:

- Age (including age-related retirement).
- Disability (physical, intellectual, psychiatric, sensory, neurological and learning disabilities; including physical disfigurement, the presence in the body of an organism capable of causing disease, and current, past, future or imputed disability).
- Marital status.
- Pregnancy or potential pregnancy.
- Race (including colour; nationality; descent; ethnic, ethno-religious or national origin; and immigration).
- Religious or political affiliation, views or beliefs.
- Gender.
- Sexual preference or transsexuality (anyone who lives, has lived, or wants to live as a member of the opposite gender to their birth gender, including people who are assumed to be transgender).
- Actual or imputed characteristics of any of the attributes listed above.
- Association with a person identified by reference to any of the attributes listed above.

Harassment: Any form of behaviour that is unwelcome, not asked for and offends, intimidates or humiliates a person on the above grounds.

Vilification: A public act that encourages (or incites) others to hate, have serious contempt for, or severely ridicule, a person or group of persons because of their:

- Race
- HIV/AIDS status
- Homosexuality
- Transgender or transsexuality
- Other factors listed above.

b) ReferencesLegislation

- NSW Anti-Discrimination Act 1977
- Commonwealth Racial Discrimination Act 1975
- Commonwealth Sex Discrimination Act 1984
- Commonwealth Disability Discrimination Act 1992
- Workplace Relations Acts

Links to other policies and documents

- Part IXA of the NSW Anti-Discrimination Act 1977 and the Federal Affirmative Action (Equal Employment Opportunity For Women) Act 1986. Identified equity groups currently are Aboriginal and Torres Strait Islander people; people with disabilities; people of non-English speaking background; and women.
- Federal Government policy as outlined in A Fair Chance for All, AGPS, 1990 and subsequent amendments as outlined by Department of Education, Training and Youth Affairs (DETYA). Identified equity groups are Aboriginal and Torres Strait Islander people; people with disabilities, from socio-economically disadvantaged backgrounds, from rural and isolated areas, and of non-English speaking background; and women in non-traditional areas of study.
- Complaints Resolution Policy

c) Principles Underlying Policy

Satyananda Yoga Academy is committed to an organisational culture which values and responds to the rich diversity of its staff and students.

It seeks to provide equal opportunity by removing barriers to participation in education so that all staff and students have the opportunity to achieve their full potential within the learning and working environment.

Enhancement of the quality of students' learning through the provision of culturally, socially and gender inclusive education in areas such as curricula, teaching methods, assessment and review provisions, written and audiovisual material, and support services.

d) Outcomes of this Policy

Staff and students are aware of their rights and their responsibilities.

e) Evidence of Compliance

- Complaints register.

f) Operational Procedure**Action resulting from Complaints of Discrimination or Harassment**

Complaints will be dealt with by the Academy's Complaints Resolution Policy.

Proven complaints may result in:

- Apology, counselling, training, clarification of expectations of being a staff member, dismissal or other disciplinary action against a staff member.
- Apology, instruction on acceptable behaviour, warning or expulsion of a student.
- Report to the Police of complaints that constitute an offence.

g) Documents

- Record of complaints and outcomes.

2.4 Privacy Policy

Name:	Privacy Policy	Contact Officer:	Executive Officer
Approving Authority:	Satyananda Yoga Academy	Date of Adoption:	30/6/06
Due for Review:	30/6/09	Last Amended:	12/3/09

Privacy Policy Statement

Satyananda Yoga Academy is committed to preserving the privacy of staff, students and other clients. It will only collect personal information necessary for the performance of its function, store this information securely and control access to this information.

a) Definitions

Privacy: In accordance with the Commonwealth Privacy Act 1988, the Academy will only collect personal information on staff and students necessary for performance of its education function. Such information will be stored securely, be accessed only by Academy staff with a legitimate need, and disclosed to third parties in accordance with the purpose for which it was collected, to comply with any law, or as required by the Standards for Registered Training Organisations. Such disclosure will be based on the implied consent of the person accepting enrolment or a staff appointment.

Some personal information, relating to “sensitive information” or “health information” will only be collected with the consent of the person, will be stored confidentially with access restricted to specified Academy personnel, and will only be disclosed to a third party with written consent of the person.

Personal Information: Information gathered, received and stored, both electronically and hardcopy, about a person that is of a private nature and is not public knowledge. This information generally consists of: names, addresses, date of birth, telephone contacts and employment or family details.

Sensitive Information: Means information about a person’s: racial or ethnic origins, financial status, economic or geographical disadvantage. This information is collected to enable the Academy to meet its goals on access and equity.

Health Information: Information or an opinion about: the physical, mental or psychological health of a person, current or past medical or psychological conditions, disabilities, medication, current or past health services provided to a person. The Academy collects this information to enable individual needs, disabilities or special requirements to be met in teaching, dietary requirements or facilities.

b) Privacy of records

Student Enrolment forms (containing personal, sensitive and health information)

The Education Director will:

- Ensure that personal information held on Mangrove database is not disclosed to a third party without the student’s written consent.

The Enrolments Officer will:

- Receive enrolment forms in hard copy or electronic media.
- Enter student enrolment information (excluding sensitive and health information) into the Mangrove general database.

- If enrolment is received electronically, file sensitive and health information from the electronic record in a secure location after making a hard copy of the enrolment form.
- Complete enrolment checklist for processing applications with appropriate action as required.
- Send student enrolment form on hard copy to Education Director for approval of application.
- Bring relevant health information to the attention of relevant personnel, according to need, on a confidential basis.
- Give non-identifying information on sensitive and health information to the Quality Assurance Officer for analysis.
- File "Prohibited Employment Declaration" if included in enrolment (for YS4).
- Store hard copies of enrolment forms in a secure office, with access limited to authorised personnel.

The Registrar will:

- Enter student enrolment information (excluding sensitive and health information) into the Student Records System if enrolment is accepted.
- Ensure that information held on Student Records System is not disclosed to a third party without the student's written consent.

Staff Personal Information

The Mangrove Human Resource Officer will:

- Collect personal information (which includes Health Information and Prohibited Employment Declaration) in hard copy or electronic media on staff CV forms.
- Enter personal information (excluding health information) on electronic staff file in Admin folder on network, with restricted access.
- Delete health information from the network file if received electronically.
- Ensure that staff information is not disclosed to a third party without the staff member's written consent.

Staff Health Information

The Mangrove Human Resource Officer will:

- Delete any health information from electronic records.
- Store health information in a confidential hard copy Staff personal file.
- Bring relevant health information to the attention of relevant personnel, according to need, (e.g. kitchen) on a confidential basis, with staff member's written consent.
- Ensure that staff information is not disclosed to a third party without the staff member's written consent.

2.5 Child Protection Policy

Name:	Child Protection Policy	Contact Officer:	Executive Officer
Approving Authority:	Satyananda Yoga Academy	Date of Adoption:	30/6/05
Due for Review:	30/6/09	Last Amended:	12/3/09

Child Protection Policy Statement

Satyananda Yoga Academy is committed to the prevention of child abuse and the protection of children. Satyananda Yoga Academy believes that one of the primary concerns of any community should be the health and well-being of its children and young people. Children and young people should be able to grow up in an environment which enables them to develop physically, intellectually, spiritually and socially in conditions of freedom and dignity.

This commitment means that the interests and welfare of children are our prime consideration when any decision is made about suspected cases of abuse or neglect. The value of the family unit is respected but not to the detriment of the well being of the child.

SYA aims to be diligent in promoting a safe environment for all children.

a) **Definitions**

Child and Young Person: Under the Children and Young Persons (Care and Protection) Act 1998 a child is a person who is under the age of 16 and a young person is a person aged 16 or 17.

Under the Commission for Children and Young People Act 1998, the Child Protection (Prohibited Employment) Act 1998 and the Ombudsman's Amendment (Child Protection and Community Service) Act 1998 a child is a person under 18 years of age.

Child Abuse: Child Abuse is a term commonly used to describe different types of maltreatment inflicted on a child or young person. It includes assault (including sexual assault), ill treatment, neglect and exposing the child or young person to behaviour that might cause psychological harm. A parent, other relative, caregiver, a sibling or other child or young person, an acquaintance or a stranger may harm children.

Physical abuse: Refers to non-accidental injury to a child or young person by a parent, caregiver or another person responsible for that child. It includes injuries which are caused by excessive discipline, severe beatings or shakings, bruising, lacerations or welts, burns, fractures or dislocation, attempted suffocation, strangulation and female genital mutilation (female genital mutilation is against the law; Female Genital Mutilation Act 1995).

Sexual abuse: Is any sexual act or sexual threat imposed on a child or young person. Adults or adolescents who perpetrate child sexual abuse exploit the dependency and immaturity of children.

Improper conduct of a sexual nature: Sexual misconduct is behaviour which does not fit into the category of sexual assault. Improper conduct of a sexual nature is unwanted, unsolicited and unreciprocated. It may be an isolated incident or a series of incidents. Improper conduct can be interpreted differently by different individuals.

□□Psychological abuse (emotional abuse): Is behaviour that damages the cognitive and emotional development of a child or young person. Actions and situations can include emotional deprivation, exposure to domestic violence and trauma. The harm resulting from these abusive behaviours can include the serious impairment of a child's or a young person's social, emotional, cognitive, spiritual or intellectual development and/or disturbance of a child's or young person's behaviour.

□□Child neglect: Occurs when a child is harmed by the failure to provide the basic physical and emotional necessities of life. Neglect is characterised as a continuum of omissions in parental care taking.

□□Domestic violence: Is violence, abuse and intimidatory behaviour perpetrated by one person against another in a personal, intimate relationship. Domestic violence occurs between two people in which one has power over the other causing fear, physical and/or psychological harm. Domestic violence has a profound psychological effect on children and constitutes a form of child abuse. Children and young people can be affected by being exposed to violence, by becoming the victims of violence, or a combination of the two.

Reporting risk of harm: Is defined as reporting to Department of Community Services (DoCS) any circumstance where a child is at current or anticipated risk of harm. The focus is on the risk or possibility of harm occurring to the child as well as any harm that has actually occurred. Risk of harm may be applied to an individual child or a group of children. A reasonable belief that harm has or may occur constitutes grounds to report. It is the role of DoCS to substantiate possible harm.

Mandatory Reporting: Is the compulsory reporting of risk of harm and applies to any person under the age of 16, as required by legislation.

□□Discretionary Reporting: Is the reporting of risk of harm in respect of a young person between the ages of 16 and 18 years.

Child Related Employment: Where employment is child related and the delivery of the service involves direct unsupervised contact with children up to 18 years of age.

Prohibited Person: A person convicted of a serious sex offence, other than where there is an order in force declaring that the Child Protection (Prohibited Employment) Act 1998 does not apply to the person in respect to the offence [Child Protection (Prohibited Employment) Act 1998].

Apprehended Violence Order (AVO): An Apprehended Violence Order made by the court under Part 15A of the Crimes Act 1900, or an interstate restraint order (within the meaning of the Crimes Act 1900), made on application of a police officer or other public official for the protection of a child (Commission for Children and Young People Act 1998, Section 33).

Serious Sex Offence: An offence involving sexual activity or acts of indecency that is punishable by penal servitude or imprisonment for 12 months or more [Child Protection (Prohibited Employment) Act 1998].

Application of definitions to Satyananda Yoga Academy

Although SYA does not enrol students in the Diploma who are under 18 years, the Academy shares premises with the Yoga Association of Mangrove Mountain and Yoga Association of Victoria who conduct some family activities.

Child or young person: may be at Mangrove or Rocklyn ashrams in several capacities -

- As a resident living with their parents.
- Attending Family Week Program.
- Accompanying adults who are attending a course – this may be an Academy course, a Mangrove or Rocklyn course, or celebrations such as Easter and Gurupoonima.

At all times, parents retain direct responsibility for supervision of their children.

Version: Draft Version 8.0 Date: Jan 2011

Child Related Employment

The Academy does not have any paid or voluntary positions designated as “child-related”.

Mangrove and Rocklyn ashrams are the providers of family week activities. The leader of this group will be required to have a full child protection screening. All other paid and voluntary staff, all those who are resident at the centre (enrolled in Ashram Life Satra) and students enrolled in Yogic Studies 4 (Teacher Training) module will be required to sign the “Prohibited Employment Declaration”.

b) References

Legislation

□□ Introduction to Legislation Relating To Child Abuse

All people looking after children and young people have a responsibility to provide a safe environment for them. The legal context of child abuse and neglect is set out in the Children and Young Persons (Care and Protection) Act (1998) and a number of associated legislations. The law covers two main areas: the care and protection of children and the criminal law as set out in the *Crimes Act 1900*, as amended and other statutes.

The legislation places emphasis on the obligations of adults working with children and young people to draw instances of actual or suspected abuse of all kinds to the attention of childcare and welfare authorities.

The legislation involved includes:

- NSW □□ Children and Young Persons (Care and Protection) Act 1998
- □□ NSW Ombudsman Amendment (Child Protection and Community Service) Act 1998
- □□ NSW Child Protection (Prohibited Employment) Act 1998
- □□ NSW Commission for Children and Young People Act 1998
- NSW Child Protection (Offenders Registration) Act 2000

There are three main strands to the revised legislation:

- □□ To strengthen the legislative provisions requiring people in charge of children, by law, to report instances of suspected or actual abuse or neglect.
- □□ To require Heads of Agencies responsible for the education, care and welfare of children, such as schools, to report allegations of abuse made against employees of that agency.
- □□ To require organisations to screen employees who have contact with children either directly or indirectly.

The NSW Inter-agency Guidelines on Child Protection Intervention requires that employers make employees aware of the indicators of child abuse and neglect, their obligations to report suspected risk of harm from child abuse and neglect, and the procedures for reporting suspected child abuse and neglect. They are also to provide employees with training and development in the recognition and reporting of suspected risk of harm from child abuse and neglect, and standards for staff, student and residents regarding their relationship with children.

Children and Young Persons (Care and Protection) Act 1998

This legislation includes the requirements for mandatory reporting and the grounds on which reporting is to be made. In this legislation a child is defined as being under 16 years of age. Staff and managers are only mandated to report if the concerns arise in the course of their work. It is a personal choice to report concerns that arise in a person’s private life.

Children and Young Persons (Care and Protection) Act 1998 Section 23

A child or young person at risk of harm

A child or young person is at risk of harm if current concerns exist for the safety, welfare or well-being of the child or young person because of the presence of any one or more of the following circumstances:

- The child's or young person's basic physical or psychological needs are not being met or are at risk of not being met.
- The parents or other caregivers have not arranged, and are unable or unwilling to arrange, for the child or young person to receive necessary medical care.
- The child or young person has been, or is at risk of being, physically or sexually abused or ill-treated.
- The child or young person is living in a household where there have been incidents of domestic violence and, as a consequence, the child or young person is at risk of serious physical or psychological harm.
- A parent or other caregiver has behaved in such a way towards the child or young person that the child or young person has suffered, or is at risk of suffering, serious psychological harm.

Note: Sexual abuse may constitute an assault and can exist despite the fact that consent has been given.

Children and Young Persons (Care and Protection) Act 1998 Section 27

Mandatory Reporting

(1) This section applies to:

- A person who, in the course of his or her professional work or other paid employment, delivers health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly, to children, and
- A person who holds a management position in an organisation the duties of which include direct responsibility for, or direct supervision of, the provision of health care, welfare, education, children's services, residential services, or law enforcement, wholly or partly, to children.

(2) If:

- A person to whom this section applies has reasonable grounds to suspect that a child is at risk of harm, and
- Those grounds arise during the course of, or from, the person's work, the person must, as soon as practicable, report to the Director-General the name, or a description, of the child and the grounds for suspecting that the child is at risk of harm.

Ombudsman's Amendment (Child Protection and Community Service) Act 1998

This legislation deals with reports of child abuse against employees.

A report to the Ombudsman is required to be made by the Executive Officer when an employee of the Academy is implicated in any allegation of child abuse or neglect, has a conviction for, or has been subject to any disciplinary proceeding in relation to child abuse. This applies to allegations about the employee's behaviour in all situations, including the home and non-academy related activities. The Executive officer is generally the person who is mandated to act on behalf of the nominated agency with whom the Academy is registered.

The role of the Ombudsman's office is to monitor the investigation of, and sometimes investigate itself, all such incidents to ensure that the processes and systems for preventing child abuse in the organisation involved are as effective as possible.

Consequently, the kinds of incidents which must be reported to the Department of Education and Training under the Ombudsman Amendment (Child Protection and Community Services) Act are far broader than those which will be reported to DoCS, although any serious matters will be reported to both.

It will be the Department of Education and Training's responsibility to investigate and deal with matters reported to the Ombudsman, although the Ombudsman's office issues guidelines for conducting an investigation.

Commission for Children and Young People Act 1998

The Commission for Children and Young People Act established an independent Commission to undertake a broad range of child protection activities. In this legislation a child is defined as being under 18 years of age. The Department of Education and Training is the agency responsible for screening employees at SYA.

The Dept of Education and Training also maintains a database of all completed disciplinary proceedings against employees in child related employment. The academy will inform the Department of Education and Training of all relevant disciplinary proceedings against staff.

Child Protection (Prohibited Employment) Act 1998

This Act is designed to prevent people who have been the perpetrators of child abuse being employed in situations where they can have unsupervised access to children. *The Child Protection (Prohibited Employment) Act 1998* commenced in July 2000, and together with *the Commission for Children and Young People Act 1998*, makes up the Employment Screening Procedures (Working with Children Check) used in the employment of staff in schools and other educational facilities.

The *Child Protection (Prohibited Employment) Act 1998* makes it illegal to employ or engage anyone who has been convicted of a "serious sex offence". The Academy will carry out all screening in line with the requirements of the Act. Strict confidentiality will be maintained at all times to protect the child concerned and ensure protection for staff from defamation and other proceedings.

Links to other Policies and Documents

- Complaints Resolution Policy
- Course Enrolment Application
- Accommodation Booking Form

c) Principles underlying the Policy

The Child Protection Policy and Procedures apply to all Academy and ashram staff, long term residents (resident for longer than one month) and contract workers whether they are paid staff or volunteers.

The Academy is committed to:

- Providing Child Protection Procedures in line with current state legislation which will be reviewed whenever this legislation changes.
- Working with an ethos of continuing support and attention to duty of care for all children.
- Providing training for all staff, students and residents in recognising child abuse indicators, and their roles and responsibilities in regard to child protection legislation and the procedures to report concerns.
- Providing guidelines that define appropriate and non-appropriate behaviour for staff, students and residents.
- Supporting staff, students and residents in performing their duties in the confidence that they will be appropriately safeguarded against allegations that may be false or injurious.
- Supporting the role of all agencies in the investigation of suspicions of child abuse and neglect and reporting suspicions to the agency nominated by the Academy.
- Reporting to the Ombudsman any child abuse allegations and convictions made against an employee and ensuring they are investigated and appropriate action taken in relation to the finding.
- Ensuring that Prohibited Employment Declarations are completed by all volunteer staff, students and residents who are on campus for more than one (1) month.

d) Outcomes of this Policy

- Children at the residential centres are provided with an environment that enables them to develop physically, intellectually, spiritually and socially in conditions of freedom and dignity.
- Staff demonstrate a commitment to holding the interest and welfare of children to be of prime consideration.
- Children at the residential centres are protected from abusive experiences and staff are well-trained in child protection prevention and intervention.

e) Evidence of Compliance

- Register of Complaints and notification from Department of Community Services or other authority maintained.
- Training provided to staff, students and residents as appropriate.
- Prohibited Employment Declarations signed and recorded.

f) Child Protection Procedures**Guidelines for Staff, Students and Residents**

1. All staff, students and residents are to be mindful of the way they interact with children. An individual's interpretation or perception of a remark, or interaction in particular situations, may be very different from that intended by the staff member, student or resident.

Individuals should be particularly careful not to indulge in what could be interpreted as suggestive or flirtatious exchanges with children, e.g. inappropriate jokes, personal remarks, sexual innuendo in conversation.

2. If an individual discloses information relating to child protection issues it is important to remember that the individual or staff member's role (particularly in relation to children) is to listen actively to what the individual has to say, acknowledge that you have heard them but not to push for details or conduct an investigation (see Appendix 4: How to Deal With a Child Who is Disclosing).

It is not the role of a staff member to discuss details of/or question children should they be approached regarding a child protection disclosure. The information should be passed onto the Grievance Officer or Admin Director. It is the role of the Department of Community Services (DoCS) to question/discuss complaints with children and their families.

3. **Strict confidentiality is to be observed in dealing with all child protection complaints and issues**, i.e. individuals should not discuss a child protection complaint with colleagues. The Grievance Officer or Student Support Officer is available for consultation and reporting.

Centre Accommodation

- Children under 18 must be allocated a room with their parents, guardians or carers.
- Parents, guardians and carers are advised that no other adult should be permitted in a room with a child without the parent being present.
- Special needs relating to individual children's care are to be reported to admissions as soon as practical, to allow for special needs to be accommodated.

Parental/ Carer Responsibility

- Both Academy and ashram enrolment forms are to be signed by parents/carers accepting full responsibility for their children and their children's behaviour while on centre premises and immediate grounds.
- Parents/carers must take full responsibility for their children at all times while they are on the centre premises and immediate surrounds.
- Parents/carers are to provide a responsible adult to supervise the children when the parent/carer is not available.

Staff Screening

- Prohibited Employment Declaration to be completed by all staff, including voluntary, paid, short and long term, and all residents staying longer than one (1) month (e.g. those enrolled in Ashram Life Satra (Mangrove) or Sannyas Lifestyle (Rocklyn)).
- Persons unable to sign the Prohibited Employment Declaration will be referred to the Grievance Officer, Administration Director or Education Director for counselling.
- From time to time, Mangrove ashram engages paid or volunteer staff to provide Family Programmes - the programme leaders will be screened for Working with Children Employment Screening by the Department of Education and Training or other authorised agency.

Diploma of Satyananda Yoga Training Students

- The Prohibited Employment Declaration to be completed by applicants on enrolment in module Yogic Studies 4.

Affiliates

- Affiliated and Accredited Satyananda Yoga Teachers working with children and/or conducting “child” only classes should inform themselves about their child protection responsibilities.
- Affiliates or Accredited Teachers who are conducting children’s classes with other agencies are strongly advised to inform themselves of the agency’s Child Protection Policy and Procedures.

Training

Child Protection Orientation Training will be provided to:

- Paid staff and volunteers who work with children.
- Residents on the “Ashram Life Satra” and “Sannyas Lifestyle” programs.
- Module Yogic Studies 4 students.
- Affiliates at the annual in-service courses.

Rocklyn Ashram

- To follow procedures as per the Victorian Legislation.

REPORTING OF INCIDENTS OR CONCERNS

All Staff, Students and Residents

- Individuals who have reasonable grounds to suspect that a child or young person is at risk of harm, has been abused or neglected, or is at risk of abuse or neglect, are required to inform a Yogic Studies Coordinator, the Course Coordinator or other senior staff member.
- Individuals who have reasonable grounds to suspect that a child or young person is at risk of self-harm, including high-risk behaviours such as substance abuse, are required to inform a Yogic Studies Coordinator, the Course Coordinator or other senior staff member.
- This report may be made verbally but must be followed up in writing. The child’s permission to report is not required.
- All instances should then be reported to the Administration Director or Education Director. It then becomes the responsibility of the Administration Director or Education Director to decide if the matter is to be reported to DoCs.
- The young person (i.e. 16-17 years old) should be involved in the decision to report to the Department of Community Services (DoCS) and the process of reporting, unless there are exceptional reasons for excluding them. If the young person is against the report being made, this information must still be conveyed to DoCs, who will consider the young person’s wishes in any assessments and investigations.

The Yogic Studies Coordinator, the Course Coordinator, the Administration Director or Education Director will:

- Contact and consult with the Department of Community Services (DoCS) by the **DoCS Helpline on Phone: 132111**. This service operates 24 hours a day, 7 days a week.
- Follow DoCS advice and assistance in proposed action.
- Provide assistance and further information to DoCS if the report requires further action.

SYA will (to be determined on staff availability):

- Provide support and be available to an individual who has reported a child at risk of harm incident.
- Provide counselling or refer individuals involved to counselling and support services.

ALLEGATIONS AGAINST STAFF OR RESIDENTS

If the report concerns allegations against a staff member or resident,

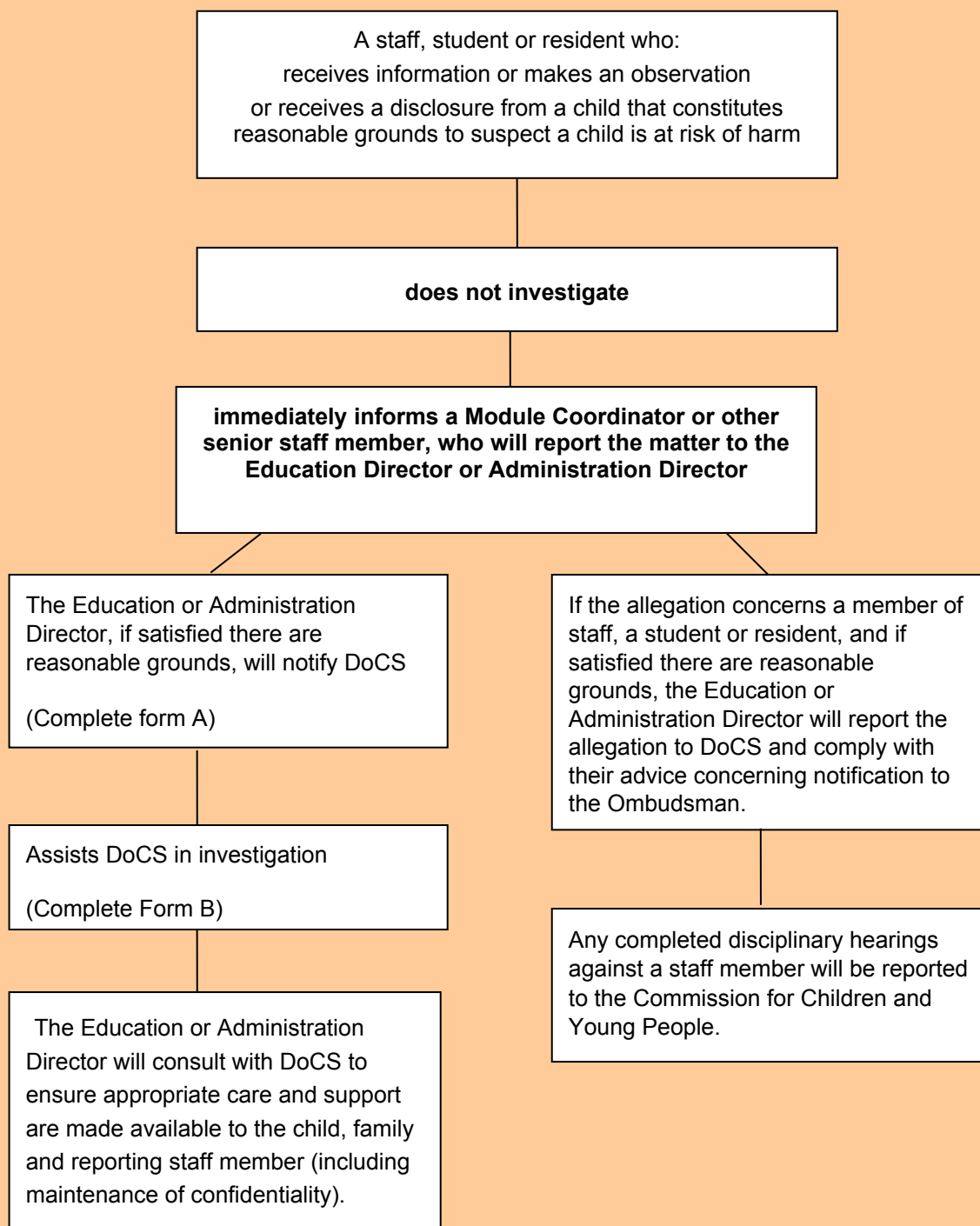
This report is to go directly to the Administration or Education Director, who will:

- Report the allegation to DoCs and/or Police if appropriate.
- Decide if the allegation needs to be notified to the Ombudsman.
- In consultation with the Department of Community Services (DoCS), assess the level of risk posed to a child/young person and take appropriate action.
- Suspend the staff member from duty while the report is being investigated.
- Take any further appropriate action regarding the staff member or resident as a result of the investigation.

Note: Allegations against the Administration Director or the Education Director should be made to one of the other parties.

For additional information on Child Protection, see the “Child Protection” folder on Education on Vishnu on the Mangrove network.

Step by Step Procedures for Reporting to DoCS suspected cases of children and young people at risk of harm



APPENDIX 1

FORM A

CONFIDENTIAL

Form for the notification to DoCS of suspected risk of harm

Name of child or young person: Date of Birth:

Home address: Postcode:

Home phone:

Name of parents or caregivers and relationship to child or young person:

Name: Name:

Phone no: Phone no:

Relationship: Relationship:

Notification made to the Department of Community Services (DoCS) helpline:

Date Time

Grounds for concern (including contact with the child by alleged perpetrator[s]):

.....
.....
.....

Do you consider the child's safety or well-being is at immediate risk? Why? (if necessary attach further information)

.....

If known, what are the wishes of the child or young person about this matter?

.....
.....

Where is the child at the time of notification?

.....

Other relevant information, including any known previous notifications and action, need for an interpreter, e.g. language, sign, etc (if necessary attach further information).

.....

Reference number allocated to this report by DoCS:

Grievance Officer's full name: Name: Satyananda Yoga Academy

Signature: Date:

Home: Fax:

2.6 Copyright Policy

Name:	Copyright Policy	Contact Officer:	Administration Director
Approving Authority:	Satyananda Yoga Academy	Date of Adoption:	20/5/02
Due for Review:	30/6/09	Last Amended:	12/3/08

Copyright Policy Statement

Satyananda Yoga Academy is committed to fulfilling its obligations to copyright holders by obtaining licenses and establishing procedures as required for educational institutions.

a) Definitions

Copyright material: those protected under copyright law, including:

- Written material, e.g. books, reports, journal articles
- Artistic works, e.g. paintings, photographs, maps, plans
- Music and dramatic works
- Computer software programmes
- Compilations of material, e.g. directories, databases
- Films and sound recordings
- Electronic material.

Copyright breach: Unauthorised copying of protected material, without permission or licence.

CAL licence: Licence issued by Copyright Agency Limited for an educational institution to use copyright material under specified conditions.

Under the CAL licence, an educational institution may copy:

- 10% or one chapter of a separately published literary, dramatic or musical work (of more than 10 pages), such as a textbook.
- One article from a periodical publication, such as a newspaper, or more than one article if they relate to the same subject matter.
- The whole of a literary or dramatic work published in an anthology, such as a poem or play, if that work comprises no more than 15 pages of the anthology.
- The whole of an artistic work, such as a photograph or diagram, that accompanies or explains text copied.
- The whole of a literary, dramatic, musical or artistic work that is not separately published.
- The whole of a literary, dramatic, musical or artistic work that is not available within a reasonable time (6 months for textbooks and 30 days for other material) at an ordinary commercial price.

An institution may make as many copies as it requires for the educational purposes of the institution. The copies must not be sold for a profit.

Penalties for copyright breach: Where copyright is infringed, the copyright owner generally has the right to bring an action against the infringer to recover damages or an account of profits. Damages is a sum of money intended to compensate the copyright owner for money lost, or spent, in respect of the infringement and will vary with the circumstances. An account of profits is the profit made by the infringer in selling the infringing copies.

In some circumstances infringement of copyright is a criminal offence to which fines and jail terms may apply. The criminal provisions generally apply to commercial piracy of records, videos and computer software.

There are also penalties for not cooperating with an inspection of premises by representatives of CAL.

Responsibility for copyright breach

The organisation can be liable for any unauthorised copies made using the organisation's equipment.

A teacher may infringe copyright if they authorise a student to make an infringing copy. Authorising an infringement may include directing or suggesting that a student copy material where that copying is an infringement because, for example, it falls outside the scope of the research or study exception or the educational copying licences. Generally, a teacher will not be liable for infringing copies made by a student on a photocopier in a library of the educational institution as long as the prescribed warning notice is placed near the machine. It is a good idea to have similar notices near other copying equipment such as computers.

Copying computer software: It is an offence to copy computer programs/software for sale, whether by an individual or a company. This extends to the copying of programs/software for personal use unless it is for research or study and is 'fair'.

Copyright and the Internet

Material found on the Internet is also subject to copyright. Downloading, printing or emailing material on to other people from a web site may constitute an infringement of copyright if the copyright owner's permission has not been obtained. Many documents on the web contain a statement regarding copyright. If a document or site does not contain a copyright notice then do not assume the material is copyright free. If possible, contact the general email address on the site (this may refer you to a web master) where copyright information and permission may be sought if required.

Playing music in the Centre

Unless a license is gained from the Australasian Performing Right Association (APRA), the Centre is unable to play music or permit staff to play music from a radio or television for the enjoyment of staff. If recorded music is to be played (i.e. CDs) then permission must be obtained from the Phonographic Performance Company of Australia (PPCA). Any speakers must not be located in an area which is accessible to clients or the general public.

b) References

Legislation:

- Commonwealth Copyright Act 1968
- Commonwealth Amendment (Digital Agenda) Act 2000

Links to other Policies and Documents

- Australian Copyright Council guidelines

c) Principles Underlying Policy

Satyananda Yoga Academy meets its obligations under Copyright law.

d) Outcomes of this Policy and Procedures

All copyright legislation is complied with.

e) Evidence of Compliance

Annual review of compliance.

f) Operational Procedures**The Administration Director will:**

- Obtain permission where required to use copyright material.
- Obtain, pay the required fees, and keep necessary records for a statutory licence for education institutions through the Copyright Agency Limited (CAL).
- Undertake to train staff about copyright obligations and include such training in induction of new staff.
- Place appropriate notices to inform staff and students near photocopiers, audio and audiovisual material, computers and scanners.
- Prohibit staff from illegally copying programs/software belonging to the Centre.
- Impose disciplinary action for breach of copyright policy.

g) Documents

- Signage

3 REGISTERED TRAINING ORGANISATION

3.1 Policies related to RTO Registration

Name:	RTO Policies	Contact Officer:	Quality Assurance Officer
Approving Authority:	Satyananda Yoga Academy	Date of Adoption:	25/5/02
Due for Review:	30/3/09	Last Amended:	12/3/08

RTO Policy Statement

Satyananda Yoga Academy is committed to meeting its obligations as a Registered Training Organisation in the issuing of qualifications, recognition of qualifications from other RTOs, applications for extension of its scope of registration, forming partnerships with other organisations and accuracy and integrity in marketing.

a) Definitions

Australian Qualifications Framework (AQF): Policy framework that defines all nationally recognised qualifications in post-secondary education and training in Australia.

Australian Quality Training Framework: The nationally agreed quality arrangements for the vocational education and training system agreed to by the Ministerial Council.

Registered Training Organisation: A training organisation registered in accordance with the standards of the Australian Quality Training Framework within a defined scope of registration.

Scope of Registration: The defined scope for which a training organisation is registered that defines the particular services and products that can be provided. These are training and assessment services under the Australian Qualifications Framework. An RTO may only advertise and issue AQF qualifications within its scope of registration.

Recognition: Applies nationally and means the recognition and acceptance by an RTO of AQF qualifications and Statements of Attainment issued by other RTOs. It also refers to the mutual recognition between State registering bodies of the courses accredited and decisions made by other registering bodies.

Partnership: An agreement with another organisation for that organisation to provide training and/or assessment on behalf of the RTO. This is not a mechanism for expanding the scope of the RTO.

b) References

Legislation

- NSW Vocational Education and Training Accreditation Act 1990
- Australian National Training Authority Act 1992

Links to other policy and documents

- AQTF 2010 Standards for Continuing Registration
- VETAB Accreditation Guidelines

c) Principles Underlying Policy

Satyananda Yoga Academy complies with the AQTF 2010 Standards for Continuing Registration.

d) Outcomes of this Policy and Procedures

- AQF Qualifications are issued in accordance with AQFT standards.
- Recognition standards with other RTOs are met.
- Applications for extension of scope meet AQFT standards.
- Partnerships with other organisations demonstrate compliance with AQTF Standards.
- Marketing is accurate.

e) Evidence of Compliance

- All AQTF 2010 Standards are met.

f) Operational Procedures**Issuing a qualification****The Education Director will:**

- Determine when the requirements for an AQF qualification or Statement of Attainment have been met according to the accreditation criteria of the Training Package.

The Registrar will:

- Prepare the appropriate qualification form, including the following:
 - Details of the issuing body - Satyananda Yoga Academy with code number and logo.
 - Legal name of person receiving the qualification
 - Nomenclature as in the Framework, e.g. Certificate 1, Diploma.
 - Industry descriptor, occupational or functional stream in brackets.
 - The words - "the qualification certified herein is recognised within the Australian Qualifications Framework".
 - Date issued.
 - Authorised signature of the Education Director.
 - Ensure that student results records contain sufficient information to enable the statement of attainment of qualification to be re-issued.

Recognition of Qualifications from other RTOs**The Education Director will:**

- Ensure information about recognition is included in all marketing material, including the website and Course Handbook.
- Direct that applications for credit based on AQF Qualifications or Statements of Attainment are verified by the Academy's registrar, and a verified copy placed on the student's file.
- Once the qualification is verified, give the student exemption for the units of competency or modules identified in the qualification and direct the Registrar to update the student's records accordingly.
- Ensure information on recognition is included in the RTO Staff Handbook.
- Remind Course Coordinators and those dealing with student enquiries of this policy at the commencement of each enrolment period.

Extension of Scope**The Education Director, acting on a direction from management to apply for an extension of scope, will:**

- Identify the appropriate qualifications and training package/course to be offered.
- Contact the relevant industry training board for advice and recommendation.
- Identify the resources needed to support delivery of the new qualification.

The Quality Assurance Officer will:

- Conduct an internal audit of compliance with the AQTF 2010 Standards
- Apply for variation of scope to VETAB in accordance with their procedures.

Expiry of accredited courses**The Education Director will:**

- Manage the transition from an expired or superseded accredited course to the new accredited course/s so that:
 - Currently enrolled students are “taught out” or provided with transition arrangements for enrolment in the new accredited course
 - Only currently endorsed accredited courses are delivered

Partnership Procedure

Where the Academy engages, or is engaged by, another organisation for VET assessment, training and/or certification services, it will have a written agreement with the other organisation.

The Quality Assurance Officer will:

- Keep a ‘Register of Partnerships’ of all such agreements and shall forward a copy of the agreement to the other organisation. Written agreements with other organisations will include the following:
 - The name and address of both organisations.
 - The name of the Executive Officer (EO) of both organisations.
 - The name and contact details of the primary contact at the other organisation.
 - The program offered, including the relevant Training Package qualification or accredited course and the units of competency or modules, including the code and title.
 - A list of services offered by the other organisation, e.g. training and/or assessment.
 - A statement outlining the level of service offered, e.g. ‘the Academy as RTO, will provide all training and assessment staff’.
 - A statement acknowledging that the RTO is always responsible for training, assessment and certificates issued in its name.
 - A verified copy of the RTO’s Certificate of Registration and Scope Certificate.
 - Signatures of the executive officers of both organisations.
 - Dates for the period of the agreement.
 - Fees related to the agreement.
- Enter the details of the agreement on the ‘Register of Partnerships’ and ensure the other organisation has a copy of the agreement and understands its responsibilities.

Accuracy and Integrity of Marketing**The Administration Director will:**

- Ensure that all advertising and marketing material meets the following requirements:
 - The Nationally Recognised Training (NRT) logo will be used on AQF Qualifications and Statements of Attainment only within SYA’s scope of registration and in accordance with the Nationally Recognised Training Logo Specifications.
 - The NRT logo will only be used in advertising in relation to AQF Qualifications and Statements of Attainment within SYA’s scope of registration and in compliance with these procedures for SYA advertising.

- The use of all other logos in marketing and advertising material will be strictly in accordance with the agreement with the body authorising their use.
- The use of the words: “Nationally Recognised Training”, “VETAB Recognised Training” and “Registered by VETAB to issue the following qualifications” will only be used in marketing and advertising material in accordance with SYA scope of registration.
- Prior written permission must be obtained on the appropriate consent form for any reference or photo of any person or organisation used in SYA advertising and the conditions of that permission complied with.
- All marketing material and advertising must be submitted to the Administration Director at the draft stage for authorisation prior to posting on the website, or preparation for printing.
- Once authorised, the Administration Director will sign the draft, giving approval for publication.

The Education Director will:

- Check all information relating to training and assessment for accuracy before the draft is submitted for authorisation.
- Check all material to ensure that only qualifications within SYA's scope of registration are advertised as AQF qualifications.
- Ensure all qualifications are listed by their correct and complete titles.
- Ensure that nationally recognised and non-nationally recognised training programs that appear in the same advertisement are clearly distinguished by either the use of the NRT logo, physical separation or other methods that clearly identify the difference.
- Ensure that if AQF qualifications are offered under a partnership arrangement, the advertisement/marketing material will clearly state which RTO will issue the qualification.

g) Documents

- Qualification and Statement of Attainment pro-formas
- RPL documentation
- Register of Partnerships.