



Australian College of Business & Training

PARTICIPANT HANDBOOK

Australian College of Business & Training Pty Ltd

2/144 Marsden Street
Parramatta, NSW, 2150

Ph: 02 9635 5530

Fax: 02 9635 5593

Email: info@auscbt.com.au

Web: www.auscbt.com.au

RTO ID: 40493

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Introduction

Welcome to the Australian College of Business and Training Pty Ltd (ACBT).

We are a Registered Training Organisation that provides quality training and assessment programs.

NSW Buyers Agent License is a course run by ACBT which comprises of nine (9) units of competency required for the NSW Office of Fair Trading's Buyers Agent License.

The nine (9) units of competency include:

1. CPPDSM4019 Communicate with clients in the property industry
2. CPPDSM4015B - Minimise agency and consumer risk
3. BSBLED401 - Develop teams and individuals
4. CPPDSM4001A – Act as a buyer's agent
5. CPPDSM4003A - Appraise property
6. CPPDSM4005A - Establish and build client-agency relationships
7. CPPDSM4022A - Sell and finalise the sale of property by private treaty
8. CPPDSM4080A – Work in the real estate industry
9. CPPDSM4008A - Identify legal and ethical requirements of property sales to complete agency work

Our trainers and assessors are highly qualified and have extensive experience. We are here to support our participants through our training programs and to ensure they have an enjoyable learning experience.

The RTO Standards

You are about to become a participant in a learning process that can result in achieving a nationally accredited qualification.

These qualifications can only be delivered by a Registered Training Organisation (RTO).

To be an RTO we need to meet the requirements of the current RTO Standards. The current standards are the **Standards for Registered Training Organisations (RTOs) 2015**. Adherence to these and other requirements is done by the Australian Quality Skills Authority (ASQA).

A newly registered RTO will be audited within the first 12 months of operation to ensure compliance to the Standards for RTOs and will be re-audited during its subsequent seven year registration period.

These Standards and the auditing process are intended to provide the basis for a nationally consistent, high quality vocational education and training system.

Participant and ACBT's Rights and Responsibilities

As a participant in our RTO, you have certain rights and responsibilities as do we, the RTO, have certain obligations and responsibilities to you.

These rights and responsibilities are:

1. Both the Participant and the ACBT have a responsibility to adhere to all relevant legislation. The legislation that affects your participation in Vocational Education and Training (VET) is detailed within this document, however both ACBT and you, the participant, have an obligation to adhere to ALL legislation applicable in Australia.
2. We have obligations and expectations that all parties will conduct themselves safely in all aspects of their activities and that at no time will the safety and health of any person or property be risked.
3. You have a right to a safe environment, you have an obligation to keep it safe through your conduct and adherence to our stated policies and procedures.

4. We have a right to expect that you seriously apply yourself to undertaking the Course that you have committed to and until you formally tell us that you are withdrawing from the program, we have an expectation that you will work on the process and meet your commitments.
5. We have a responsibility to provide you with the very best support and assistance by guiding you to the completion of the Course. We will maintain a high standard of current documentation, good service, qualified trainer/assessors who are current in their knowledge and experience in the relevant qualifications being undertaken.
6. We have a right to expect that all assessments provided by are your own work, not copied, taken or plagiarized from someone else.
7. You have a right to reasonable access to our trainer/assessors. You have the right to access your own records. Approach your trainer.
8. You have a right to expect that the requirements that we make of you are clear, concise and easily understood, we have an obligation to maintain these requirements as clear instructions and also to ensure that they are relevant to the requirements of the qualification being undertaken.
9. You have a right to expect that all course requirements are compliant to the principles defined in the Standards for RTOs, and that the qualification issued by us to you will be received in good standing.
10. You have a right to personal freedom, free from any illegal, unnecessary or invasive questioning or judgment of your personal ideals, beliefs, marital status, disability or perceived disability, cultural background, age, orientation or practices, this includes, but is not limited to all personal, sexual, religious and political practices.
11. We have an equal expectation that you will grant the same freedom of belief, practices and persuasion to all of the staff, contractors, fellow participants and other people whom you meet and come in contact with at ACBT.
12. We have an obligation to always conduct ourselves ethically, responsibly, with courtesy and respect. We will be morally and socially responsible at all times. We expect the same from our participants.
13. You have a right to be provided with the services for which you have enrolled. You have a right to expect the course to be delivered in the manner it was advertised. We have an obligation to deliver it to you in the manner it was advertised. If there is a need to vary the process, then it must be by mutual consent.
14. You have a right to be informed of any changes to our course requirements, our administrative procedures and/or regulations. Any required changes will not be made without appropriate notice and will not disadvantage currently enrolled participants.
15. We have a right, and you have a responsibility, to adhere to any reasonable and lawful request by the ACBT.
16. You have a right to complain and appeal about anything or any decision we make at the ACBT, be it about you or about how we conduct the business of the RTO.
17. We have an obligation to ensure that complaints and grievances are dealt with quickly and satisfactorily in accordance with the procedures detailed in this handbook.
18. You have a right to expect us to adhere to the privacy act and the freedom of information act and ensure that information about you is only conveyed to those with legal and legitimate reason for access. This is normally only staff directly involved in the processing and assessment of your course

work or those with legal rights to that information, such as the Police and other legal bodies, but only after appropriate process has been undertaken.

19. We have an obligation to clearly state all fees and charges associated with the course requirements.
20. We have an obligation to provide and you have a right to receive; prompt evaluation of your course work with clear and unambiguous feedback on the results and assessment decision.
21. You have a right to provide feedback on our Training and Assessment and on the Client Service's we have provided.
22. We have an obligation to evaluate all provided feedback and act on opportunities for improvement to our processes and policies.
23. We have an obligation to clearly convey to you the policies and procedures that affect your participation in our training programs. You have an obligation to attempt to understand those policies and procedures.
24. ACBT has a responsibility to its participants to provide quality training and assessment services, compliant to the Standards for Registered Training Organisations (RTOs) 2015, in a competent manner through the provision of quality resources and staff resulting in the issuance of AQF Certificate or Statement of attainment.
25. ACBT has a responsibility to its clients and participants to keep them informed of any changes in the service delivery including trainers, our ownership, the engagement of third parties or any other aspect of the participants training experience.

Participants who cannot, or choose not to, adhere to these rights and obligations may be subject to disciplinary action. This may be a written warning, an interview with the CEO, and may result in cancellation of your enrolment and in extreme cases, such as cases of suspected criminal activity, referral to the Police.

Vocational Outcomes

While the training offered by ACBT will aid Participants in acquiring new skills and knowledge, ACBT makes no guarantees or offers any assurances on the vocational benefits that this training may bring.

ACBT, does not guarantee or offer any advice on what roles or positions may become available to a participant through completion of this training.

Legislative Requirements

We are subject to a variety of legislation related to training and assessment as well as general business practice.

This legislation governs our obligations as a Registered Training Organisation, our obligations to you as our clients, and relates to the industry that we are conducting training for.

This legislation is continually being updated and the CEO is responsible for ensuring that all staff are made aware of any changes.

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

The legislation that particularly effects your participation in Vocational Education and Training includes:

Commonwealth Legislation:

- National Vocational Education and Training Regulator Act 2011
- National Vocational Education and Training Regulator (Charges) Act 2012
- National Vocational Education and Training Regulator (Transitional Provisions) Act 2011.

- Standards for Registered Training Organisations (RTOs) 2015
- National Vocational Education and Training Regulator Amendment Bill 2015
- Human Rights and Equal Opportunity Commission Act 1986
- Disability Discrimination Amendment (Education Standards) Act 2005
- Disability Discrimination Act 1992
- Racial Discrimination Amendment Act 1980
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Sex Discrimination Amendment Act 1991
- Privacy Act 1988
- Privacy Amendment (Enhancing Privacy Protection) Act 2012
- Australian Privacy Principles (2014)
- Work Health and Safety Act 2011
- Work Health and Safety Regulations 2011
- Workplace Surveillance Act 2005

State Based Legislation

- NSW Anti-discrimination Act (1977)
- Workers Compensation Regulation 2003
- Workplace Injury Management and Workers Compensation Regulation 2002
- Affirmative Action (Equal Employment Opportunity for Women) Act (1986)
- Safework Work NSW Legislation Amendment Act (1996 No. 120)
- Copyright Act, 1879. 42 Vic No 20 (modified 2006)

Workplace Health and Safety Policy

The Work Health and Safety Act 2011 and Work Health and Safety Regulations 2011 describes the ACBT's duty of care to provide a safe and healthy working environment for all employees and participants, and the employee and participants have a duty of care to take reasonable care for the health and safety of others within the work place. This includes the provision of:

- a workplace that is safe to work in, with appropriate procedures that are aligned with current standards
- adequate staff training including topics such as safe work procedures,
- properly maintained facilities and equipment,
- a clean and suitably designed work place with the safe storage of goods such as chemicals.

The following procedures and Standards must be observed to achieve a safe working and learning environment:

- Maintain a safe, clean and efficient, working environment,
- Implement procedures and practices, in a variety of situations, in accordance with State and Local Government Health regulations,
- Store and dispose of waste according to health regulations,
- Check all equipment for maintenance requirements,
- Refer equipment for repair as required,
- Store equipment safely,
- Identify fire hazards and take precautions to prevent fire,
- Safe lifting and carrying techniques maintained,
- Ensure Participant safety at all times,
- Ensure procedures for operator safety are followed at all times,
- All unsafe situations recognised and reported,
- Display first aid and safety procedures for all staff and participants to see,
- Report any identified Workplace Health and Safety hazard to the appropriate staff member as required.

Harassment and Discrimination Policy

We are required under Australian law to ensure that we provide a workplace that is free from all forms of harassment and discrimination (including victimisation and bullying) so that staff and participants feel valued, respected and are treated fairly.

We will ensure that all of our staff understand their roles and responsibilities in creating such a workplace, by a process of training, communication, mentoring and by example, and we will ensure all of our staff are aware of the processes and procedures for addressing any form of harassment or discrimination.

Staff and participants should be aware of the following definitions:

Bullying - is unwelcome and offensive behaviour that intimidates, humiliates and/or undermines a person or group. Bullying involves a persistent pattern of behaviour over a period time and may include verbal abuse, physical assault, unjustified criticism, sarcasm, insult, spreading false or malicious rumours about someone, isolating or ignoring a person, putting people under unnecessary pressure with overwork or impossible deadlines, and sabotaging someone's work or their ability to do their job by not providing them with vital information and resources.

Confidentiality - refers to information kept in trust and divulged only to those who need to know.

Discrimination - is treating someone unfairly or unequally simply because they belong to a group or category of people. Equal opportunity laws prohibit discrimination on the grounds of sex, marital status, pregnancy, family responsibility, family status, race, religious beliefs, political conviction, gender history, impairment, age or sexual orientation. Victimisation is also treated as another ground of discrimination.

Harassment - is any unwelcome and uninvited comment or action that results in a person being intimidated, offended, humiliated or embarrassed. Equal opportunity laws prohibit harassment on the grounds of sex and race.

Personnel - refers to all employees and participants of the ACBT.

Specific principles

- All staff and participants have a right to work in an environment free of any form of harassment and discrimination,
- All reports of harassment and discrimination will be treated seriously, impartially and sensitively. Harassment and discrimination, including victimisation and bullying, is unwelcome, uninvited and unacceptable behaviour that will not be tolerated,
- When management is informed of any harassment or discrimination it has the responsibility to take immediate and appropriate action to address it,
- In dealing with all complaints, the rights of all individuals should be respected and confidentiality maintained,
- Whenever possible, all complaints should be resolved by a process of discussion, cooperation and conciliation. The aim is to achieve an acceptable outcome while minimising any potential damage to our 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,
- 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 feedback) given appropriately by management or trainers,
- 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 good faith.
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Privacy

ACBT takes the privacy of our participants very seriously and we will comply with all legislative requirements. This includes the Privacy Act and Australian Privacy Principles (2014)

In some cases as required by law and as required by the Standards for RTOs we will need to make your information available to others. In all other cases we ensure that we will seek the written permission of the participant.

The thirteen Privacy Principles are defined below:

Principle 1 – Open and transparent management of personal information. The object of this principle is to ensure that ACBT entities manage personal information in an open and transparent way.

Principle 2 – Anonymity and pseudonymity. Individuals may have the option of not identifying themselves, or of using a pseudonym, when dealing with ACBT in relation to a particular matter.

Principle 3 – Collection of solicited Personal Information. ACBT must not collect personal information unless the information is reasonably necessary for ACBT business purposes.

Principle 4 – Dealing with unsolicited personal information. If ACBT receives personal information, ACBT must, within a reasonable period after receiving this information, determine whether or not the we would have collected the information under Australian Privacy **Principle 3**, and if not we must, as soon as practicable but only if it is lawful and reasonable to do so, destroy the information or ensure that the information is deidentified.

Principle 5 – Notification of the collection of personal information. Requires ACBT to notify our clients, staff and participants of any additional information that we collect about them, and further advise them of how we will deal with and manage this information.

Principle 6 – Use or disclosure of personal information. The information that ACBT holds on an individual that was collected for a particular purpose, ACBT must not use or disclose the information for another purpose unless the individual has consented.

Principle 7 – Direct marketing. As ACBT holds personal information about individuals, we must not use or disclose the information for the purpose of direct marketing.

Principle 8 – Cross Border disclosure of personal information. Where ACBT discloses personal information about an individual to an overseas recipient, ACBT must take such steps as are reasonable in the circumstances to ensure that the overseas recipient does not breach the Australian Privacy Principles.

Principle 9 – Adoption, use or disclosure of government related identifiers. ACBT must not adopt a government related identifier of an individual as its own identifier of the individual except when using identification codes issued by either the State based regulators, or the department of Innovation with regard to the Unique Student Identifier.

Principle 10 – Quality of personal information. ACBT must take such steps (if any) as are reasonable in the circumstances to ensure that the personal information that ACBT collects is accurate, up to date and complete.

Principle 11 – Security of personal information. If an ACBT entity holds personal information, the entity must take such steps as are reasonable in the circumstances to protect the information.

Principle 12 – Access to personal information. AsACBT holds personal information about an individuals, ACBT must, on request by the individual, give the individual access to the information.

Principle 13 – Correction of personal information. AsACBT holds personal information about individuals and should we believe that this information is inaccurate, out of date, incomplete, irrelevant or misleading; or the individual requests the entity to correct the information;ACBT must take such steps as are reasonable in the circumstances to correct that information.

Working with Children

We do NOT accept people under the age of 18 in our training and assessment programs.

We will comply with all Federal and State working with Children legislation such as the NSW Child Protection (Working with Children) Act 2012 No 51.

A list of all relevant legislation is available from the Federal Police Website:

<http://www.aifs.gov.au/cfca/pubs/factsheets/a141887/>

Further information on the Working with Children's Check is available from ACBT's CEO, but this effectively means that we will need to have all staff who come in contact with people under the age of 18, such as assessors, administration staff or clerical staff must be cleared as not being a risk to the health and safety of minors.

This is done through a submission to the appropriate government agency <https://check.kids.nsw.gov.au>, and until the response is received, we cannot allow the person being reviewed to conduct or interact with the minors unsupervised.

Fees and Refund Policy

Our training and assessment programs do attract fees. These fees are paid as per the terms on the course brochure.

Our refund policy is below:

- There are no refunds for cancellations less than 24 hours prior to commencement of the training.
- For course transfers less than 24 hours prior to the commencement of the training, an administration fee of 50% of the course fee will apply.
- Less than fourteen (14) days:
 - For cancellations less than fourteen (14) days prior to the training course, the College will transfer your enrolment to another date but no refund will apply. If you cancel the transferred course, no refund will apply.
- More than fourteen (14) days:
 - For cancellations more than fourteen (14) days prior to the training course, an administration fee of 20% of the course fee will apply.
- ACBT reserves the right to cancel courses due to unforeseen circumstances and/or if minimum course numbers are not reached. Students will be offered a full refund for any course fees paid for the cancelled course or have their course fee credited towards another ACBT course.

In cases of extreme hardship, an appeal can be made to our CEO who can amend our policies.

ACBT charges for replacement statement of attainments, should a replacement statement of attainment be required, the Employer/School or the Participant will be charged \$55 including GST for a replacement statement of attainment.

Participant Documentation Policy

We are committed to maintaining and safeguarding the accuracy, integrity and currency of our records without jeopardising the confidentiality of the records or our participant's privacy.

Individual hardcopy participant records will be stored in a lockable secure office area.

Our electronic records are stored in our computer system which is protected by password and backed up to the cloud.

The CEO is responsible to conducting a backup of our computer systems to a Cloud based backup system.

Our software and hardcopy systems will retain Participant results for a period of not less than 30 years.

Participant records will be stored in our Excel spreadsheets, which will be converted to PDF annually and archived.

Issued qualifications will be generated and stored in Wisenet and stored by the name of the participant and cross referenced against identifying metrics such as date of birth or USI should these need to be reproduced.

In the event that we cease to operate as an RTO we will transfer all records to ASQA in appropriate format and detail as specified by ASQA 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 years.

We are required to submit statistical data on our participants to the AVETMISS standard, through the use of Wisenet.

We will ensure that any confidential information acquired by us, individuals or committees or organisations acting upon our behalf is safeguarded.

Access to individual Participant training records will be limited to those required by the Standards for RTOs such as:

- trainers and assessors, to access and 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 from the Department of Education and Training, ASQA or their representatives for activities required under the Standards for Registered Training Organisations,

Or those required by law such as:

- people as are permitted by law to access these records (e.g. subpoena / search warrants / social service benefits / evidence act).

Or

- participants authorising releases of specific information to third parties in writing,
- the participants themselves, after making application in writing. For example, participants seeking a replacement copy of their Certificate.

We are required to ensure that we issue our statements of attainment to a participant within thirty days (30 days) where the participant has:

- Completed the course
- Been found competent in that unit(s) of competency
- And met their financial obligations to us

Transfer of Participant Records if we cease to be a RTO

In the event that we cease to operate as an RTO we will transfer all records to ASQA in appropriate format and detail as specified by ASQA at the time of ceasing RTO operations.

Recognition of other Qualifications

ACBT will accept and provide credit to learners for units of competency.

Participants can make such an application at any time during the training program.

Such an application may reduce the amount of training needed to be undertaken, the duration of the course or both, as each case is individual, such applications should be discussed with the trainer or ACBT's CEO.

Where an application is to proceed, the Participant will need to provide:

Either:

- An AQF certification documentation issued by any other RTO or AQF authorised issuing organisation, or
- An authenticated VET transcripts issued by the Registrar, such as ASQA.

Recognition of Prior Learning (RPL)

Recognition of Prior Learning (RPL) is an assessment process that assesses the competency of a RPL Applicant by reviewing the acquired knowledge and skill of the applicant. This acquired skill and knowledge may have been acquired through formal, non-formal and informal learning to such an

extent that the individual has attained skills and knowledge to meet the requirements specified in the training package or a VET accredited courses.

To assist in the process of Recognition of Prior Learning, the following definitions apply (as extracted from page 95 of the Users' Guide to the Standards for Registered Training Organisations (RTOs) 2015).

- a. formal learning refers to learning that takes place through a structured program of instruction and is linked to the attainment of an AQF qualification or statement of attainment (for example, a certificate, diploma or university degree)
- b. non-formal learning refers to learning that takes place through a structured program of instruction, but does not lead to the attainment of an AQF qualification or statement of attainment (for example, in house professional development programs conducted by a business), and
- c. informal learning refers to learning that results through experience of work-related, social, family, hobby or leisure activities (for example the acquisition of interpersonal skills developed through several years as a sales representative).

Thus, participants who feel that they have already attained the required skills and knowledge covered in our courses are able to make an application for Recognition of Prior Learning.

Participants can apply for RPL at any time.

The course brochure details the costs associated with an RPL.

Participants who fail to demonstrate their skills and knowledge in the RPL process will be able to re-enter the course.

Enquires on the RPL process can be made to the Trainer and/or to ACBT's CEO.

Access and Equity

We are committed to ensuring that we offer training opportunities to all people on an equal and fair basis.

- All participants have equal access to our training programs irrespective of their gender, culture, linguistic background, race, socio-economic background; disability, age, marital status, pregnancy, sexual orientation or carer's responsibilities.

All participants who meet our entry requirements will be accepted into any of our training programs.

Any issues or questions regarding access and equity can be directed to ACBT's CEO.

Client Selection

There are pre-requisites to enrolling in our training programs.

Specific details of these pre-requisites are contained in individual course brochure.

If you have any questions please do not hesitate to discuss the course with your trainer or the CEO.

Enrolment

To enroll in our course please contact ACBT's administration, the contact details for which are located on the front of this document.

Once accepted, you will need to complete an enrolment application form, which will require you to provide personal details, current photo ID, evidence of the required pre-requisite documentations, details on the Unique Student Identifier (USI), a new initiative from the Australian Government and a signed acknowledgement declaration found at the end of this handbook.

Unique Student Identifier

As from 1st January 2015, participants, wishing to graduate from a Vocational Education and Training course (a VET Course) are required to obtain a Unique Student Identifier (USI).

As from 1st January 2015, a RTO cannot issue a qualification to a participant unless that participant provides the RTO with their USI. The USI will allow the Government to permanently record the awarding of this qualification to the individual.

Thus, from 1st January 2015, unless exemptions apply, all training successfully delivered will be recorded by the Government.

To obtain your USI, you will need to:

1. Obtain it yourself from www.usi.gov.au by providing information about yourself similar in content to that on your driver's licence, or

2. Authorise a third party such as this RTO to obtain it on your behalf. To enable us to generate your USI, you will need to:

1. Accurately complete the enrolment form, ensuring that the details you provide match your ID.

2. Provide us with one of the following form of unique identification:

- Driver's Licence
- Medicare Card
- Australian Passport
- Birth Certificate (Australian) *please note a Birth Certificate extract is not sufficient
- Citizenship Certificate

3. Nominate the preferred method of contact so that your USI activation notice can be sent to you, options include, email, phone or mailing address.

Once your USI has been generated, you should:

- write down your USI somewhere safe or enter it into your phone for safe keeping.
- activate your USI account at some stage in the near future.
- if you do not activate your account, your USI still works.
- when you do activate your account, you will be required to add some security questions and choose a password.

PLEASE NOTE: The USI System checks for duplicate entries and will report any suspected duplicates

PLEASE ALSO NOTE: Any USI provided to use by a participant will need to be verified as being accurate. To achieve this, our staff will visit the USI website www.usi.gov.au

If the USI is; not provided, is identified as not being correct, or "rejected" we are not permitted to issue a Statement of Attainment or a Certificate.

Please also be aware that any copies of participant personal information obtained for the purposes of determining or confirming a USI shall be securely destroyed when no longer needed.

Language, Literacy and Numeracy (LLN) Assistance

Our course standard material contains written documentation and limited numerical calculations.

We recognise that not all people are able to read, write and perform calculations to the same standards. We will endeavour to help you where we can to accommodate anyone with difficulties with Language, Literacy or numeracy.

In the event that a participant's needs exceed our skill we will refer the participant to complete a TAFE LLN course prior to commencing the training.

Participant Support, Welfare and Guidance

We will assist all participants in their efforts to complete our training program.

In the event that you are experiencing any difficulties with your studies we would recommend that you see your trainer or another member of ACBT's staff.

We will make every effort to support you in your studies; this could be through additional coaching or mentoring either face to face, over the phone or email, or through any other identified way.

Should you be experiencing any personal difficulties you should make contact directly with the ACBT's CEO who will assist you as best as they can and if your needs exceed our support capacity we will refer you onto an appropriate external agency.

You can seek support immediate by contacting:

Interpreting Services:

TIS 13 14 50

Lifeline: 131 114

Literacy and Numeracy Support:

National:

Australian Council of Adult Literacy phone 03 9469 2950 email acal@pacific.net.au

Flexible Delivery and Assessment Procedures

ACBT recognises that not all participants learn in the same manner, and that with an amount of "reasonable adjustment" participants who may not learn best with traditional learning and assessment methods will still achieve good results.

ACBT will make any necessary adjustment to meet the needs of a variety of participants, the inability to complete a written assessment is not to be interpreted as a barrier to competency, provided that the participant can verbally demonstrate competency.

These adjustments may include having someone read assessment materials to participants or they may include having someone record the participant's spoken responses to assessment questions.

ACBT undertakes to assist participants achieve the required competency standards where it is within our ability.

Where we cannot assist a participant, we will refer them, where possible, to an agency that can assist.

Any further questions can be referred to your trainer or ACBT's CEO.

Complaints and Appeals

ACBT treats complaints and appeals from staff, partner organisations, participants, and other parties very seriously and we will deal with these in an effective and timely manner.

Complaints can be made about ACBT, its staff, other learners or third parties and we aim to resolve all complaints within two weeks.

Appeals can be made about any decision, including assessment decisions made by ACBT. These, like any complaints are intended to be resolved, where possible within a two week period.

ACBT will act upon any substantiated complaint or appeals; these will be recorded in writing and must be sent to the General manager. These complaints will lead where appropriate, to continuous improvement activities.

The data entry responsibility including maintaining security of these complaints and appeals lies with the General Manager.

A person or organisation can complain about any aspect of our dealings with them, and the participant can appeal any decision we make, including assessment decisions.

In the first instance that a person or organisation is unhappy or dissatisfied with an aspect of our service delivery, they should consult their trainer/assessor.

The trainer should be the first point of contact for participants, the aim of this first contact is to resolve the issue quickly.

If the participant's complaint is about the trainer, and they are uncomfortable discussing this issue with the trainer then they should contact the General Manager or the CEO.

Should the complaint or appeal not be resolved in the first instance by either contact with the Trainer, then the complainant is requested to formally lodge a complaint or appeal by emailing the General manager on info@auscbt.com.au.

This is the responsibility of the General Manager, the receipt of the Complaint or Appeal will be formally acknowledged within one business day, in writing by General Manager.

Should the nature of the complaint refer to criminal matters or where the welfare of people are in danger, ACBT will, with the permission of the participant, seek assistance from other authorities such as the Police, Legal Representatives or other parties as appropriate.

Participant confidentiality will be maintained at all times as is consistent with New South Wales, NSW and Australian Law.

At all times the principles of Natural Justice be upheld, these being:

- That both sides of the complaint will be informed of the complaint and
- That both sides of any complaint will be heard after sufficient time has been provided for both sides to prepare their arguments
- That an investigation will be conducted without undue delay
- The participant will be allowed to continue their course without penalty until such time as the final decision has been determined.

Further details on Natural Justice can be accessed from the NSW Ombudsman's office at: https://www.ombo.nsw.gov.au/_data/assets/pdf_file/0017/3707/FS_PSA_14_Natural_justice_Procedural_fairness.pdf

The Complainant/Appellant will remain informed of the progress of their complaint or appeal through written correspondence.

ACBT will ensure that the participant's academic progress will remain unimpeded by their complaint or appeal.

Upon receipt of the formal complaint or appeal, the General Manager, will be responsible for resolving the issue.

This will involve at least:

- a formal interview with the participant and the trainer, the General Manager and/or the CEO.
- If the General Manager or the CEO and the aggrieved party are unable to resolve the matter, then the matter is to be escalated to a mutually agreeable independent person, such as

another trainer within our college, or a trainer/assessor external to ACBT, or an independent Commercial Mediation Service.

If complaints/appeals cannot be handled by the General manager of CEO, a third party may be engaged for assistance. Engagement of the chosen external assistance will be the responsibility of the CEO supported by the General Manager as appropriate.

The suitable external trainer or independent Commercial Mediation Service, will need to be agreed upon by the participant, the General Manager or CEO.

As stated before, this could be an external Trainer/Assessor arranged by the General Manager, the CEO or the participant, or it could include an independent Commercial Mediation Service.

Engagement of an External Assessor is without cost to the participant, however escalation to an independent Commercial Mediation Service is a significant process and incurs significant costs.

ACBT is prepared to undertake escalation to independent mediation if ACBT is not able to resolve a dispute with a participant and the participant does not wish to use an independent assessor.

Once the need for Independent Mediation is agreed upon with the participant, ACBT will obtain a written quote for this process from the agreed mediation company; this written quote is to be shared with the participant.

For the process to proceed, both the participant and ACBT will lodge with the agreed mediator money to the full value of the quote from the mediator.

The party whose position is NOT upheld by the mediator pays for the mediation service; the party whose position is upheld will receive a refund from the mediator.

Should a compromise position be determined by the mediator both parties agree to pay respective shares as determined by the mediator.

The complainant or appellant will be provided with a formal written statement of the resolution of the complaint or appeal, this will state the reasons for the decision.

At all times will we keep our participants informed of the progress of their complaint or appeal. Should this process take longer than sixty (60) days we will determine the course of the of the delay, attempt to resolve it, and keep the participant informed of these reasons through written correspondence.

Participants are also able to lodge a complaint about ACBT with ASQA. However, please be aware that ASQA is not an advocacy institute for Participants.

A further option available to people and organisations is the National Training Complaints Hotline. This **number is 13 38 73** and is staffed Monday–Friday, 8am to 6pm nationally.

More details on the National Complaints Hotline can be found at <http://www.industry.gov.au/skills/nationaltrainingcomplaintshotline/Pages/default.aspx>

Assessment Appeals

In rare circumstances, the participant may object to decisions made by ACBT, including assessment outcomes, and wish to appeal these decisions.

Possible grounds for an Assessment appeal could be (and others are possible):

- The correct response was provided however, the response was marked incorrect in error
- The material assessed was not covered in learning materials
- The response provided by the participant was the response provided in the learning material

- Or any other reason.

In the case of the Assessment appeal, the participant will follow the same basic steps as outlined in the complaint and appeal section.

1. Discuss the issue with your assessor and seek their opinion.
2. If you are still dissatisfied, email a request for an appeal to the General Manager:

Independent of who you submit your assessment appeal to, you will be:

3. Provided with a written receipt of your case within one business day,
4. Provided with access to an external review your case with one of:
 - a. An alternative Assessor within ACBT
 - b. An assessor external ACBT
 - c. An Independent Commercial Mediation Service

The choice of which independent mediation process is the participants, however they have significantly different costs.

Engagement of an alternative internal or External Assessor is without cost to the participant, however escalation to an independent Commercial Mediation Service is a significant process and incurs significant costs.

ACBT is prepared to undertake escalation to independent mediation if ACBT is not able to resolve a dispute with a participant and the participant does not wish to use an independent assessor.

Once the need for Independent Mediation is agreed upon with the participant, the ACBT will obtain a written quote for this process from the agreed mediation company; this written quote is to be shared with the participant.

For the process to proceed, both the participant and the ACBT will lodge with the agreed mediator money to the full value of the quote from the mediator.

The party whose position is NOT upheld by the mediator pays for the mediation service; the party whose position is upheld will receive a refund from the mediator.

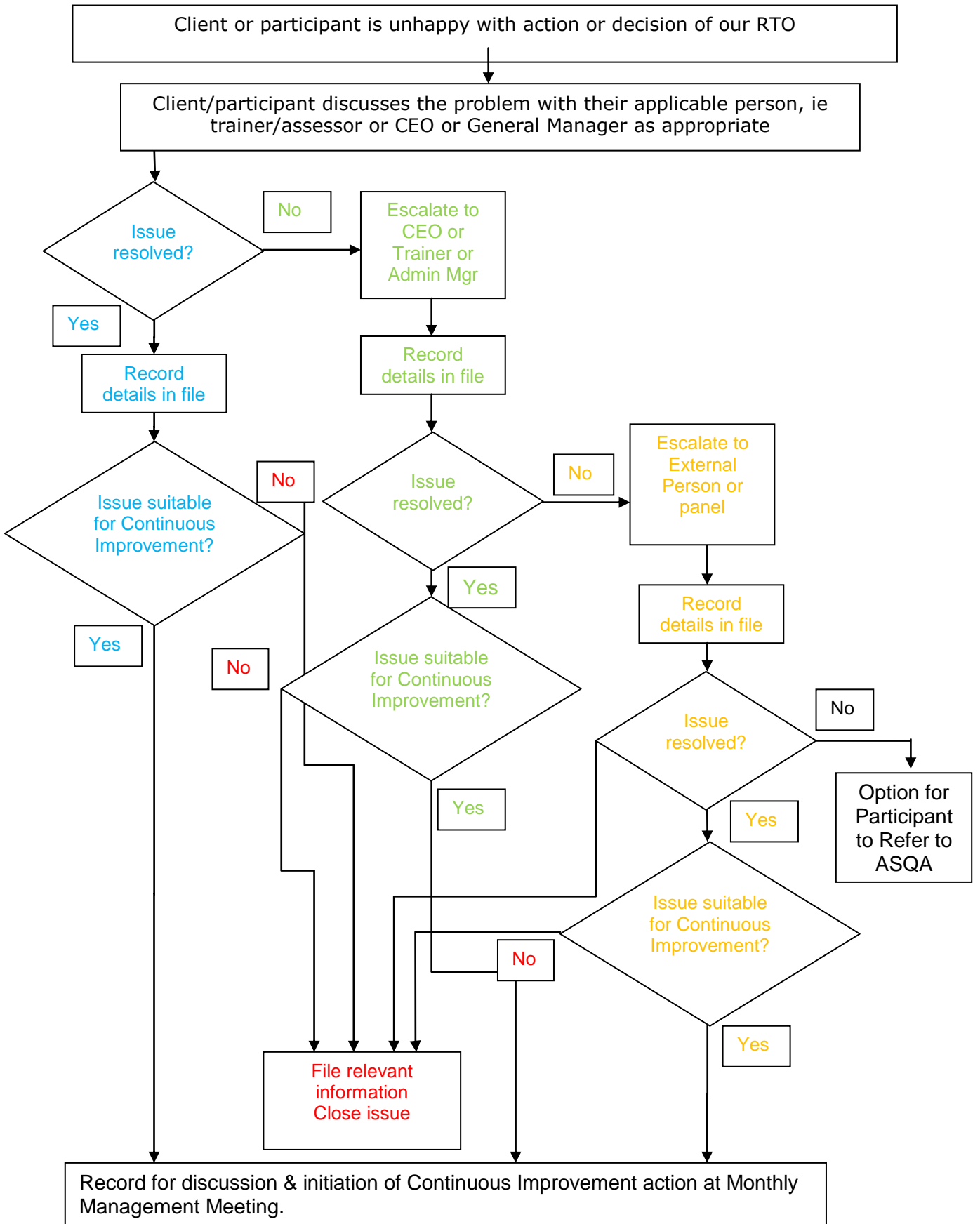
Should a compromise position be determined by the mediator both parties agree to pay respective shares as determined by the mediator.

The complainant or appellant will be provided with a formal written statement of the resolution of the complaint or appeal, this will state the reasons for the decision.

Irrelevant of the process undertaken to resolve the matter, the appellant will be provided with a formal written statement of the resolution of the appeal and this will state the reasons for the decision.

At all times will we keep our participants informed of the progress of their appeal. Should this process take longer than sixty (60) days we will determine the course of the delay, attempt to resolve it, and keep the participant informed of these reasons through written correspondence.

Flow Chart Representation:



Discipline

ACBT attempts to provide training and assessment services in a spirit of co-operation and mutual respect.

If a trainer or staff member is unhappy or dissatisfied with the behaviour or performance of a participant the trainer has the authority to:

- Warn the participant that their behaviour is unsuitable, or
- Immediately cancel the participants enrolment.

ACBT, has a zero tolerance policy towards illegal drugs. Any person found to be under the influence of illegal drugs will be asked to suspend their participation in the course until such time as they are unaffected.

Cheating or plagiarism (copying of someone else's work) will not be tolerated and will result in the participant's assessment being dismissed.

We expect that our staff will maintain a professional and ethical working relationship with all other staff, management and participants. Any breach of our disciplinary Standards will be discussed with the trainer and ACBTCEO and the appropriate action will be taken.

If a participant wishes to express a complaint in relation to the disciplinary action taken, they have the opportunity to follow our complaints procedure.

Credit Transfer Policy

Credit Transfer is available to all participants enrolling in any of our training programs on our scope of registration.

Credit Transfer – means credit towards a qualification granted to participants on the basis of outcomes gained by a participant through participation in courses or nationally training package qualifications with another Registered Training Provider.

Assessment Standards

All assessments conducted by us will:

- Comply with the assessment guidelines defined in the relevant nationally endorsed training package. In the case of our qualifications we will ensure that the competency assessment is determined by a vocationally competent assessor who holds the relevant TAE10 assessment units of competency or equivalent qualifications.
- All of our assessments within our RTO will lead to the issuing of a statement of attainment or to the issuing of a qualification under the AQF where a person is assessed as competent against the National Endorsed units of competency in the applicable training package.

All of our Assessments will be:

- **Valid-** Assessment methods will be valid, that is, they will assess what they claim to assess,
- **Reliable-** Assessment procedures must be reliable, that is, they must result in consistent interpretation of evidence from the learner and from context to context,
- **Fair-** Assessment procedures will be fair, so as not disadvantage any learners. Assessment procedures will:
 - be equitable, culturally and linguistically appropriate,
 - involve procedures in which criteria for judging performance are made clear to all participants,
 - employ a participatory approach,
 - provide for participants to undertake assessments at appropriate times and where required in appropriate locations.
- **Flexible-** Assessment procedures will be flexible, that is , they should involve a variety of methods that depend on the circumstances surrounding the assessment,

We will achieve this through:

- careful design of the assessments,
- validation and moderation of the assessment materials conducted in our annual review,
- an understanding of the definition and practical application of the above definitions.

Assessment Criteria

All our assessments will provide for applicants to be informed of the context and purpose of the assessment and the assessment process.

This will include information regarding assessment methods, alternative assessment methods if required to accommodate special needs or circumstances, information will also be included at the start of each unit or course as to the assessment processes, types of assessment and the individual weighting of each assessment.

Assessment Methods

Our assessments and assessment methods will ensure that we:

- focus on the application of the skill and knowledge as required in the workplace, including:
 - Task skills (actually doing the job)
 - Task management skills (managing the job)
 - Contingency management skills (what happens if something goes wrong)
 - Job Role environments skills (managing your job and its interaction with others around you)

We will ensure that we assess you in sufficient detail to ensure that we can determine that you have attained competency.

Staff members are available to discuss and provide limited professional advice as to the outcomes of the assessment process and guidance on future options.

All assessment tasks must consider any language and literacy issues, cultural issues or any other individual needs related to the assessment.

All assessment task must be completed as a soft copy (or hard copy when required), thus candidates must have access to a laptop and Wi-Fi connection at all times during the course. If candidates are unable to organise this, please inform ACBT immediately before enrolling into the course.

Participants have three attempts to submit each assessment task before they are given a grade of 'Not Yet Competent' for a unit of competency. Participants must achieve competency in all prescribed units of competency (core & elective) to be deemed competent in a course.

Re-assessment is available on appeal; see further details in the appeal process section.

Acknowledgement Declaration

I acknowledge that I have read and fully understand the contents of this Participant Handbook, which outlines the conditions and my rights and responsibilities as a participant of the Australian College of Business and Training Pty Ltd.

.....
Signature

.....
Date

.....
Name of Witness

.....
Signature of Witness

.....
Date