



PARTICIPANT HANDBOOK

This Participant Handbook
has been prepared for the participants of:

Komatsu Training Academy (RTO)

ABN: 71 143 476 626

ACN: 143 476 626

Address: 453 Sherwood Road
SHERWOOD QLD 4075

Phone: 1300 390 377

Email: admin@komatsulearning.com.au

Web: [Komatsu Training Academy](#)

Version: 10 (May 2020)

TABLE OF CONTENTS

Message from the General Manager	6
OVERVIEW	7
Regulatory Framework	7
Overview of Komatsu Training Academy	7
The ‘student Journey’	8
KTA Organisational Structure	9
Komatsu Training Academy (KTA) Courses	10
How is Training Delivered?	10
What are the Pre-requisites?	10
How do I Enrol?	10
Our Trainers	11
Our Approach	11
Participant Protection	11
PARTICIPANT SERVICES AND SUPPORT	12
Client focus	12
Participant advice	12
Participant information policy	13
Participant Selection and Enrolment Procedure	14
Participant Selection	14
Enrolment	14
Pre-enrolment Questionnaire	15
Pre-course Letter	15
Induction	16
Participant support	17
Flexible Delivery and Assessment Procedures	18
Reasonable Adjustment	18
Access and Equity	19
Language, Literacy and Numeracy Assistance	20
Code of Conduct	22
Professional Behaviour	22
Plagiarism	22
FEE INFORMATION	23
Fees and charges	23
Fee structure Fee for Service Participants – Qualifications	23
Payment Schedule – Qualifications	23
User Choice Participants (QLD)	24
Smart & Skilled Participants (NSW)	24
Payment in Advance	24
Corporate Clients – Qualifications	25
Payment	25
Fee for Service – Short Courses	25
Other Fees	26

Withdrawal Fee	26
Re-submit Fee	26
Re-assessment Fee	26
Produce Partial Completion Statement of Attainment	26
Re-print Certification	26
Methods of Payment	26
GST	26
Payment Receipts	27
Refunds	27
Fee For Service (FFS) Refund	27
Prior to Commencing Training – Qualifications and Short Courses	27
User Choice Refund – Student Contribution Fees (QLD)	27
Corporate Clients / Smart & Skilled NSW Participant Fees (if applicable)	27
Protecting fees	28
Protecting Participants who do not prepay in advance	28
Protecting Participants where course fees are less than \$1500	28
Third Party Training	28
Smart & Skilled Participants (NSW) – Consumer Protection Information	28
TRAINING AND ASSESSMENT	29
Principles of Training and Assessment	29
Principles of Assessment	29
Rules of Evidence	30
Assessment Policy	31
Connecting Training and Assessment with Industry	31
Industry Engagement	31
Apprenticeships and traineeships	32
RECOGNISING QUALIFICATIONS AND PRIOR LEARNING	33
Unique STUDENT Identifier	33
Recognising Qualifications from another RTO	33
Credit Transfer	34
Recognition of Prior Learning (RPL)	34
KTA Recognition of Prior Learning Process	34
RPL Fee	34
RECORDS	35
Record keeping procedures	35
Completed Assessments	35
Results of Assessment Records	35
AVETMISS Reporting	36
Access to Records	36
Access to Participant Records	36
Participant Access to Records	36
Privacy	37
Security	37
Ceasing Operation	37
COMPLAINTS AND APPEALS	38

Complaints	38
Appeals	39
Complaints/Appeals Procedure	39
Informal Complaint/Appeal	39
Formal Complaint/Appeal	40
Delayed Processes	40
LEGISLATIVE REQUIREMENTS	41
Current Legislation	41
KTA Legislation Implementation	42
Work, Health and Safety Policy	42
Harassment and Discrimination Policy	43
Working with Persons Under 18 Years of Age	44
Consumer Rights	45
Contractual Agreement	45
Privacy Principles	45
Copyright	47
Vocational Education and Training Regulations	47

Message from the General Manager

As General Manager of this organisation, I can assure participants that I fully support the implementation of all Quality, Management and Operational Functions articulated in this Participant Handbook. I will ensure the Komatsu Training Academy (KTA) team and I adhere to our underlying philosophy of Continuous Quality Improvement in all aspects of KTA's Operations. We welcome your input to ensure that our services meet your expectations.

This Participant Handbook provides the direction that informs and guides KTA towards the provision of best practice in Training Development, Management and Service Delivery. For KTA, it will facilitate compliance with the standards regulated by the Australian Skills Quality Authority. For clients of KTA, it will ensure that their investment in training provides the best possible training experience and outcomes.

Thank you for choosing KTA to deliver your training needs. We trust that this Participant Handbook will provide the information you need to proceed with your enrolment and successfully complete your training. Prior to enrolment in one of our courses, you will have an opportunity to discuss the information in this Participant Handbook with a member of the KTA team who will confirm that you have had a chance to consider this information. If you have any questions prior to enrolment or at any time in the future, please don't hesitate to contact myself or members of the team.

Sincerely,

Janine Gurney

Komatsu Training Academy

General Manager – KTA:	Janine Gurney
National Training Manager – RTO:	Tracey Campbell
Telephone Number:	1300 390 377
Address:	453 Sherwood Road SHERWOOD QLD 4075
Inquiry email address:	admin@komatsulearning.com.au
RTO Registration Number:	90996

OVERVIEW

REGULATORY FRAMEWORK

As a Registered Training Organisation, Komatsu Training Academy (KTA) is subject to the regulatory framework that governs the Australian Vocational Education and Training sector and protects both Registered Training Organisations (RTOs) and participant's. The legislative framework established by the [National Vocational Education and Training Regulator Act 2011](#) and related legislation, empowers the *Australian Skills Quality Authority (ASQA)* as the national regulator for Australia's vocational education and training sector. ASQA regulates courses and training providers according to the *Standards for Registered Training Organisations 2015* to ensure *Nationally Approved Quality Standards* for training are met.

The VET Quality Framework is comprised of:

- Standards for Registered Training Organisations (RTOs) 2015
- Australian Qualifications Framework
- Fit and Proper Person Requirements 2011
- Financial Viability Risk Assessment Requirements 2011
- Data Provision Requirements 2012

OVERVIEW OF KOMATSU TRAINING ACADEMY

KTA recognises the importance and benefits of combining Industry Experience with Tertiary Education when striving to deliver Programs of highest quality and relevance to the client. All Trainers and Assessors employed or contracted by KTA have demonstrated significant Industry experience in addition to obtaining Tertiary Qualifications, allowing them to provide a professional, well rounded learning environment for participant's. Staff are equipped with the skills to ensure their teaching methods are suitable for all participant's, utilising simple language where appropriate to communicate information most effectively. KTA strictly adheres to the *Standards for Registered Training Organisations 2015* to continue delivering training services of the highest quality to their clients.

The CEO recognises that opportunities for improvement arise in every aspect of business and has developed an organisational culture within KTA to capitalise on these opportunities for improved practice. KTA supplies feedback forms to all participants at the end of each program, as participant feedback has been identified as an important and valuable factor in monitoring and developing business practices and quality training, ensuring the ever-changing needs and expectations of clients are being met. The CEO also welcomes feedback from other improvement opportunities such as risk assessment, participant's suggestions, complaints and appeals, validation sessions and audit reports.

Participant feedback is critical to our continuous improvement policy. Along with the formal feedback mentioned earlier, participants are encouraged to give feedback throughout their enrolment.

To encourage and achieve continuous improvement based on the collection of the data, KTA has developed a best practice register which will include a written record of all improvement strategies.

THE 'STUDENT JOURNEY'

Komatsu Training Academy's General Manager has identified the audit approach implemented by ASQA since June 2016. This represents a change to the traditional audit approach applied by regulators.

Key features include:

- greater use of risk analysis and intelligence to trigger audits ('proactive regulation')
- greater focus on the participants experience and RTO's practices and behaviours
- options for longer, standard or earlier notice periods
- scope of audit is flexible, based on intelligence and provider profile
- information used to inform audit drawn from a wider range of sources including intelligence from other government agencies
- greater participant input
- audit outcomes reported against the phases of the participants' experience.

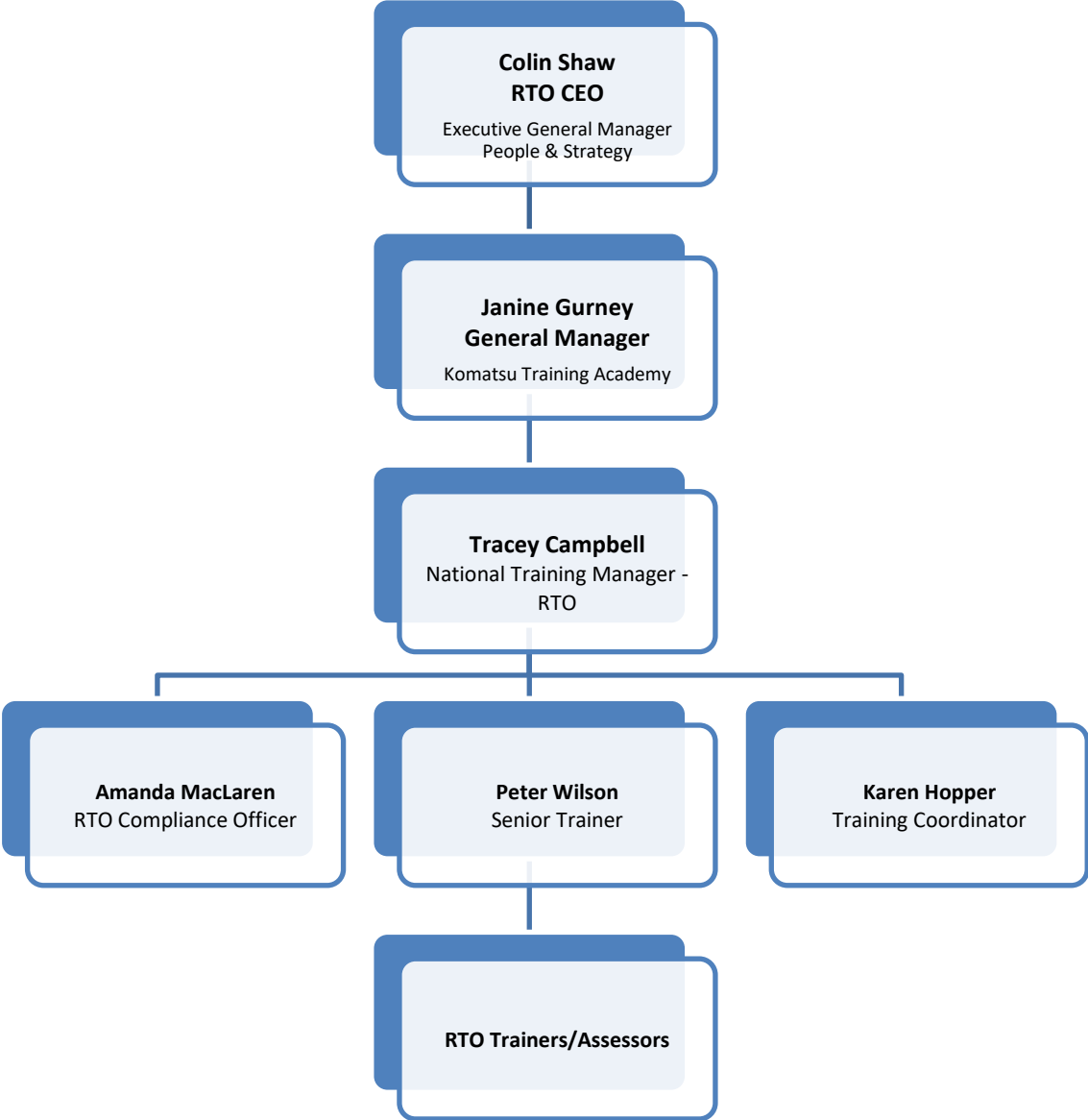
Key phases of the 'participant experience' include:

- marketing and recruitment
- enrolment
- support and progression
- training and assessment
- completion.

Throughout KTA's Participant Handbook, Quality Management and Operational Framework policies, systems and procedures support ASQA's audit model. Each staff member and in particular each Trainer and Assessor will ensure the participants experience will provide the best opportunity for a positive vocational outcome.

We sincerely hope your journey, as a participant with KTA will be most enjoyable.

KTA ORGANISATIONAL STRUCTURE



This organisational chart illustrates the lines of communication between the Management and Trainers which ensures decision making which impacts on participants is informed by the experiences of Trainers and Assessors.

KOMATSU TRAINING ACADEMY (KTA) COURSES

What courses can I study with KTA?

Currently KTA is able to offer participants accredited training in the following

Qualifications:

- **AUR30316** – Certificate III in Automotive Electrical Technology
- **AUR31216** – Certificate III in Mobile Plant Technology
- **MEM30205** – Certificate III in Engineering - Mechanical Trade
- **MEM30219** – Certificate III in Engineering - Mechanical Trade
- **MEM30305** – Certificate III in Engineering - Fabrication Trade
- **MEM30319** – Certificate III in Engineering - Fabrication Trade
- **MEM30419** – Certificate III in Engineering – Fixed and Mobile Plant Mechanic
- **RII30815** – Certificate III in Civil Construction Plant Operations
- **BSB30115** – Certificate III in Business
- **BSB51918** – Diploma of Leadership and Management

Units of competency:

- **CPCCWHS1001** – Prepare to Work Safely in the Construction Industry
- **HLTAID001** – Provide Cardiopulmonary Resuscitation
- **HLTAID003** – Provide First Aid
- **RIISAM301E** – Test Operational Functions of Vehicles and Equipment
- **TLILIC0003** – Licence to Operate a Forklift Truck
- **UEENEEP022A** – Disconnect and reconnect 3.3 kV Electric Propulsion Components of Self-Propelled Earth Moving Vehicles. *Pre-requisite unit: UEENEEE101A – Apply Occupational Health & Safety regulations, Codes & Practices in the Workplace
- **UETDRRF06** – Perform Rescue from a Live LV Panel

After you have met the requirements of your course, you will be issued the relevant Qualification with an academic transcript listing all the units of competency you have achieved. Nationally recognised qualifications are made up of individual units of competency. If you do not meet all of the course requirements but have completed the requirements for one (1) or more units of competency, you will be issued an AQF Statement of Attainment for the unit(s) you have completed.

How is Training Delivered?

Training courses with KTA are delivered by:

- face to face classroom training
- workplace based training
- blended learning (combination of the above).

What are the Pre-requisites?

Prerequisites are specific to individual courses. Please consult the course outline for your choice course for prerequisite information.

How do I Enrol?

Enrolment is initiated by you contacting KTA. We will despatch to you by suitable means an enrolment form and literature on the course(s) being considered and any other relevant documentation.

All participants will receive:

- course brochure
- pre-course letter covering course information and requirements
- enrolment form
- participant handbook
- induction checklist to identify participant needs.

Further detail is provided in section on [Participant Selection and Enrolment Procedure](#) page 14.

Our Trainers

KTA recognises the importance and benefits of combining industry experience with tertiary education when striving to deliver programs of highest quality and relevance to the client. All trainers and assessors employed by KTA have demonstrated significant industry experience in addition to obtaining tertiary qualifications, allowing them to provide a professional, well rounded learning environment for participants. Staff are equipped with the skills to ensure their teaching methods are suitable for all participants, utilising simple language where appropriate to communicate information most effectively. KTA strictly adheres to the *Standards for Registered Training Organisations 2015* to continue delivering training services of the highest quality to their clients.

Our Approach

The CEO recognises that opportunities for improvement arise in every aspect of business and has developed an organisational culture within KTA to capitalise on these opportunities for improved practice. KTA supplies feedback forms to all participants at the end of each program, as participant feedback has been identified as an important and valuable factor in monitoring and developing business practices and quality training, ensuring the ever-changing needs and expectations of clients are being met. The CEO also welcomes feedback from other improvement opportunities such as risk assessment, participant suggestions, complaints and appeals, validation sessions and audit reports.

As a participant with KTA, your feedback is critical to our continuous improvement policy. Along with the formal feedback mentioned earlier, participants are encouraged to give feedback throughout their enrolment.

In order to encourage and achieve continuous improvement based on the collection of the above-mentioned data, KTA has developed a best practice register which will include a written record of all improvement strategies.

Participant Protection

It is the intention of the CEO of KTA that all participants will receive the full training services paid for at all times, including but not limited to training and assessment, assessment only, recognition of prior learning or short courses. The continuous improvement and quality management practices employed by KTA CEO and staff are designed to proactively identify any anomaly that might cause a business interruption or training failure and address this situation before any participants are affected.

The corporate structure, governance and financial management systems and processes guarantee the training for participants enrolled with KTA. This guarantee in no way ensures a successful qualification outcome. KTA will work with the affected participants to ensure their rights are protected. This may include but is not limited to:

- a pro-rata refund of course fees
- facilitating the transfer of the participant's study to another suitable RTO.

PARTICIPANT SERVICES AND SUPPORT

CLIENT FOCUS

KTA is committed to delivering high quality services that support participants throughout their training and assessment. This commitment is based on a client focused operation that produces the best possible outcome for participants. KTA will ensure participants are informed of the services they are to receive, their rights and obligations, and the responsibilities of the RTO. Participants who undertake training with KTA receive every opportunity to successfully complete their chosen training program. KTA will provide participants with information prior to commencement of services including any subcontracting arrangements affecting the delivery of training and/or assessment.

KTA takes a systematic approach to establish and recognise the needs of each client. It is a requirement that all staff members do their utmost to meet the needs of participants. Where a participant need is outside the scope or skill of the organisation they will be referred to an appropriate service or an alternate training organisation.

PARTICIPANT ADVICE

KTA delivers specialised training and assessment services¹. As such, it is vital that all participants are informed of and understand the extent of the training course that they are enrolling in. KTA has in place a process and mechanism to provide all clients information about the training, assessment and support services to be provided, and about their rights and obligations, prior to enrolment or entering into an agreement.

In summary, KTA will provide:

- training programs and services that promote inclusion and are free from discrimination
- support services, training, assessment and training materials to meet the needs of a variety of individual participants
- consideration of each individuals needs to provide the best opportunity for skill development and attainment of qualifications that can lead to further training or employment
- Opportunity for consultation between staff and participants so that all aspects of individual circumstances can be taken into consideration when planning training programs
- consideration of the views of participants' community, government agencies and organisations, and industry when planning training programs
- access to information and course materials in a readily available, easily understood format
- information to assist participants in planning their pathway from school or the community to vocational education and training.

¹ Services include:

- (a) Pre-enrolment materials;
- (b) Study support and study skills programs;
- (c) Language, Literacy and Numeracy (LLN) programs or referrals to these programs;
- (d) Equipment, resources and/or programs to increase access for students with disabilities;
- (e) Learning resource centres;
- (f) Mediation services or referrals to these services;
- (g) Flexible scheduling and delivery of training and assessment;
- (h) Counselling services or referrals to these services;
- (i) Information technology (IT) support;
- (j) Learning materials in alternative formats, for example, in large print; and
- (k) Learning and assessment programs customised to the workplace.

While KTA guarantees that all participants will receive the full training services paid for, it does not guarantee a participant will successfully complete the course in which they are enrolled or that the participant will obtain a particular employment outcome outside the control of KTA.

PARTICIPANT INFORMATION POLICY

KTA will provide all relevant information and directions to each participant prior to enrolment as part of the participant induction to enable the participant to make informed decisions about undertaking training with KTA. This information will be clear and readily available in print or referral to an electronic copy. This will include details required to source the KTA Participant Handbook , available as PDF document via <https://www.komatsu.com.au/support/komatsu-training-academy/training-support-documents>.

KTA will provide the following information specific to each participant:

- the code, title and currency of the AQF qualification, skill set or VET course to which the participant is to be enrolled, as published on the National Register the services the RTO will provide to the participant including the:
 - estimated duration of the services
 - expected locations at which the services will be provided
 - expected modes of delivery
 - name and contact details of any subcontractor which will provide training and assessment to the participant
- the participant’s obligations including any requirements that KTA requires the participant to meet to enter and successfully complete their chosen AQF qualification, skill set or VET course
- any materials and equipment that the participant must provide; the educational and support services available to the participant

Where there are any changes to agreed services, KTA will advise the participant in writing and with a follow-up telephone call as soon as practicable, including in relation to any new third-party arrangements or a change in ownership or changes to existing third-party arrangements if applicable.

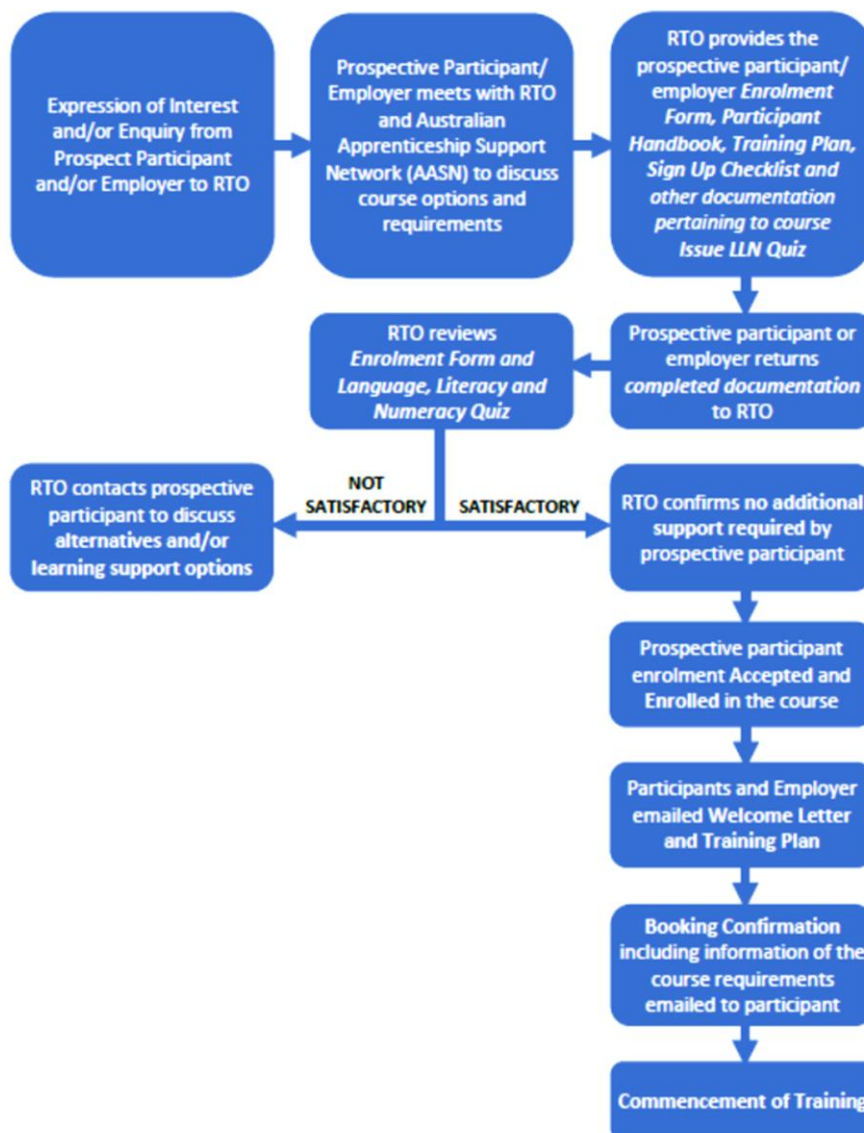
PARTICIPANT SELECTION AND ENROLMENT PROCEDURE

Participant Selection

Enrolment and admission into some KTA training programs is subject to meeting certain prerequisite conditions and/or entry requirements. Specific details of the prerequisites pertaining to these training programs are contained in individual course documentation and are made available prior to enrolment. In the case that a potential participant does not meet the prerequisite conditions and/or entry requirements, KTA staff will endeavour to assist them in understanding their options in regard to meeting the standards. Any questions regarding these arrangements can be addressed by trainers or KTA Management.

Enrolment

Komatsu Training Academy Enrolment Flow Chart
Apprenticeships / Traineeships



The enrolment procedure commences when a participant contacts KTA expressing interest in a training program(s). KTA staff will respond by dispatching by suitable means an enrolment form, Participant Handbook, literature on the program(s) being considered and any other documentation which may be relevant.

Enrolment applications will then be assessed to ensure that the participant meets any prerequisites and/or entry requirements that have been set for the selected course. Participants will be informed of successful enrolment and sent information on the course and their course induction. Participants who do not meet the prerequisites for the selected course will be notified of their unsuccessful enrolment and invited to contact KTA to discuss their training needs and alternative opportunities.

Pre-enrolment Questionnaire

A pre-enrolment questionnaire is provided to each participant. Questions are designed to identify the participant's needs, so KTA staff members can evaluate any requirements the participant may have to improve his/her learning experience and outcome.

The designated KTA staff member will receive and assess each participant's pre-enrolment questionnaire. Based on the information in the checklist, the enrolment form, interview, induction and any other relevant correspondence and conversation, KTA staff and management may offer additional support.

Examples of the support services may include:

- study support and study skills programs
- language, literacy and numeracy (LL&N) programs or referrals to appropriate programs
- equipment, resources and/or programs to increase access for participants with disabilities
- learning resource centres
- mediation services or referral to appropriate services
- flexible scheduling and delivery of training and assessment
- counselling services or referral to appropriate services
- information technology support
- Learning materials in alternative formats i.e. large print
- learning and assessment programs customised to the workplace

Pre-course Letter

As an additional support to enrolling participants, KTA will send a pre-course letter to the participant prior to the commencement of training. Information includes the time, date and location of training, the resources the participant should bring to the course and overview of the units of competency to be studied and the format/style of training to be provided.

Induction

On successful completion of the enrolment process, all participants will undergo an induction program which will cover:

- confirmation of the Accredited Course being delivered, including participant documentation and other information relevant to specific Course being enrolled in
- introduction to relevant key members of KTA Training Staff
- outline of the participant, employer and RTO responsibilities
- overview of KTA facilities
- eligibility criteria explained and confirmed
- aptitude to take verbal instruction
- enrolment form completed
- RPL and credit transfer process (if applicable)
- records of previous training - Statements of attainment collected (if any)
- LLN explained and conducted
- Guardians' roles and responsibilities (if under 18 years old)
- PPE requirements (where required)
- classroom attendance and absenteeism expectations
- quality indicator surveys
- employer Verification (Supervisory arrangements)
- facilities and range of work identified
- ascertain best contact number and email address of supervisor
- participant contribution fees (if applicable)
- timing and collection of invoicing for associated fees
- exemptions and concessions (if applicable)
- concession documents copied and retained (if applicable)
- Participant Handbook explained
- refund policy explained (in Participant Handbook)
- training record book explained
- training plan explained
- expected training delivery dates discussed
- workplace visits explained
- training plan declaration signed and dated by all parties
- training and assessment methodologies being used in their specific course which will include timeframes for assessment
- random drug and alcohol testing
- outline of traineeship/apprenticeship requirements, if you are undertaking the study as part of a traineeship/apprenticeship
- overview of the support services offered by KTA, especially for those participants who might require additional language, literacy or numeracy support
- explanation of the appeals and complaints procedures
- career and AQF pathways available to participants.

PARTICIPANT SUPPORT

KTA will make all reasonable effort and utilise a variety of available methods to assist all participants in their efforts to complete training programs. KTA will determine the support needs of individual participants and provides access to the educational and support services necessary for the individual participant to meet the requirements of the AQF qualification, skill set, or VET course as specified in training packages or VET accredited courses. KTA will continue to develop strategies to make support available where gaps are identified. KTA can be contacted via their website or directly as per below:

Contact us

Komatsu Training Academy

Phone: 1300 390 377

Email: admin@komatsulearning.com

Support provided by KTA may include specific requests such as: *these may vary from State to State

- what the enrolled participant should do if they want to defer or discontinue their training
- how to access support and assistance during their training (if required)
- contact details for various types of specialised support services eg. Interpreter services

Trainers are responsible for ensuring that all participants are aware they can contact their trainer or other KTA staff members if they are experiencing difficulties with any aspect of their studies. Staff will ensure participants have access to the full resources of KTA to assist them in achieving the required level of competency in all nationally recognised qualifications.

If a participant is experiencing personal difficulties, training staff will encourage the participant to contact KTA who will provide discreet, personalised and confidential assistance as according to the nature of the difficulties.

If a participant's needs exceed the capacity of the support services KTA can offer, they will be referred to an appropriate external agency. Extensive information regarding support agencies, resources and services may be sourced online. KTA staff members will assist participants to source the appropriate type and level of support in each participants State depending upon their specific needs.

Some examples of specialist support agencies KTA has engaged include:

EAP	Employee Assistance Program: Hunterlink National ph: 1800 554 654
Reach Out	Reach Out helps supports people with issues such as drug taking, alcohol, gambling or gaming addiction http://au.reachout.com/tough-times/addiction as well as other issues such as surrounding how to cope with stress and depression etc. http://au.reachout.com
Counselling Online	Counselling Online is a free 24/7 drug and alcohol counselling service that supports people affected by alcohol and drugs. For any drug and alcohol-related queries there is email support or phone counsellors available. For support in each State contact the National Alcohol and Other Drug Hotline on 1800 250 015 http://www.counsellingonline.org.au/contact-us
Head Space	eheadspace is an online and telephone service which supports young people aged between 12- 25 and their families going through a tough time. There is help in person at headspace centres located in each State. Ph: 1800 650 890 http://www.eheadspace.org.au/contact-us

Counselling services	referral to appropriate 24/7 services such as:
	Beyond Blue ph: 1300 224 636 http://www.beyondblue.org.au
	Lifeline ph: 13 11 14 http://www.lifeline.org.au
Reading and Writing Hotline	www.readingwritinghotline.edu.au/information-and-advice ph: 1300 655 506. In addition, there are also numerous adult reading / writing apps for smart phones/tablets aimed at supporting literacy.
LLN Training Courses provided by local TAFE Colleges	These institutes have specialist LLN Teachers and Services to support individual participants own level of development and can be accessed via a Google Search of local TAFEs and LLN specialist course availability.

Flexible Delivery and Assessment Procedures

KTA recognises that some people are better suited to learning via teaching methods not usually obtained in the traditional classroom setting. With some minor adjustments to teaching and assessment methods, a participant who is experiencing difficulty learning and achieving the desired results in the traditional setting may show considerable improvements.

The staff and management of KTA respect these differences among participants and will endeavour to make any necessary adjustments to their methods in order to meet the needs of a variety of participants. For example, the inability to complete a written assessment will not be interpreted as a sign of incompetence, provided the participant can verbally demonstrate competency.

Acceptable adjustments to teaching and assessment methods may include but are not limited to; having a trainer read assessment materials to participants, having a participant's spoken responses to assessment questions recorded or allowing a participant to sit for an assessment alone in a different room.

KTA staff will pursue any reasonable means within their ability to assist participants in achieving the required competency standards. In the event that a participant's needs exceed the capacity of the support services KTA can offer, they will be referred to an appropriate external agency.

Reasonable Adjustment

Reasonable adjustment means adjustments that can be made to the way in which evidence of participant performance can be collected. Whilst reasonable adjustments can be made in terms of the way in which evidence of performance is gathered, the evidence criteria for making competent/not yet competent decisions (and/or awarding grades) should not be altered in any way. That is, the standards expected should be the same irrespective of the group and/or individual being assessed; otherwise comparability of standards will be compromised.

ACCESS AND EQUITY

KTA is committed to practicing fairness and providing an equal opportunity for all current and potential participants to access and participate in learning, and to achieve their learning outcomes regardless of age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or remote location that may present a barrier to access, or any other perceived difference in class or category. KTA ensures that its practices are as inclusive as possible and do not unreasonably prevent any clients from accessing its services. KTA will address access and equity matters as a nominated part of operational duties.

If a participant identifies with one or more of the following priority groups, he/she may be able to receive additional assistance:

- Aboriginal and/or Torres Strait Islander people
- Carers of people who are ill, aged or who have a disability
- People with a disability
- Women and girls who are returning to education and training
- Women and girls who are seeking training opportunities in non-traditional roles
- Young people aged 15 to 25
- Australian South Sea Islanders
- Parental job seekers
- People with English language, literacy and numeracy needs
- Mature aged workers who require up skilling
- Long term unemployed and disadvantaged jobseekers
- People from different cultural and ethnic backgrounds
- People who speak a language other than English

KTA has developed this quality management and operational framework to guide and inform all staff and participants in their obligations regarding access and equity. Upon induction into KTA, all staff is provided with copies of the policies which they must adhere to throughout all their operations as an KTA staff member. Participants are made aware of the access and equity policy via the KTA Participant Handbook and informed of their rights to receive access and equity support and to request further information.

KTA access and equity policies are in place to ensure that training opportunities are offered to all people on an equal and fair basis in all circumstances, irrespective of their gender, culture, linguistic background, race, socio-economic background, disability, age, marital status, pregnancy, sexual orientation or carer's responsibilities.

Practicing these policies will guarantee that any participant who meets KTA entry requirements will be accepted into any training programs. If any participant or staff member have issues or questions regarding access and equity, or believes they have been treated unfairly, they will be directed to KTA management for consultation.

LANGUAGE, LITERACY AND NUMERACY ASSISTANCE

KTA course information and learning materials contain written documentation and in some cases, numerical calculations.

KTA recognises that not all participants will have the same level of ability in relation to reading, writing and performing calculations. All participants enrolling into a nationally recognised qualification will undertake a Language, Literacy and Numeracy Quiz (LLN), which is conducted online via LLN robot. LLN Robot is an online system that combines ACSF Testing, Course Profiling and LLN Support.

A LLN Quiz will be provided to assess the participant's ability prior to enrolment. This process is to ensure that all participants who commence a training program possess the skills required to understand the presented material and complete assessments.

Participants must satisfactorily complete Komatsu Training Academy's LLN Quiz to a minimum of the following standards aligned with the Australian Core Skills Framework (ACSF):

- Learning – ACSF Level 3
- Reading – ACSF Level 3
- Writing – ACSF Level 3
- Oral Communication – ACSF Level 3
- Numeracy – ACSF Level 3

It is important that all participants undertake the LLN quiz to identify any LLN support which the participant may require.

The Training Coordinator will enrol the participant into their nominated course via our participant management system aXcelerate in order to verify the participants USI and register them into the LLN Quiz via <https://komatsu.lln.training/login>. An email titled 'Quiz for your enrolment at Komatsu Training Academy' is then auto generated to the registered participant from system@komatsu.com.au.

For example:



Dear NAME,

As part of your course enrolment at Komatsu Training Academy we would like you to complete a short online quiz, so we can understand your current levels of language, literacy and numeracy and then, if required, tailor your training to suit your needs.

Please click on the link below to start the online quiz:

[Link to Quiz](#)

If the above link does not work please copy and paste this URL into your Internet browser:

<https://komatsu.quiz.ln.training/?invite=390d2b57-a9b4-4c50-8414-1a1c641e8411>

Note: Please access the Quiz using the latest version of Google Chrome.

If you have any questions, please email admin@komatsulearning.com.au and someone will respond as soon as possible.

Regards

Komatsu Training Academy

KTA will endeavour to provide assistance to participants having difficulty with language, literacy or numeracy to accommodate their needs. If a participant's needs exceed the ability of KTA staff to assist, the participant will be referred to an external support agency, so they have the opportunity to obtain the skills required to complete the training program.

CODE OF CONDUCT

KTA makes every effort to practice cooperation and mutual respect in all internal and external dealings to uphold high quality, professional training and assessment services. The same disciplined behaviour is expected of participants as a contribution to a functional learning environment, and as a sign of respect to staff and fellow participants.

Professional Behaviour

KTA Management advises any trainer or staff member who is dissatisfied with the behaviour or performance of a participant that they have the authority to:

- warn the participant that their behaviour is unsuitable, or
- ask a participant to leave the class, without refund or acceptance into another course, or
- immediately cancel the class.

If a participant wishes to object or lodge an appeal against the disciplinary action taken, they have the right and opportunity to follow the KTA complaint procedure.

KTA staff are expected to maintain a professional and ethical working relationship with all other staff members, management and participants. Breaches of the disciplinary standards will result in discussion between the relevant trainer and KTA, and appropriate action will be taken.

Plagiarism

Definition²

Plagiarism is the "wrongful appropriation" and "purloining and publication" of another author's "language, thoughts, ideas or expressions," and the representation of them as one's own original work.

Policy

Plagiarism is considered academic dishonesty and a breach of journalistic ethics. It is subject to serious sanctions such as expulsion. It is quite reasonable to research material in the course of undertaking assessment. All sources, however, must be clearly referenced. KTA 's CEO takes a very strict approach to plagiarism and proven incidents will not be tolerated.

² From www.wikipedia.org

FEE INFORMATION

FEES AND CHARGES

KTA operates as a 'fee for service' and PQS training business. This means all training programs will attract fees. All fees will be paid in accordance with the fee structure unless prior arrangements are made with KTA management.

Fee information is available via:

- KTA program brochures
- KTA promotional material
- direct email from KTA admin team

Each of these information streams clearly identifies all fees and charges, including optional charges such as Recognition of Prior Learning (RPL) fees, and will be updated regularly so that both KTA and our clients will be protected.

KTA will provide the following fee information, to each participant:

- the total amount of all fees including course fees, administration fees, materials fees and any other charges
- payment terms, including the timing and amount of fees to be paid and any non-refundable deposit/administration fee
- the nature of the Participant Protection offered by the RTO to complete the training and/or assessment once the participant has commenced study in their chosen qualification or course
- the fees and charges for additional services, including such items as issuance of a replacement qualification testamur and the options available to participants who are deemed not yet competent on completion of training and assessment and
- the RTO's refund policy.

FEE STRUCTURE

FEE FOR SERVICE PARTICIPANTS – QUALIFICATIONS

Each qualification offered by KTA has a specific course fee. The course fee is the maximum fee that may be charged to the participant for their selected training program.

Our policy of a staged, progressive payment schedule is intended to provide fair and equitable training and assessment services. The participant will pay for training and assessment services as they are provided.

It is KTA's policy that the course fee will be *all-inclusive*. Participants will not be 'surprised' by unexpected requirements, fees or expenses.

Where additional resources normally associated with a program of study are required (for example; reference material, research documents, own computer) participants will be clearly advised of exactly what is required in the participant study guide for that program.

Payment Schedule – Qualifications

KTA's policy is to make taking part in quality training and assessment accessible and affordable. Our payment schedule asks participants to make equal payments across the duration of the training program.

As a simple and obvious means to keep track of the participant's payments, the payment schedule is structured around the face to face training days.

User Choice Participants (QLD)

Where participants meet eligibility criteria and are enrolled as a 'Apprentice' or 'Trainee' under a 'User Choice Contract' 'Student Contribution Fees' apply. The participant (including Parent/ Guardian under 18 years old) and Employer will be notified as such.

It will be clearly identified by KTA at the time of enrolment, and agreed to in writing, as to who will be paying these Fees, when they are due and how they are calculated.

The current QLD student contribution fee is \$1.60 per nominal hr.

In Queensland, under the User Choice Contract, where participants meet eligibility criteria, they may qualify for the Queensland Governments 'Fee - Free Apprenticeships for Under 21s Program'. Further information can be found by searching: <https://freeapprenticeships.desbt.qld.gov.au/>

Smart & Skilled Participants (NSW)

Where participants meet eligibility criteria and are enrolled as a 'Apprentice' or 'Trainee' under a 'Smart & Skilled Contract' – all training is free - no 'Student Contribution Fees' apply unless a specific Apprentice is excluded from eligibility (as per the Smart & Skilled Fee Administration Policy – Appendix 7). The participant (including Parent/ Guardian under 18 years old) and Employer will be notified as to the fee arrangement structure prior to time of enrolment. This will again be clearly identified by KTA at the time of enrolment, along with any specific eligibility evidence requirements and student declarations / signatures required (as per the Smart & Skilled Fee Administration Policy – Appendix 3).

If a participant is not eligible for 'fee free training' then KTA will develop and implement its own policies and processes in relation to fees in accordance with the Fee Administration Policy as per their NSW Smart & Skilled Contract (In particular 'Fee Administration Policy – Appendix 3'. This Policy also relates to Recognition of Prior Learning (RPL), Credit transfer (CT) and deferring or discontinuing subsidised training fee implications).

Further information can be found by searching:

https://www.training.nsw.gov.au/smartandskilled/prices_fees.html

Payment in Advance

Participants will be asked to pay \$500 in advance jto confirm their enrolment into the course.

KTA has developed a payment schedule that extends across the duration of the training program.

- a total of 12 payments will be scheduled across the duration of the training program
- where the training program is one (1) year duration, a payment will be made every four (4) weeks
- the amount of each payment will equally divide the course fee.

For example:

\$4,300 - \$500 = \$3,800

Then \$3,800 divided into 12 payments = \$316.66

Recognition of Prior Learning (RPL)

**Fee
\$3,000**

KTA has developed a payment schedule for RPL that will not ask for more than \$1500 at any time prior to the service being delivered.

- RPL enrolment and application completed \$1,500
- RPL applicant collates, prepares and submits their RPL evidence
- Assessor assesses the evidence and provides feedback \$1,500
- RPL assessment completed and (where applicable) certification issued

Duration – 8 weeks

To ensure fluid and seamless administration, KTA will discuss a payment method with the participant. They may choose:

- cash
- schedule credit card payment
- EFT transfer

After paying \$500 in advance to secure their place, participants will be asked to make a payment on the first scheduled face to face training day.

At this point the participants will have:

- taken part in the pre-enrolment questionnaire
- completed LLN Quiz
- completed the Enrolment Form
- provided their USI
- received their Pre-Course Letter.

The participants will be provided with:

- the first training day of the course, induction etc
- cloud assess login details
- learning and assessment material
- course text books (if applicable)
- participant study schedule
- other relevant support materials.

The payment schedule used by KTA ensures participants receive the training and assessment services they have paid for.

CORPORATE CLIENTS – QUALIFICATIONS

Payment

KTA operates with several corporate clients in the mining and construction industries. This means the employer or agency will manage the payment in negotiation with KTA.

The payment schedule for corporate clients will be invoiced in arrears.

Fee for Service – Short Courses

Each short course offered by KTA has a specific course fee. The course fee is the maximum fee that may be charged to the participant for their selected training program.

It is KTA's policy that the course fee will be *all-inclusive*. Participants will not be 'surprised' by unexpected requirements, fees or expenses.

Participants will be advised of their course fees prior to enrolment.

Participants will be asked to pay for their nominated course fee upon enrolment. This payment confirms their enrolment into the course. If participants cancel from a course prior to the course commencing KTA's refund policy & procedure will apply.

OTHER FEES

Withdrawal Fee

No withdrawal fee is applicable.

Re-submit Fee

No re-submit fee applies.

Re-assessment Fee

No re-assessment fee applies.

Produce Partial Completion Statement of Attainment

No fee applies to produce a statement of attainment when the participant has partially completed the training program and must withdraw.

Re-print Certification

Where the participant requests a new copy of his/her certification, the following fees apply:

- Statement of attainment \$25.00 + GST
- Qualification (with academic transcript) \$40.00 + GST

Contact us

Komatsu training Academy

Phone: 1300 390 377

Email: admin@komatsulearning.com

Methods of Payment

Participants may make payments to KTA by any of the following means:

- cash
- cheque/money order
- credit card (MasterCard and VISA only)
- EFT direct deposit

GST

All Nationally Recognised Qualifications, Accredited Courses and Units of Competency delivered by KTA are GST-Free in accordance with the Australian Taxation Office GST Rulings GSTR 2000/27, GSTR 2001/1 and GSTR 2003/1.

PAYMENT RECEIPTS

A tax invoice/receipt will be issued for all payments.

Refunds

KTA will protect fees paid in advance and has a fair and reasonable refund policy.

Information provided prior to enrolment or the commencement of training and assessment, whichever comes first, specifies the participants' rights as a consumer, including but not limited to any statutory cooling-off period (where applicable) and the participants right to obtain a refund for services not provided by the KTA in the event the:

- arrangement is terminated early, or
- KTA fails to provide the agreed services.

Fee For Service (FFS) Refund

Prior to Commencing Training – Qualifications and Short Courses

An application for a refund is addressed according to the amount of notice given by the person making the request:

- 14 days prior to the commencement of the course – 100% refund
- less than 13 days prior to the commencement of the course – 50% refund
- withdrawal during the course – no refund. A pro-rata credit is available, so the participant can complete the course at a later date.

User Choice Refund – Student Contribution Fees (QLD)

Student contribution fees under the User Choice Program are set at \$1.60 per nominal hour for each unit of competency/module to be calculated at the commencement of the training. If eligible, certain concessions (including partial and full exceptions) may apply to the student contribution fees paid by the Apprentice or Employer (upon Apprentice's behalf) and will be discussed at Apprentice signup. If training has commenced in an accredited unit of competency and student contribution fees have been invoiced no refund will apply.

Corporate Clients / Smart & Skilled NSW Participant Fees (if applicable)

Any refund of course fees will be negotiated between KTA and the employer or agency. A fair and equitable refund policy will apply.

PROTECTING FEES

KTA will ensure that participants prepaid fees (including enrolment fees, tuition fees, materials fees and any other fee component that is a mandatory payment for the course) are protected in an appropriate manner.

KTA will not collect more than \$1500 in advance. Where less than \$1,500 is collected prior to the commencement of training or where the total course fee is less than \$1,500, a fee protection process is not required. These fees are paid by/charged to the participant, a government agency or the participants employer.

Protecting Participants who do not prepay in advance

Where fees are not collected in advance from individual participants i.e. invoice in arrears, KTA will send each client/participant an invoice after training is completed.

Protecting Participants where course fees are less than \$1500

The corporate structure, governance and financial management systems and processes guarantee the training for participants enrolled with KTA. Specifically, the integrity, business experience and training expertise of the CEO ensure continuity of training and completion of training is guaranteed for all participants.

Participants training is further protected by KTA's financial management policy and procedure. Fees paid in advance are not transferred to the operating account until training commences.

Third Party Training

Where applicable, KTA's Participant Protection extends to training partners and training conducted by a third party on behalf of the RTO.

Smart & Skilled Participants (NSW) – Consumer Protection Information

Where participants meet eligibility criteria and are enrolled as a 'Apprentice' or 'Trainee' under a 'Smart & Skilled Contract' KTA will make available the following information via their website:

- Provider Consumer Protection Policy (including the details of the Consumer Protection Officer)
- Consumer Protection Strategy
- Contact Details of the Departments Customer Support Centre (in relevant region)
https://www.training.nsw.gov.au/about_us/sts_contacts.html

Training Services NSW

Southern and South Western Sydney Region

Level 2 | 41-45 Rickard Rd | Bankstown NSW 2200 | PO Box 3515 | Bankstown NSW 2200
(02) 8707 9600 / TS.Bankstown@det.nsw.edu.au

Further information can be found by searching:

https://www.training.nsw.gov.au/forms_documents/smartandskilled/contract/consumer_protection_strategy.pdf

TRAINING AND ASSESSMENT

KTA is committed to delivering high quality training and assessment services that exceed the expectations of their participants. To ensure this, KTA has implemented processes for data collection and analysis within its operations that ensure the continuous improvement of training and assessment. In order to provide high quality outcomes to their clients and participants, KTA ensures that strategies for training and assessment are developed with effective consultation with industry and stakeholders.

PRINCIPLES OF TRAINING AND ASSESSMENT

Training and assessment strategies developed by KTA will adhere to the following principles:

- training and assessment strategies are developed for each qualification/unit of competency that will be delivered and assessed
- all training programs will require the development of a training and assessment strategy for full and partial completion of a qualification
- each training and assessment strategy will be developed in consultation with industry representatives, trainers, assessors and key stakeholders
- training and assessment strategies will reflect the requirements of the relevant training package and will identify target groups
- training and assessment strategies will be validated annually through the internal review procedures.

KTA will apply the Principles of Assessment and the Rules of Evidence.

Principles of Assessment

To ensure quality outcomes, assessment should be:

- fair
- flexible
- valid
- reliable

Fair

Fairness in assessment requires consideration of the individual participants needs and characteristics, and any reasonable adjustments that need to be applied to take account of them. It requires clear communication between the assessor and the participant to ensure that the participant is fully informed about, understands and is able to participate in the assessment process, and agrees that the process is appropriate. It also includes an opportunity for the person being assessed to challenge the result of the assessment and to be re-assessed if necessary.

Flexible

To be flexible, assessment should reflect the participants needs; provide for recognition of competencies no matter how, where or when they have been acquired; draw on a range of methods appropriate to the context, competency and the participant; and support continuous competency development.

Valid

Assessment is valid when the process is sound and assesses what it claims to assess. Validity requires that:

- assessment against the units of competency must cover the broad range of skills

- knowledge that are essential to competent performance
- assessment of knowledge and skills must be integrated with their practical application
- judgement of competence must be based on sufficient evidence (that is, evidence gathered on a number of occasions and in a range of contexts using different assessment methods). The specific evidence requirements of each unit of competency provide advice on sufficiency.

Reliable

Reliability refers to the degree to which evidence presented for assessment is consistently interpreted and results are consistent with assessment outcomes. Reliability requires the assessor to have the essential competencies in assessment and relevant vocational competencies (or to assess in conjunction with someone who has the vocational competencies). It can only be achieved when assessors share a common interpretation of the assessment requirements of the unit(s) being assessed.

Rules of Evidence

These are closely related to the principles of assessment and provide guidance on the collection of evidence to ensure that it is:

- valid
- sufficient
- authentic
- current

Valid

Assessment is valid when the process is sound and assesses what it claims to assess. Validity requires that:

- assessment against the units of competency must cover the broad range of skills
- knowledge that are essential to competent performance
- assessment of knowledge and skills must be integrated with their practical application
- judgement of competence must be based on sufficient evidence (that is, evidence gathered on a number of occasions and in a range of contexts using different assessment methods). The specific evidence requirements of each unit of competency provide advice on sufficiency

Sufficient

Sufficiency relates to the quality and quantity of evidence assessed. It requires collection of enough appropriate evidence to ensure that all aspects of competency have been satisfied and that competency can be demonstrated repeatedly. Supplementary sources of evidence may be necessary. The specific evidence requirements of each unit of competency provide advice on sufficiency.

Authentic

To accept evidence as authentic, an assessor must be assured that the evidence presented for assessment is the participants own work.

Current

In assessment, currency relates to the age of the evidence presented by a participant to demonstrate that they are still competent. Competency requires demonstration of current performance, so the evidence collected must be from either the present or the very recent past.

ASSESSMENT POLICY

KTA acknowledges the critical role that assessment plays in determining the competency of participants. In developing the assessment (including RPL) for each qualification and unit of competence, the CEO will ensure:

- compliance with the assessment guidelines from the relevant training package, qualification and unit of competence of accredited course
- assessment leads to a qualification or statement of attainment under the Australian Qualifications Framework (AQF)
- assessment complies with the principles of competency-based assessment and informs the participant of the purpose and context of the assessment
- the rules of evidence guide the collection of evidence to support the principles of validity and reliability
- the application of knowledge and skills is relevant to the standard expected in the workplace, including skills for managing work tasks, contingencies and the job environment
- timely and appropriate feedback is given to participants
- assessment complies with KTA's access and equity policy
- all participants have access to re-assessment on appeal.

KTA implements an assessment system that ensures that assessment (including Recognition of Prior Learning) complies with the assessment requirements of the relevant training package or VET accredited course. KTA recognises that each unit of competency contains assessment requirements relating to; performance evidence, knowledge evidence and assessment conditions.

CONNECTING TRAINING AND ASSESSMENT WITH INDUSTRY

Industry Engagement

“Training and assessment practices are relevant to the needs of industry and informed by industry engagement.”

All aspects of KTA training and assessment are informed by meaningful industry engagement. To maximise the outcomes for participants, KTA ensures that every opportunity to connect training and assessment with the workplace is utilised. Opportunities will be developed in consultation with the relevant industry personnel and responsibilities clearly communicated to all involved.

To identify a range of delivery and assessment methods that meet a variety of needs, an ongoing schedule of industry liaison and consultation will be adhered to. These consultations will be documented with meetings and memorandums acknowledged by those industry and enterprise representatives involved in consultation relating to the development and ongoing review of assessment strategies.

KTA will:

- involve industry personnel in planning training programs, where they are relevant to the training and assessment program
- ensure that the training and assessment program makes full use of opportunities presented by industry
- consult with industry personnel in the development of workplace training and assessment processes
- monitor the participants' progress.

Information from industry stakeholders is used to continuously improve training and assessment. A number of programs that engage employers or other stakeholders who contribute to each participant's training, assessment and support services to meet their individual needs are available. In addition, KTA utilises industry engagement to inform the currency of trainers and assessors industry skills.

APPRENTICESHIPS AND TRAINEESHIPS

KTA recognises that Apprenticeships and Traineeships are the perfect vehicle for training and developing new and existing staff. Because much of the training is in the workplace, the skills an Apprentice or Trainee acquires are customised to the specific needs of an organisation. Furthermore, Employers may be eligible for various government financial incentives to assist with employing an Apprentice or Trainee (based on various and specific eligibility criteria) which will be discussed prior to enrolment and signup.

KTA is currently an approved PQS supplier. The QLD User Choice 2017-20 program provides a public funding contribution towards the cost of training and assessment services for eligible Queensland apprentices and trainees. The program aims to provide funding aligned to the skills needs of industry and respond to changing government priorities.

The program provides the flexibility for apprentices, trainees and their employers to select a preferred registered training organisation (RTO) from a list of pre-qualified suppliers for the delivery of nationally recognised, accredited training to meet their specific needs. The program works in conjunction with the Commonwealth Australian Apprenticeships System, under which apprentices and trainees (also known in some jurisdictions as "Australian Apprentices") enter into legally binding training contracts with their employers and receive structured training to achieve a nationally recognised qualification.

As a PQS Supplier KTA must also abide by the following **(in QLD)**:

- **Registered Training Organisation User Choice Pre-Qualified Supplier 2017–20 Policy**
https://desbt.qld.gov.au/_data/assets/pdf_file/0024/7917/pqs-user-choice-policy.pdf
- **User Choice 2017–20 Policy**
https://desbt.qld.gov.au/_data/assets/pdf_file/0021/7824/user-choice-policy.pdf
- **Pre-Qualified Supplier Audit Evidence Requirements (User Choice 2017–20)**
https://desbt.qld.gov.au/_data/assets/pdf_file/0025/7774/srto-evidence-guide.pdf

As a Smart & Skilled Supplier under a 'Approved Qualifications Activity Schedule (AQAS)' for Activity Period 2019 -2020) KTA must also abide by the following **(in NSW) all of which can be accessed via:**

https://www.training.nsw.gov.au/smartandskilled/contract_policy_2020.html

- Smart & Skilled Operating Guidelines (15 May 2020)
- Smart & Skilled Fee Administration Policy (28 Oct 2019) *Awaiting further updates
- Smart & Skilled Policy for Market Management in the 2020-2021 Period (15 May 2020)
- Smart & Skilled Contract Terms and Conditions (15 May 2020)

RECOGNISING QUALIFICATIONS AND PRIOR LEARNING

UNIQUE STUDENT IDENTIFIER

The **Unique Student Identifier (USI)** scheme allows participants to access a single online record of their VET achievements. The online system provides each participant with a USI and allows for reliable confirmation of these achievements by employers and other RTOs. The USI scheme will provide a national online authenticated record of participants training attainment and will serve as a building block for a range of vocational education and training reforms. Over time, the ability of participants to access and share their training records will make enrolment processes more efficient for training providers and participants.

KTA will only issue a qualification or statement of attainment to a participant after the participant has provided a verified USI or KTA applies for a USI on behalf of the participant. To avoid any delays in issuing certification documentation KTA will ensure that participants USIs are applied for or verified USI at the time of enrolment. KTA will protect the security of all information related to USIs.

Security measures are in place to protect both digital and hard-copy records from loss, damage or unauthorised access. KTA stores paper-based records in locked cabinets. Digital records are backed up on a Cloud Assess system. All AQF certification documentation issued by KTA is kept for 30 years.

When reporting data about the training, each record of nationally recognised training that is provided to the national centre for vocational education research (NCVER) national VET provider collection will have a USI attached. This USI will be used to draw down on this data collection in real time. This means that participants will be able to access a record of all their VET achievements from one place. They can view this online and access an official transcript that they can attach to a job application, for example.

The USI will be increasingly useful when the data builds, KTA (with a participant's permission) will be able to draw down information about participants previous VET attainments in Australia. This will assist with assessing participant's admission to courses and in some circumstances, their eligibility for funding. Training providers will have access to an online information source to manage participant transfers between training providers, and the assessment of credit transfer and pre-requisites.

More information is available from the Australian Government USI website: <https://www.usi.gov.au/> where there is comprehensive information on the USI scheme for participants and for KTA staff.

RECOGNISING QUALIFICATIONS FROM ANOTHER RTO

KTA will recognise all AQF qualifications and statements of attainment issued by any other RTO. If any ambiguity is detected when validating a participant's certification, KTA will seek verification from the relevant RTO before recognising the qualification or statement of attainment.

Participants enrolling with KTA will be made aware of the recognition of qualifications policy by KTA staff at the time of enrolment to offer the opportunity of recognition of relevant qualifications or statements of attainment prior to the commencement of training. KTA trainers will remind participants of the policy progressively throughout the duration of their course. When a participant presents an AQF qualification or statement of attainment, a copy of the document will be taken and KTA will verify the authenticity of the qualification or statement of attainment prior to issuing any required credits.

The verified copy of the qualification or statement of attainment is placed in the participants file. Once verification of the qualification or statement of attainment has been established, KTA staff will inform the participant and offer exemption from the relevant unit(s) of competency. KTA staff will ensure the participant is aware of and understands what component(s) of their training and assessment are affected and will issue approved credit transfers in their training plan accordingly.

CREDIT TRANSFER

Credit transfer refers to the transferral of academic credit obtained by participants through participation in courses or national training package qualifications with other RTOs, towards a qualification offered by KTA. Credit transfer is granted on the basis that the credit validates the participant's competency within the relevant qualification/unit of competence. Credit transfer of a qualification/unit of competence is available to all participants enrolling in any training program offered by KTA.

RECOGNITION OF PRIOR LEARNING (RPL)

KTA appreciates the value of workplace and industry experience and recognises that participants will acquire vocational skills and knowledge from a variety of sources other than formal training. These skills are legitimate irrespective of how they were acquired and the Recognition of Prior Learning (RPL) process is designed to provide validation of such relevant skills.

RPL is an assessment process that assesses an individual's formal, non-formal and informal learning to determine the extent to which that individual has achieved the required learning outcomes, competency outcomes, or standards for entry to, and/or partial or total completion of a VET qualification.

In order to grant RPL, the assessor must be confident that the participant is currently competent against the endorsed industry or enterprise competency standards or outcomes specified in Australian Qualifications Framework accredited courses. The evidence may take a variety of forms and could include certification, references from past employers, testimonials from clients and work samples. The assessor must ensure that the evidence is authentic, valid, reliable, current and sufficient.

KTA Recognition of Prior Learning Process

The recognition of prior learning (RPL) process will be offered to and explained to all participants.

Participants who believe they have already obtained current skills and knowledge that would otherwise be covered in the qualification/unit of competence for which they intend to study, should apply for RPL at the time of enrolment. The participant's skills and knowledge will be assessed and validated, and where appropriate, units of competency acknowledged, and face-to-face training reduced.

As part of the KTA enrolment policy, trainers will advise participants of the availability of RPL, explain what the process involves and how it relates to the attainment of the qualification in some circumstances. When relevant, trainers will remind participants of this option progressively throughout their time in training, in order to provide multiple opportunities for participants to engage in the RPL process.

When approached by a participant seeking RPL, trainers will provide the participant with a copy of *RPL Information for the Applicant* and *RPL Assessment Template* as well as information about the types of evidence that can be used to support an RPL application

RPL Fee

The participant will be charged 50% of the scheduled course fee. This includes the initial application, consultation either in person or via phone with a suitably qualified assessor, the RPL assessment and (if successful) certification. Where the participant is not able to achieve the full qualification through RPL and gap training is required, a training plan and costing structure will be mutually agreed upon. The basis of the cost structure will be pro-rata on a unit by unit basis based on the scheduled course fee.

RECORDS

KTA has a clearly documented quality administrative and records management system in place to secure the accuracy, integrity and currency of records, to keep documentation up-to-date and to secure any confidential information obtained by KTA and committees, individuals or organisations acting on its behalf.

Data is collected and stored in accordance with the processes outlined in this document and KTA record management procedures ensure timely and accurate records inform the continuous improvement processes of KTA. In addition, these records management procedures will ensure that all documentation providing evidence of compliance to the essential standards of registration is accurately maintained.

RECORD KEEPING PROCEDURES

Upon enrolment, participant's details will be entered into KTA's database. This process initiates the establishment of the participants individual file which is then used to record all future details pertaining to the participant. Documents pertaining to participants currently enrolled are stored in secure, individual participant files which are managed by KTA staff. The file is retained by KTA and management of the file will be in accordance with KTA's training records policy.

KTA will retain client records for a period of thirty (30) years. These records include:

- records of assessment results
- records of attainment of units of competency and qualifications
- copies of certificates and statements of attainment
- participant enrolments
- fees paid, and refunds given

KTA will also maintain records of staff profiles detailing qualifications and industry experience and other documentation necessary to develop, implement and maintain KTA's quality system.

Completed Assessments

Each and every assessment submitted by every participant will be retained for a minimum period of six (6) months. Individual participant records will be stored in a lockable steel filing cabinet in a locked secure office area.

At the expiration of six (6) months period, the participant's assessments will be scanned and stored electronically for 30 years. The electronic records are stored utilising AVETMISS compliant software and access is restricted by a password system.

Results of Assessment Records

Participant assessment results will be recorded electronically in aXcelerate KTA's participant management system and will be retained for 30 years. This information may be used to provide annual competency completion reports and/or AVETMISS reports, as required and will provide sufficient information to re-issue the testamur, if required.

A copy of each testamur issued is scanned and retained in Adobe PDF format. If requested, the testamur may be re-printed at any time within the 30-year period after issue. This method ensures the original format, design, signature, date and units of competency are re-printed accurately and with a minimum of effort and expense.

AVETMISS Reporting

AVETMISS stands for the Australian Vocational Education and Training Management Information Statistical Standard. It is a national data standard that ensures consistent and accurate capture and reporting of VET information about participants. The National Centre for Vocational Education Research (NCVER) is the custodian of the standard. KTA submits AVETMISS reports to NCVER annually which includes the following participant and training data:

- age, sex and other demographic information
- Indigenous and disability information
- geographic location
- type of provider (for example, government or private)
- location of training delivery
- enrolments in units of competency, as part of a qualification, and modules as part of courses
- how it was studied (for example, classroom, workplace or online)
- how it was funded
- the results obtained for unit/module (outcome)

Reporting is made under the authority of the Data Provision Requirements established by Training Ministers across Australia under the *National Vocational Education & Training Regulator Act 2011 (Cth)*

ACCESS TO RECORDS

KTA has implemented Cloud Assess as a record management system that ensures that all participants have access to accurate information regarding their learning in a timely fashion. To ensure this, employees are informed of their responsibilities for record keeping and the process is monitored through the continuous improvement process and improved where necessary. This section outlines the data management procedures that support this records management system.

Access to Participant Records

Access to individual participant training records will be limited to those such as:

- Trainer and assessors to update the records of the participants whom they are working with
- management staff as required to ensure the smooth and efficient operation of the business
- officers of ASQA or their representatives for activities required under the RTO Standards

KTA trainers and assessors will maintain accurate and current records of each participant's progress and achievement of competencies in the area of their study. These records will be entered on KTA's student management system aXcelerate during training and assessment or immediately at the completion of training and assessment. As participants complete each competency, the trainer or assessor will check the achievements against the relevant qualification packaging rules and sign off successfully completed competencies. All details of full or partially completed competencies will be recorded and stored on the participants file.

Upon completion of all relevant competencies within a qualification, the participant will be entitled to receiving the full qualification. The Certificate and Statement of Results and/or Statement of Attainment will be produced and presented to the participant. A scanned electronic copy of all signed Qualifications issued will be converted to PDF format and secured in the participants file.

Participant Access to Records

Participants have the right to request information about or have access to their own individual records at any time. KTA trainers and assessors or administration staff will provide the requested information or access either electronically, or in hard copy, via aXcelerate student management system records.

PRIVACY

KTA considers participant privacy to be of utmost importance and will practice a high standard of care and concern in regard to maintaining participant privacy in all aspects of business operations. Any persons external to the organisation acting on behalf of KTA are made aware of the confidentiality procedures and privacy policies prior to commencing work with KTA.

KTA will comply with all legislative requirements including the Privacy Act 1988 (Commonwealth) and the Australian Privacy Principles (2014). Further information can be found by contacting the Office of the Australian Information Commissioner on 1300 363 992 or www.oaic.gov.au. KTA ensures no participant information is disclosed without the participants consent, except as required by law or in adherence to the Standards for RTOs. Participant consent must be obtained in writing from the participant, unless the participant is under the age of 18 years, in which case written consent from their parent or guardian must be obtained. Consent to disclosure of information forms and/or letters will be recorded.

Under the Data Provision Requirements 2012, KTA is required to collect personal information about participants and to disclose that personal information to the National Centre for Vocational Education Research Ltd (NCVER). NCVER will collect, hold, use and disclose your personal information in accordance with the Privacy Act 1988 (Cth), the National VET Data Policy (which took effect nationally from 1st Jan 2018 by the Department of Education), and all NCVER policies and protocols (including those published on NCVER's website at www.ncver.edu.au). For more information about NCVER's Privacy Policy go to www.ncver.edu.au/privacy.

SECURITY

KTA ensures further security of records by complying with the storage requirements detailed in ASQA's General directive: *Retention Requirements for Completed Participant Assessment Items, 22 June 2012 (amended 20th Feb 2013)*. This directive includes requirements for storage including: safeguards against unauthorised access, fire, flood, termites or any other pests, and to ensure that copies of records can be produced if the originals are destroyed or inaccessible. KTA enhances its compliance with this directive by protecting electronic files with up-to-date virus protection, firewall and spy ware protection software.

The Data Management System is Cloud based and offers the security and integrity expected of a reputable Cloud storage system. In addition, electronic records are copied to a portable hard drive, every four (4) week period. The portable hard drive is stored off site in a fire proof secure location. KTA software and hardcopy systems will retain participants results for a period of no less than 30 years. If requested, enrolment information, training and assessment information or results of assessment will be provided in electronic format wherever possible. Paper based records will be scanned and saved in Adobe PDF format and securely shredded every 12 months in accordance with KTA CEO's directions.

CEASING OPERATION

In the event that KTA ceases to operate, its records will be transferred to ASQA in the appropriate format and detail as specified by the Department at the time of ceasing RTO operations. All other records including training records, taxation records, business and commercial records will be retained for a period of at least seven (7) years. KTA will ensure that any confidential information acquired by the business, individuals, or committees or organisations acting on its behalf is securely stored.

COMPLAINTS AND APPEALS

KTA strives to ensure that each participant is satisfied with their learning experience and outcome. It is anticipated that issues of concern can be resolved by meaningful and respectful communication that is encouraged by KTA. In the unlikely event that this is not the case, all participants have access to rigorous, fair and timely complaint and appeal processes which are outlined in this section of the policy and procedures document

KTA has a defined and transparent complaints and appeals process based on the principles of natural justice and fairness that will ensure participants complaints and appeals are addressed effectively and efficiently. KTA's complaints and appeals policy ensures participants and clients understand their rights and the responsibilities of the RTO.

Any complaints or appeals will be reviewed as part of the continuous improvement process and where corrective action has been highlighted, it will be implemented as a priority. This approach ensures that outcome of the complaints process provides a positive and constructive contribution to the operations of KTA.

COMPLAINTS

A participant may lodge a complaint regarding the RTO; Third Party; Subcontractor; another participant or Trainer. There is also provision for all interested stakeholders to make a complaint if they feel aggrieved. For example, a Trainer may lodge a complaint against a participant.

A complaints procedure is available to all persons wishing to make a complaint, appeal or any other manner of objection in relation to the conduct of KTA. The complaints procedure will address both formal and informal complaints. All formal complaints must be submitted in writing to KTA management and will be heard and addressed, including a response to the aggrieved person, within five (5) working days of receipt.

KTA management will maintain the complaints register to document the course of action and resolution of all formal complaints. All complaints substantiated by the complaints procedure will be reviewed as part of the KTA continuous improvement procedure.

It is the responsibility of KTA management to ensure adherence to the complaint procedure and that resolution is sought in all reasonable circumstances. This includes informing and assisting participants with the complaint's procedure and supply of complaint forms.

Where the appellant remains dissatisfied with the outcome of the appeals handling procedure, the appellant is to be directed to the following external agencies:

- an independent agency or consultant within the VET sector
- the Office of Fair Trading in relation to consumer protection issues
- **National Training Complaints Hotline** on 133 873 or www.employment.gov.au/national-training-complaints-hotline
- **ASQAConnect** on 1300 701 801 or www.asqa.gov.au/complaints

APPEALS

The KTA appeals process is concerned with a participant's right to request change to decisions or processes of an official nature, usually in relation to academic or procedural matters.

In the case of a participant's appeal against specific assessment decisions, the participant should first discuss the decision(s) with the relevant trainer or assessor and request re-evaluation. The trainer or assessor will hear the participants appeal, make fair judgement to the best of their ability as to whether change(s) are required and then discuss their final decision with the participant.

If the participant is still dissatisfied with the trainer or assessor's decision, they have the right to take the appeal to the management team. The formal notice of appeal is required to comply with the following principles upon submission to management:

- the notice of appeal should be in writing, addressed to KTA for referral to the management team and submitted within five (5) days of notification of the outcome of the trainer or assessor's re-evaluation process.
- the notice of appeal must be submitted within the specified timeframe otherwise the original result will stand. If a participant's appeal needs to be deferred due to emergency circumstances, such as in the case of serious illness or injury, a medical certificate supporting the case must be forward to management. The notice of deferral must be submitted within three (3) working days of the conclusion date displayed on the medical certificate.

It is the responsibility of KTA management to ensure adherence to the appeal procedure and that resolution is sought in all reasonable circumstances. This includes informing and assisting participants with the appeal procedure and supply of appeal forms. All appeals will be reviewed at the monthly management meeting and, if appropriate, result in a continuous improvement process.

Where the appellant remains dissatisfied with the outcome of the appeals handling procedure, the appellant is to be directed to the following external agencies:

- an independent agency or consultant within the VET sector
- the Office of Fair Trading in relation to consumer protection issues
- **National Training Complaints Hotline** on 133 873 or www.employment.gov.au/national-training-complaints-hotline
- **ASQAConnect** on 1300 701 801 or www.asqa.gov.au/complaints

COMPLAINTS/APPEALS PROCEDURE

All persons wishing to make a complaint, appeal or any other manner of objection in relation to the conduct of KTA or any third party (such as other participants, outsourced trainers, subcontractors, staff, trainers, assessors) have access to the following procedure:

Informal Complaint/Appeal

- an initial complaint or appeal will involve the participant communicating directly with KTA verbally or by other appropriate means.
- all persons identified or subject to a complaint will be notified in writing of the content of the complaint and/or allegation and afforded all-natural justice and procedural fairness response mechanisms
- KTA management will make a decision, discuss their judgement with the participant and record the outcome of the complaint or appeal
- participants dissatisfied with the outcome of KTA's decision may initiate the formal complaint procedure

Formal Complaint/Appeal

- it is normal procedure that all formal complaints proceed only after the initial informal complaint or appeal procedure has been finalised
- the formal complaint or appeal is to be submitted in writing, and the procedure and outcome recorded by KTA management
- on receipt of a formal complaint, the CEO or a nominated senior management person independent of the complaint will notify the complainant in writing that they have received the submission.
- the CEO will convene the complaint committee to hear the complaint
- the complaint committee will consist of a panel of members with no previous involvement or vested interest in the outcome of the particular complaint or appeal. Members of the committee should include:
 - a representative of KTA management
 - a KTA staff member
 - a person independent of KTA
- the complainant/appellant shall be given an opportunity to present the case to the committee and may be accompanied by one (1) other person as support or as representation
- staff member(s) involved shall be given an opportunity to present their case to the committee and may be accompanied by one (1) other person as support or as representation
- the complaint committee will reach a decision on the complaint or appeal after consideration of each case presented
- the complaint committee will inform all parties involved of the outcome in writing within five (5) working days of making the decision

All complaints and appeals will be reviewed at KTA monthly management meeting. Continuous improvement procedures may be actioned when the complaint/appeal procedure results in identification of factors appropriate for improvement to internal operations. When the initial causative factor of the complaint identifies a problem with current KTA policies and/or procedures, the continuous improvement procedure will ensure changes are made to prevent reoccurrence of the problem.

Delayed Processes

In the unusual circumstances where a delay in the complaint or appeal process occurs, where longer than 60 calendar days are required to process and finalise the complaint or appeal, KTA will inform the complainant or appellant in writing. In line with the importance that KTA places on open and transparent processes and communication, the first written communication will be made at five (5) days. From that point, the complainants or appellant will be regularly updated on the progress of the matter. Including reasons why more time is required.

LEGISLATIVE REQUIREMENTS

Registered training organisations are subject to legislation pertaining to training and assessment, as well as business practice. KTA will comply with relevant legislation and regulatory requirements and will inform all staff and clients of the requirements that affect their duties or participation in vocational education and training. KTA recognises that compliance with legislative requirements underpins the effective implementation of its operations and ensures accountability and transparency of activities of both management and staff.

CURRENT LEGISLATION

Current legislation is available online at: <http://austlii.edu.au> and <http://legislation.gov.au>.

Examples of legislation relevant to VET Sector, its staff and participants includes but is not limited to:

Commonwealth Legislation:

- Copyright Act 1968
- Commonwealth Privacy Act 1988 / Privacy Amendment (Notifiable Data Breaches) Act 2017 / Privacy Regulation 2013
- Commonwealth Discrimination Acts: Sex Discrimination 1984 / Disability Discrimination 1992 / Age Discrimination 2004 / Commonwealth Racial Hatred Act 1995
- National Vocational Education and Training Regulator Act 2011
 - Data Provision Requirements 2012
 - Standards for VET Regulators 2015
 - Standards for registered Training Organisations 2015
- Competition and Consumer Act 2010
- Privacy Act 1988

VET Training Authorities/Regulators:

- National VET Regulator (NVR) - Australian Skills Quality Authority (ASQA)
- Department of Education - Department of Employment, Skills, Small and Family Business
- Council of Australian Governments Industry and Skills Council (COAGISC)

QLD Legislation *VET Specific Legislation available at: **Department of Employment, Small Business and Training (DESBT)**

<https://desbt.qld.gov.au/training/apprentices>

- Further Education and Training Act and Regulations 2014
- Vocational Education, Training and Employment Act and Regulations 2000
- Wo Commission for Children and Young People and Child Guardian Act 2000
- Anti-Discrimination Act 1991 / Disability Services Act 2006
- Human Rights Act 2019
- Work Health and Safety Act and Regulations 2011

WA Legislation *VET Specific Legislation available at: **Department of Training and Workforce Development (DTWD)**

<https://www.dtwd.wa.gov.au/about-us/legislative-framework-policies-and-guidelines>

- Vocational Education and Training Act 1996 (the VET Act)
- Vocational Education and Training (General) Regulations 2009
- Occupational Health and Safety Act 1984
- Occupational Health and Safety Regulations 1996

NSW Legislation *VET Specific Legislation available at: **Training Services NSW**

https://www.training.nsw.gov.au/apprenticeships_traineeships/employers/rules_regulations.html

- Apprenticeship and Traineeship Act 2001
- Apprenticeship and Traineeship Regulation 2017
- Work Health and Safety Act 2011
- Work Health and Safety Regulations 2017

KTA LEGISLATION IMPLEMENTATION

Work, Health and Safety Policy

The Work Health and Safety Act 2011 outlines the requirements of an RTO in establishing and maintaining workplace health and safety standards. The requirements of an RTO as specified in the Act are to:

- secure the health, safety and welfare of employees and other persons at work
- eliminate, at the source, risks to health, safety or welfare of employees and other persons at work
- ensure that the health and safety of members of the public is not placed at risk by the conduct of undertakings by employers and self-employed persons
- provide for the involvement of employees, employers, and organisations representing those persons, in the formulation and implementation of health, safety and welfare standards

It is an obligation under legislation that all KTA employees and management contribute to and assist in maintaining workplace health and safety and risk management operations as part of their role within the RTO. KTA management is responsible for providing the following standards as part of its commitment to employees and clients:

- a safe workplace, with a safe system of work
- adequate workplace health and safety professional development for KTA participants, employees, management and stakeholders
- properly maintained facilities and equipment
- a clean, tidy, suitably designed workplace with the safe storage of goods.

KTA has initiated procedures, policies, guidelines and work instructions, practicing an ongoing commitment to workplace health and safety including each site used for training delivery.

The following procedures and standards are observed by KTA to achieve a safe working and learning environment:

- maintain a safe, clean and efficient working environment
- evacuation plan (fire, bomb, major incident)
- emergency control
- accident/incident reporting
- rehabilitation
- risk identification reporting
- PPE/chemicals (storage)
- manual handling techniques and training
- store and dispose of waste according to WHS regulations
- equipment checks and maintenance
- equipment safe storage
- fire hazards identified and fire prevention
- participant safety
- unsafe situations identified and reported
- first aid and safety procedures displayed, for all KTA staff and participants to see

Harassment and Discrimination Policy

Under Australian law it is a requirement of every workplace to ensure it provides an environment free from all forms of harassment and discrimination, including victimisation and bullying. In doing so, all staff and participants are treated fairly and have the opportunity to feel safe, valued and respected.

Discrimination is where a person treats or proposes to treat, a person with an attribute less favourably than another person without the attribute is or would be treated under the same circumstances. Examples include but are not limited to discrimination by age, disability, employment, nationality, religion, gender and sexual orientation.

Harassment is any unwelcome and uninvited comment or action that results in a person being intimidated, offended, humiliated or embarrassed.

Bullying is any unwelcome and offensive behaviour that intimidates, humiliates and/or undermines a person or group. Bullying involves a persistent pattern of behaviour over a period of time and may include verbal abuse, physical assault, unjustified criticism, sarcasm, insults, spreading false or malicious rumours, isolating or ignoring a person, putting people under unnecessary pressure and sabotaging someone's work or their ability to complete their work.

At KTA it is made known that in the event that a person considers that he or she has been or is being harassed, this person should be encouraged to inform the other party that their behaviour is objectionable and should not be continued, provided they are comfortable with confronting the offender. In instances where the person is not comfortable discussing the matter with the offending party, a trainer or other KTA staff member should be informed of the situation. In this case it becomes the responsibility of the relevant staff member to follow KTA policy and procedures to rectify the situation.

The following principles and processes are implemented by KTA to achieve a working and learning environment that is free from harassment and discrimination:

- it is the right of all staff and participants to work and study in an environment free of any form of harassment and discrimination
- all reports of harassment and discrimination will be treated seriously, in an unbiased, respectful and sensitive manner. Any form of harassment and discrimination is considered unacceptable behaviour and will not be tolerated by KTA
- when KTA management is informed of any event involving harassment or discrimination, it is their responsibility to take immediate and appropriate action to address it
- in dealing with all complaints, the rights of all individuals involved should be respected and confidentiality should be maintained
- it is the intention of KTA management that a process of discussion, cooperation and conciliation will resolve all complaints. The aim is to achieve an acceptable outcome for the involved parties while minimising any potential damage to the organisation
- both the person making the complaint and the person against whom the complaint has been made will receive information, support and assistance in resolving the issue from KTA management
- victimisation is unacceptable and will not be tolerated; no person making a complaint or assisting in the investigation of a complaint should be victimised
- harassment or discrimination should not be confused with legitimate comment and advice (including constructive feedback) given appropriately by management or trainers. Managers and trainers should be conscious of how they present their feedback to ensure the message is not misinterpreted
- staff and participants should not make any frivolous or malicious complaints. All staff and participants are expected to participate in the complaint resolution process in confidence that the procedures are designed to ensure fair resolution

Working with Persons Under 18 Years of Age

There is no single national framework setting out the requirements for obtaining Working with Children Checks or Police Checks. Each state and territory have their own procedures and it is necessary to fulfil the requirements in the jurisdiction(s) in which you are working. Relevant legislation and state and territory screening programs that operate in Australia are explained in

<https://aifs.gov.au/cfca/publications/pre-employment-screening-working-children-checks-and-police-checks/part-overview>

In **Queensland** the *Working with Children Check (Risk Management and Screening) Act 2000 (Qld)* applies. Individuals are required to apply for a working with children check known as a “Blue Card”.

In **Western Australia** the *Working with Children (Criminal Record Checking) Act 2004 WA* applies. Individuals are required to apply for a working with children check known as a “Working with Children Check Card”.

In **NSW** the *Child Protection (Working with Children) Amendment (Statutory Review) Act 2018 NSW* applies. Individuals are required to apply for a child protection check known as a “Working with Children Check Card” and are also legally required to update contact details, within three months.

Participants under 18 years of age may enrol with KTA. According to the law, a child is considered any individual less than 18 years of age.

KTA management recommend that all staff obtain the appropriate pre-employment screening which is mandatory in those cases where staff are required to train children Information regarding Police checks and Working With Children Checks is available on the Australian Institute of Family Studies at <https://aifs.gov.au>.

KTA will ensure that all participants are protected from all forms of harm, including bullying, harassment, discrimination and intimidation. All staff are required to report to KTA management any behaviour that can reasonably be considered harmful or potentially harmful to participants, or where it is reasonable to believe that a participant has been harmed or requires protection from harm.

In cases where allegations or information indicate it is reasonable to believe a participant has suffered from or may require protection from harm, KTA will report to situation the relevent authorities.

Consumer Rights

Consumer protection

On 1 January 2011, the Australian Consumer Law commenced and the Trade Practices Act 1974 was repealed and replaced by the Competition and Consumer Act 2010. The Australian Consumer Law provides for:

- National Consumer Protection and Fair-Trading Laws
- Enhanced Enforcement Powers and Redress Mechanisms
- A National Unfair Contract Terms Law
- A new National Product Safety Regime
- A new National Consumer Guarantees Law

Contractual Agreement

Participants who enrol in a training program with KTA should be aware that they are entering into a contractual agreement. With a view to ensuring all participants are fully aware of their rights and obligations, KTA will design agreements, enrolment forms, service agreements or similar using a logical format and simple English. This may include, but is not limited to:

- wording that allows the perspective participant to know what he/she is agreeing to
- clearly explained disclaimers
- no misleading or deceptive behaviour
- no actions, omissions or dialogue (written or verbal) that may force or coerce the participant
- fair dealings for disadvantaged participants

For more information on consumer rights, please refer to <http://www.consumerlaw.gov.au/>

Privacy Principles

The *Privacy Amendment (Enhancing Privacy Protection) Act 2012* (Privacy Amendment Act) made many significant changes to the *Privacy Act 1988* (Privacy Act). These changes commenced on 12 March 2014. The Privacy Regulation 2013, made under the Privacy Act, also commenced on 12 March 2014.

The **Australian Privacy Principles** that are strictly applied to all aspects of KTA's operations include:

Collection

KTA will only collect necessary information pertaining to one or more specific operations. The participant will be informed as to the purpose for which details are being collected.

Use and Disclosure

KTA will ensure participant personal information is not used or disclosed for secondary purposes without obtaining explicit consent from the participant, unless a prescribed exception applies.

Data Quality

KTA will take all reasonable measures to ensure that all participants' personal information that is collected, used or disclosed is accurate, current and complete.

Data Security

KTA will take all reasonable measures to ensure all collected participants' personal information is protected from misuse, loss or damage, and that all data and record storage is secure from unauthorised access, modification or disclosure.

Openness

KTA will maintain documentation which detail how participants' personal information is collected, managed and used. When a participant makes an enquiry in relation to information collected, KTA will explain what information is held, for what purpose it is held and what procedures outline the collection and use of information.

Access and Correction

KTA will allow participants access to personal information held in all circumstances unless prescribed exceptions apply. If the participant identifies errors within the information, KTA will correct and update to file.

Unique Identifiers

KTA will not assign participants unique identifiers except when it is necessary for efficiency of operations. Commonwealth Government identifiers, such as Medicare numbers or Tax File Numbers, will only be used for the purposes of which they were issued.

Anonymity

KTA will provide participants the opportunity to interact with the business without requiring the participant to make their identity known in any circumstances it is practical and possible to do so.

Trans-Border Data Flows

KTA privacy protection principles apply to the transfer of data throughout Australia.

Sensitive information

KTA will request specific consent from a participant in circumstances where it is necessary to collect sensitive information. Sensitive information may include but is not limited to; information relating to a participant's health, criminal record, racial or ethnic background.

Copyright

Provisions under Part B of The Copyright Act 1968 allow all educational institutions to copy and communicate third party material to distribute to participants, within the limitations of the Statutory Education license. The *Copyright Agency Ltd (CAL)* administers the *Statutory Education License* on behalf of the Attorney General's Department.

Any RTO electing to hold this license is legally allowed to introduce a wide variety of material into its training environment, both in hardcopy and digital format, without having to obtain direct permission from the owner.

The Statutory Education license facilitates compliance and good governance across the industry, while at the same time ensuring the freedom and flexibility of sharing information without infringing copyright legislation.

Without this license, an educational institution is generally not allowed to reproduce any third-party material from any source, other than where there is a direct license/subscription in place or permission has been granted by the creator of the work.

Australian Skills Quality Authority (ASQA) is the national regulator for Australia's vocational education and training sector. ASQA regulates courses and training providers according to the **Standards for Registered Training Organisations 2015** to ensure nationally approved quality standards for training are met.

Vocational Education and Training Regulations

The VET Quality Framework is comprised of:

- Standards for Registered Training Organisations (RTO's) 2015
- Australian Qualifications Framework
- Fit and Proper Person Requirements 2011
- Financial Viability Risk Assessment Requirements 2011
- Data Provision Requirements 2012

The Framework established by the [National Vocational Education and Training Regulator Act 2011](#)

- gives ASQA the power to audit an RTO at any time
- gives ASQA the power to apply sanctions (including applying conditions to, suspending or cancelling a registration)
- allows providers to seek a review of ASQA decisions.

Standards for Registered Training Organisations 2015 form part of the *VET Quality Framework*, a system which ensures the integrity of nationally recognised qualifications. These Standards underpin the risk based regulatory system that aims to increase the confidence of participants and employers in the integrity of VET qualifications.