



Student Handbook

August 2023

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Welcome to ACTA Group!

This Student Handbook provides a summary of key policies, procedures and information relevant for all students and courses.

Compliance

VET Quality Framework

ACTA Group is involved in the process of delivering nationally recognised training courses. ACTA Group is registered as an RTO, under the *National Vocational Education and Training Regulator Act 2011 (Cth)* to undertake these services, having met and maintaining compliance with the *VET Quality Framework* standards and requirements.

ACTA Group is audited by ASQA to these requirements on an ongoing basis. As the Commonwealth Government established regulator, ASQA has the authority to manage, audit and deregister RTOs.

AQF Recognition

One of the most important features of the *VET Quality Framework* is the recognition of training organisations and AQF qualifications, including Statements of Attainment.

ACTA Group accepts testamurs issued by another registered training organisation and ensures that all Certificates and Statements of Attainment issued by any other registered training organisation are accepted as valid.

A testamur may be a Statement of Attainment for specific topics or units of competency, or it may be a complete Qualification such as certificate or diploma.

Unique Student Identifier

ACTA Group ensures that it handles individual's personal information in accordance with the requirements of the *Privacy Act 1988 (Cth)* and the *Student Identifiers Act 2014 (Cth)*. Please refer to the *Privacy* section of this manual for further information.

ACTA Group applies has published on its website information for clients on how to obtain a student Identifier. Where ACTA Group applies for a USI on behalf of an individual it ensures it has the authorisation of that individual. ACTA Group provides the required *USI Privacy Notice* to all individuals, on whose behalf it is applying for a USI.

ACTA Group ensures the security of USIs and all related documentation under its control, including information stored in its student management system. Where ACTA Group has contracts with third parties under which it discloses information collected for the purposes of the *Student Identifiers Act 2014 (Cth)*, ACTA Group ensures that any personal information is treated in accordance with the *Privacy Act 1988 (Cth)* and the *Student Identifiers Act 2014 (Cth)*.

ACTA Group securely destroys personal information which it collects from individuals solely for the purpose of applying for a USI on their behalf as soon as practicable after it have made the application or the information is no longer needed for that purpose, except in cases where ACTA Group is required by or under any law to retain it.

ACTA Group applies for or verifies students' USI's at the time of enrolment.

ACTA Group only issues a qualification or statement of attainment to a student after the student has provided their verified USI or ACTA Group has applied for a USI on their behalf.

Legislative Compliance

ACTA Group ensures it complies with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations. ACTA Group is subject to a variety of legislation related to training and assessment, as well as general business practice.

Work Health & Safety

ACTA Group places a high priority on the health and safety of its personnel and clients. The well-being of individuals can directly affect their job satisfaction, motivation and overall morale in the work environment.

All personnel of ACTA Group have specific responsibilities for ensuring the health and safety of personnel and students within the workplace at all times. These responsibilities are based on relevant state jurisdiction legislation and reinforced in this document. The specific implementation of health and safety responsibilities of personnel is dependent on their role within ACTA Group and is included in their *Position Descriptions* accordingly.

ACTA Group is committed to providing a safe and healthy work environment for all individuals. ACTA Group makes every reasonable effort to prevent accidents, protect individuals from injury and promote the health, safety and welfare of all individuals.

Legislation

Current work health and safety legislation that effects ACTA Group operations as a RTO includes, but is not limited to:

- ACT Work Health and Safety Act 2011;
- NSW Work Health and Safety Act 2011 No 10;
- NT Work Health and Safety (National Uniform Legislation) Act 2011;
- QLD Work Health and Safety Act 2011;
- SA Work Health and Safety Act 2012;
- VIC Occupational Health and Safety Act 2004;
- TAS Work Health and Safety Act 2012; and
- WA Occupational Safety and Health Act 1984.

Responsibilities

All individuals:

- Have a responsibility to comply with all occupational health and safety procedures;
- Must take reasonable care of themselves and others on the premises;
- Must not interfere with or misuse items or facilities provided in the interest of health and safety; and
- Must report any incidents, actual or potential hazards and "near misses" to their relevant ACTA Group contact.

All personnel have the responsibility to:

- Adhere to safe work practices, instructions and rules.
- Immediately report any unsafe work condition or equipment to management.
- Not misuse, damage, refuse to use, or interfere with anything provided in the interest of health and safety.
- Perform all work duties in a manner which ensures individual health and safety and that of all other employees.
- Encourage fellow personnel to create and maintain a safe and healthy work environment.
- Co-operate with all other personnel to enable the health and safety responsibilities of all individuals be achieved.

All personnel employed by ACTA Group have a primary responsibility to ensure that the work they undertake or supervise is carried out in a safe manner. ACTA Group personnel are required to:

- Take reasonable care of themselves and others that may be affected by their acts or omissions;
- Contribute to and be involved in the ACTA Group's ongoing management of health and safety;
- Comply with all workplace policies and procedures implemented in relation to health and safety; and
- Report all situations that may adversely impact on health and safety.

Premises

All permanent delivery sites used by ACTA Group comply with the *Building Code of Australia (BCA)* and local legislative requirements related to health and safety.

It is the responsibility of the ACTA Group Chief Executive Officer to ensure that all permanent delivery sites comply with the building, health and safety approval requirements of each site used for training delivery (i.e. educational premises) in line with local requirements.

General Health & Safety Matters

ACTA Group operates and provides a workplace that is compliant with health and safety laws, codes of practice, and standards which impact upon its operations.

ACTA Group makes every effort to identify, assess, and control hazards within all areas that are accessed by personnel or students. These objectives are achieved through the:

- Provision of a safe and healthy work environment and systems of work;
- Maintenance of equipment, facilities and equipment under the control of the ACTA Group. All equipment must be checked prior to usage to ensure safe usage;
- Provision of training for personnel to enable them to perform their tasks safely;
- Ongoing inspection and review of the workplace, work practices, and procedures; and
- Appropriate response in the event of an incident to ensure an investigation is conducted to prevent a recurrence.

Information & Awareness

All personnel are made aware of health and safety responsibilities at induction, through this Policy Manual and on an ongoing basis through relevant communication methods.

All ACTA Group students are made aware of health and safety responsibilities prior to enrolment, through the Student Handbook and on an ongoing basis through relevant communication methods.

ACTA Group personnel and students are:

- Trained where required in the safe use, handling and storage of equipment and materials;
- Made aware of safe travel and parking arrangements for all operational locations; and
- Provided with adequate information regarding hazards and risks within each operational premises.

Privacy

ACTA Group is committed to maintaining the privacy and confidentiality of its personnel and student records.

ACTA Group complies with the *Privacy Act 1988 (Cth)* including the 13 Australian Privacy Principles (APPs) as outlined in the *Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Cth)*. Providing an overall framework for our privacy practices, ACTA Group has developed and implemented this APP Privacy Policy.

This policy is designed to maintain requirements with additional state jurisdictional requirements including:

- *Education Services for Overseas Students Act 2000 (Cth)*;
- *Information Privacy Act 2014 (ACT)*;
- *Privacy and Personal Information Protection Act 1998 (NSW)*;
- *Information Act 2003 (NT)*;
- *Information Privacy Act 2009 (QLD)*;
- *Information Privacy Act 2000 (VIC)*; and
- *Personal Information Protection Act 2004 (TAS)*.

ACTA Group manages personal information in an open and transparent way. This is evident in the implementation of practices, procedures and systems we outline in this policy, that ensure our compliance with the APPs and any binding registered APP code, and provide suitable procedures for ACTA Group personnel to be able to deal with related inquiries and complaints that may be received from time to time.

Australian Privacy Principles

The following sections of this policy outline how we manage personal information.

Australian Privacy Principle 1 – Open and transparent management of personal information

Purposes for information collection, retention, use and disclosure

ACTA Group RTO 45370

ACTA Group retains a record of personal information about all individuals with whom we undertake any form of business activity. ACTA Group must collect, hold, use and disclose information from our clients and stakeholders for a range of purposes, including but not limited to:

- Providing services to clients;
- Managing employee and contractor teams;
- Promoting products and services;
- Conducting internal business functions and activities; and • Requirements of stakeholders.

As a government registered training organisation, regulated by the Australian Skills Quality Authority, ACTA Group is required to collect, hold, use and disclose a wide range of personal and sensitive information on students in nationally recognised training programs. This information requirement is outlined in the *National Vocational Education and Training Regulator Act 2011* and associated legislative instruments. In particular, the legislative instruments:

- *Student Identifiers Act 2014 (Cth)*;
- *Standards for Registered Training Organisations 2015 (Cth)*;
- *Higher Education Support Act 2003 (Cth)*; and
- *Data Provision Requirements 2012 (Cth)*.

It is noted that ACTA Group is also bound by various State Government Acts requiring similar information collection, use and disclosure (particularly *Education Act(s)*, *Vocational Education & Training Act(s)* and *Traineeship & Apprenticeships Act(s)* relevant to state jurisdictions of ACTA Group operations).

It is further noted that, aligned with these legislative requirements, ACTA Group delivers services through a range of Commonwealth and State Government funding contract agreement arrangements, which also include various information collection and disclosure requirements.

Individuals are advised that due to these legal requirements, ACTA Group discloses information held on individuals for valid purposes to a range of entities including:

- Governments (Commonwealth, State or Local);
- Australian Apprenticeships Centres;
- Employers (and their representatives), Job Network Providers, Schools, Guardians; and
- RTOs such as RTO Management Services for data management, credit agencies and background check providers.

Kinds of personal information collected and held

The following types of personal information are generally collected, depending on the need for services delivery:

- Contact details;
- Employment details;
- Educational background;
- Demographic Information;
- Course progress and achievement information; and
- Financial billing information.

The following types of sensitive information may also be collected, held or sighted:

- Identity details;
- Employee details & HR information;
- Complaint or issue information;
- Disability status & other individual needs;

- Indigenous status; and
- Background checks (such as National Criminal Checks or Working with Children checks).

Where ACTA Group collects personal information of more vulnerable segment of the community (such as children), additional practices and procedures are also followed. Please refer to ACTA Group's *Duty of Care (Including Child Code of Conduct) Policy and Procedure* for further information.

How personal information is collected

ACTA Group's usual approach to collecting personal information is to collect any required information directly from the individuals concerned. This may include the use of forms (such as registration forms, enrolment forms or services delivery records) and the use of web based systems (such as online enquiry forms, web portals or internal operating systems).

ACTA Group does receive solicited and unsolicited information from third party sources in undertaking services delivery activities. This may include information from such entities as:

- Governments (Commonwealth, State or Local);
- Australian Apprenticeships Centres;
- Employers (and their representatives), Job Network Providers, Schools, Guardians; and • RTOs such as credit agencies and background check providers.

How personal information is held

ACTA Group's usual approach to holding personal information includes robust storage and security measures at all times. Information on collection is:

- As soon as practical converted to electronic means;
- Stored in secure, password protected systems, such as financial system, learning management system and student management system; and
- Monitored for appropriate authorised use at all times.

Only authorised personnel are provided with login information to each system, with system access limited to only those relevant to their specific role. ACTA Group ICT systems are hosted internally with robust internal security to physical server locations and server systems access. Virus protection, backup procedures and ongoing access monitoring procedures are in place.

Destruction of paper based records occurs as soon as practicable in every matter, through the use of secure shredding and destruction services at all ACTA Group sites. Individual information held across systems is linked through an ACTA Group allocated identification number for each individual.

Retention and Destruction of Information

ACTA Group maintains a *Retention, Archiving and Destroy Register* documenting the periods for which personal information records are kept. Specifically for our RTO records, in the event of our organisation ceasing to operate the required personal information on record for individuals undertaking nationally recognised training with us would be transferred to the Australian Skills Quality Authority, as required by law.

Accessing and seeking correction of personal information

ACTA Group confirms all individuals have a right to request access to their personal information held and to request its correction at any time. In order to request access to personal records, individuals are to make contact with:

ACTA Group Privacy Officer
Ash Humphries
ash@actagroup.com.au
1300 011 144

A number of third parties, other than the individual, may request access to an individual's personal information. Such third parties may include employers, parents or guardians, schools, Australian Apprenticeships Centres, Governments (Commonwealth, State or Local) and various other stakeholders.

In all cases where access is requested, ACTA Group ensures that:

- Parties requesting access to personal information are robustly identified and verified;
- Where legally possible, the individual to whom the information relates will be contacted to confirm consent (if consent not previously provided for the matter); and
- Only appropriately authorised parties, for valid purposes, will be provided access to the information.

Complaints about a breach of the APPs or a binding registered APP code

If an individual feels that ACTA Group may have breached one of the APPs or a binding registered APP code, please refer to ACTA Group's *Complaints and Appeals Policy and Procedure* for further information on what actions may be taken.

Likely overseas disclosures

ACTA Group confirms that individuals' personal information is not disclosed to overseas recipients, for any purpose.

Making our APP Privacy Policy available

ACTA Group provides our APP Privacy Policy available free of charge, with all information being publicly available from the Privacy link on our website at www.actagroup.com.au. This website information is designed to be accessible as per web publishing accessibility guidelines, to ensure access is available to individuals with special needs (such as individuals with a vision impairment). In addition, this APP Privacy Policy is:

- Prominently displayed at each ACTA Group's premises;
- Included within our [Student Handbook](#);
- Noted within the text or instructions at all information collection points (such as informing individuals during a telephone call of how the policy may be accessed, in cases where information collection is occurring); and
- Available for distribution free of charge on request, as soon as possible after the request is received, including in any particular format requested by the individual as is reasonably practical.

If, in the unlikely event the APP Privacy Policy is not able to be provided in a particular format requested by an individual, we will explain the circumstances around this issue with the requester and seek to ensure that another appropriate method is provided.

Review and Update of this APP Privacy Policy

ACTA Group reviews this APP Privacy Policy:

On an ongoing basis, as suggestions or issues are raised and addressed, or as government required changes are identified;

- Through our internal audit processes on at least an annual basis;
- As a part of any external audit of our operations that may be conducted by various government agencies as a part of our registration as an RTO or in normal business activities; and
- As a component of each and every complaint investigation process where the complaint is related to a privacy matter.

Where this policy is updated, changes to the policy are widely communicated to stakeholders through internal personnel communications, meetings, training and documentation, and externally through publishing of the policy on ACTA Group's website and other relevant documentation (such as our [Student Handbook](#)) for clients.

Australian Privacy Principle 2 – Anonymity and pseudonymity

ACTA Group provides individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us in relation to a particular matter, whenever practical. This includes providing options for anonymous dealings in cases of general course enquiries or other situations in which an individual's information is not required to complete a request.

Individuals may deal with us by using a name, term or descriptor that is different to the individual's actual name wherever possible. This includes using generic email addresses that does not contain an individual's actual name, or generic user names when individuals may access a public component of our website or enquiry forms.

ACTA Group only stores and links pseudonyms to individual personal information in cases where this is required for services delivery (such as system login information) or once the individual's consent has been received.

Individuals are advised of their opportunity to deal anonymously or by pseudonym with us where these options are possible.

Requiring identification

ACTA Group must require and confirm identification however in services delivery to individuals for nationally recognised course programs. We are authorised by Australian law to deal only with individuals who have appropriately identified themselves. That is, it is a *Condition of Registration* for all RTOs under the *National Vocational Education and Training Regulator Act 2011* that we identify individuals and their specific individual needs on commencement of services delivery, and collect and disclose Australian Vocational Education and Training Management of Information Statistical Standard (AVETMISS) data on all individuals enrolled in nationally recognised training programs. Other legal requirements, as noted earlier in this policy, also require considerable identification arrangements.

There are also other occasions also within our services delivery where an individual may not have the option of dealing anonymously or by pseudonym, as identification is practically required for us to effectively support an individual's request or need.

Australian Privacy Principle 3 — Collection of solicited personal information

ACTA Group only collects personal information that is reasonably necessary for our business activities.

We only collect sensitive information in cases where the individual consents to the sensitive information being collected, except in cases where we are required to collect this information by law, such as outlined earlier in this policy.

All information we collect is collected only by lawful and fair means. We only collect solicited information directly from the individual concerned, unless it is unreasonable or impracticable for the personal information to only be collected in this manner.

Australian Privacy Principle 4 – Dealing with unsolicited personal information

ACTA Group may from time to time receive unsolicited personal information. Where this occurs we promptly review the information to decide whether or not we could have collected the information for the purpose of our business activities. Where this is the case, we may hold, use and disclose the information appropriately as per the practices outlined in this policy.

Where we could not have collected this information (by law or for a valid business purpose) we immediately destroy or de-identify the information (unless it would be unlawful to do so).

Australian Privacy Principle 5 – Notification of the collection of personal information

Whenever ACTA Group collects personal information about an individual, we take reasonable steps to notify the individual of the details of the information collection or otherwise ensure the individual is aware of those matters. This notification occurs at or before the time of collection, or as soon as practicable afterwards.

Our notifications to individuals on data collection include:

- ACTA Group's identity and contact details, including the position title, telephone number and email address of a contact who handles enquiries and requests relating to privacy matters;
- The facts and circumstances of collection such as the date, time, place and method of collection, and whether the information was collected from a third party, including the name of that party;
- If the collection is required or authorised by law, including the name of the Australian law or other legal agreement requiring the collection;
- The purpose of collection, including any primary and secondary purposes;
- The consequences for the individual if all or some personal information is not collected;
- Other organisations or persons to which the information is usually disclosed, including naming those parties;
- Whether we are likely to disclose the personal information to overseas recipients, and if so, the names of the recipients and the countries in which such recipients are located.
- A link to this APP Privacy Policy on our website or explain how it may be accessed; and
- Advice that this APP Privacy Policy contains information about how the individual may access and seek correction of the personal information held by us; and how to complain about a breach of the APPs, or any registered APP code, and how we will deal with such a complaint.

Where possible, we ensure that the individual confirms their understanding of these details, such as through signed declarations, website form acceptance of details or in person through questioning.

Collection from third parties

Where ACTA Group collects personal information from another organisation, we:

- Confirm whether the other organisation has provided the relevant notice above to the individual; or
- Whether the individual was otherwise aware of these details at the time of collection; and
- If this has not occurred, we will undertake this notice to ensure the individual is fully informed of the information collection.

Australian Privacy Principle 6 – Use or disclosure of personal information

ACTA Group only uses or discloses personal information it holds about an individual for the particular primary purposes for which the information was collected, or secondary purposes in cases where:

- An individual consented to a secondary use or disclosure;
- An individual would reasonably expect the secondary use or disclosure, and that is directly related to the primary purpose of collection; or
- Using or disclosing the information is required or authorised by law.

Requirement to make a written note of use or disclosure for this secondary purpose

If ACTA Group uses or discloses personal information in accordance with an 'enforcement related activity' we will make a written note of the use or disclosure, including the following details:

- The date of the use or disclosure;

- Details of the personal information that was used or disclosed;
- The enforcement body conducting the enforcement related activity;
- If the organisation used the information, how the information was used by the organisation; and •
The basis for our reasonable belief that we were required to disclose the information.

Australian Privacy Principle 7 – Direct marketing

ACTA Group does not use or disclose the personal information that it holds about an individual for the purpose of direct marketing, unless:

- The personal information has been collected directly from an individual, and the individual would reasonably expect their personal information to be used for the purpose of direct marketing; or
- The personal information has been collected from a third party, or from the individual directly, but the individual does not have a reasonable expectation that their personal information will be used for the purpose of direct marketing; and
- We provide a simple method for the individual to request not to receive direct marketing communications (also known as 'opting out').

On each of our direct marketing communications, ACTA Group provides a prominent statement that the individual may request to opt out of future communications, and how to do so. An individual may also request us at any stage not to use or disclose their personal information for the purpose of direct marketing, or to facilitate direct marketing by other organisations. We comply with any request by an individual promptly and undertake any required actions for free.

We also, on request, notify an individual of our source of their personal information used or disclosed for the purpose of direct marketing unless it is unreasonable or impracticable to do so.

Australian Privacy Principle 8 – Cross-border disclosure of personal information

Before ACTA Group discloses personal information about an individual to any overseas recipient, we take reasonable steps to ensure that the recipient does not breach any privacy matters in relation to that information.

Australian Privacy Principle 9 – Adoption, use or disclosure of government related identifiers

ACTA Group does not adopt, use or disclose a government related identifier related to an individual except:

- In situations required by Australian law or other legal requirements;
- Where reasonably necessary to verify the identity of the individual;
- Where reasonably necessary to fulfil obligations to an agency or a State or Territory authority; or
- As prescribed by regulations.

Australian Privacy Principle 10 – Quality of personal information

ACTA Group takes reasonable steps to ensure that the personal information it collects is accurate, up-to-date and complete. We also take reasonable steps to ensure that the personal information we use or disclose is, having regard to the purpose of the use or disclosure, accurate, up-to-date, complete and relevant. This is particularly important:

- When we initially collect the personal information; and
- When we use or disclose personal information.

We take steps to ensure personal information is factually correct. In cases of an opinion, we ensure information takes into account competing facts and views and makes an informed assessment, providing it is clear this is an opinion. Information is confirmed up-to-date at the point in time to which the personal information relates.

Quality measures in place supporting these requirements include:

- Internal practices, procedures and systems to audit, monitor, identify and correct poor quality personal information (including training personnel in these practices, procedures and systems);
- Protocols that ensure personal information is collected and recorded in a consistent format, from a primary information source where possible;
- Ensuring updated or new personal information is promptly added to relevant existing records;
- Providing individuals with a simple means to review and update their information on an on-going basis through our online portal;
- Reminding individuals to update their personal information at critical services delivery points (such as completion) when we engage with the individual;
- Contacting individuals to verify the quality of personal information where appropriate when it is about to be used or disclosed, particularly if there has been a lengthy period since collection; and
- Checking that a third party, from whom personal information is collected, has implemented appropriate data quality practices, procedures and systems.

Australian Privacy Principle 11 — Security of personal information

ACTA Group takes active measures to consider whether we are able to retain personal information we hold, and also to ensure the security of personal information we hold. This includes reasonable steps to protect the information from misuse, interference and loss, as well as unauthorised access, modification or disclosure.

We destroy or de-identify personal information held once the information is no longer needed for any purpose for which the information may be legally used or disclosed.

Access to ACTA Group offices and work areas is limited to our personnel only – visitors to our premises must be authorised by relevant personnel and are accompanied at all times. With regard to any information in a paper based form, we maintain storage of records in an appropriately secure place to which only authorised individuals have access.

Regular personnel training and information bulletins are conducted with ACTA Group personnel on privacy issues, and how the APPs apply to our practices, procedures and systems. Training is also included in our personnel induction practices.

We conduct ongoing internal audits (at least annually and as needed) of the adequacy and currency of security and access practices, procedures and systems implemented.

Australian Privacy Principle 12 — Access to personal information

Where ACTA Group holds personal information about an individual, we provide that individual access to the information on their request. In processing requests, we:

- Ensure through confirmation of identity that the request is made by the individual concerned, or by another person who is authorised to make a request on their behalf;
- Respond to a request for access:
 - Within 14 calendar days, when notifying our refusal to give access, including providing reasons for refusal in writing, and the complaint mechanisms available to the individual; or
 - Within 30 calendar days, by giving access to the personal information that is requested in the manner in which it was requested.
- Provide information access free of charge.

Australian Privacy Principle 13 – Correction of personal information

ACTA Group takes reasonable steps to correct personal information we hold, to ensure it is accurate, up-to-date, complete, relevant and not misleading, having regard to the purpose for which it is held.

Individual Requests

On an individual's request, we:

- Correct personal information held; and
- Notify any third parties of corrections made to personal information, if this information was previously provided to these parties.

In cases where we refuse to update personal information, we:

- Give a written notice to the individual, including the reasons for the refusal and the complaint mechanisms available to the individual;
- Upon request by the individual whose correction request has been refused, take reasonable steps to associate a statement with the personal information that the individual believes it to be inaccurate, out-of-date, incomplete, irrelevant or misleading;
- Respond within 14 calendar days to these requests; and
- Complete all actions free of charge.

Correcting at ACTA Group's initiative

We take reasonable steps to correct personal information we hold in cases where we are satisfied that the personal information held is inaccurate, out-of-date, incomplete, irrelevant or misleading (that is, the information is faulty). This awareness may occur through collection of updated information, in notification from third parties or through other means.

NSW Smart and Skilled Requirements - Privacy

The Consumer has the right to be informed about personal information that is collected about them and the right to review and correct that information.

ACTA Group maintains procedures for protecting a consumer's personal information. ACTA Group manages personal information in an open and transparent way. This is evident in the implementation of practices, procedures and systems we outline in this policy, that ensure our compliance with the APPs and any binding registered APP code, and provide suitable procedures for ACTA Group personnel to be able to deal with related inquiries and complaints that may be received from time to time.

Request for Records Access

Individuals or third parties may at any stage request access to records held by ACTA Group relating to their personal information. The following procedure is followed on each individual request for access:

1. A request for access is provided by the requester, with suitable information provided to be able to:
 - a. Identify the individual concerned;
 - b. Confirm their identity; and
 - c. Identify the specific information that they are requesting access to.
2. This request may be in any form, or preferably using ACTA Group's *Records Access or Update Request Form*.
3. Upon receiving a request for access, ACTA Group then:
 - a. Confirms the identity of the individual or party requesting access;
 - b. Confirms that this individual or party is appropriately authorised to receive the information requested;
 - c. Searches the records that we possess or control to assess whether the requested *personal information* is contained in those records; and
 - d. Collates any personal information found ready for access to be provided.

Confirming identity

ACTA Group personnel must be satisfied that a request for personal information is made by the individual concerned, or by another person who is authorised to make a request on their behalf. The minimum amount of personal information needed to establish an individual's identity is sought, which is generally an individual's name, date of birth, last known address and signature.

When meeting the requesting party in person, identification may be sighted.

If confirming details over a telephone conversation, questions regarding the individual's name, date of birth, last known address or service details must be confirmed before information is provided.

4. Once identity and access authorisation is confirmed, and personal information is collated, access is provided to the requester within 30 calendar days of receipt of the original request. We will provide access to personal information in the specific manner or format requested by the individual, wherever it is reasonable and practicable to do so, free of charge.

Where the requested format is not practical, we consult with the requester to ensure a format is provided that meets the requester's needs.

5. If the identity or authorisation access cannot be confirmed, or there is another valid reason why ACTA Group is unable to provide the personal information, refusal to provide access to records will be provided to the requester, in writing. Our notification will include reason(s) for the refusal, and the complaint mechanisms available to the individual. Such notifications are provided to the requester within 30 calendar days of receipt of the original request.

Request for Records Update

Individuals or third parties may at any stage request that their records held by ACTA Group relating to their personal information be updated. The following procedure is followed on each individual request for records updates:

1. A request for records update is provided by the requester, with suitable information provided to be able to:
 - a. Identify the individual concerned;
 - b. Confirm their identity; and
 - c. Identify the specific information that they are requesting to be updated on their records.

This request may be in any form, or preferably using ACTA Group's *Records Access or Update Request Form*.

2. Upon receiving a request for records update, ACTA Group then:
 - a. Confirms the identity of the individual or party to whom the record relates;
 - b. Searches the records that we possess or control to assess whether the requested *personal information* is contained in those records; and
 - c. Assesses the information already on record, and the requested update, to determine whether the requested update should proceed.

Assessing Update

ACTA Group personnel assess the relevant personal information we hold, and the requested updated information, to determine which version of the information is considered accurate, up-to-date, complete, relevant and not misleading, having regard to the purpose for which it is held.

This may include checking information against other records held by us, or within government databases, in order to complete an assessment of the correct version of the information to be used.

3. Once identity and information assessment is confirmed, personal information is:
 - a. Updated, free of charge, within 14 calendar days of receipt of the original request; and
 - b. Notified to any third parties of corrections made to personal information if this information was previously provided to these parties.
4. If the identity of the individual cannot be confirmed, or there is another valid reason why ACTA Group is unable to update the personal information, refusal to update records will be provided to the requester in writing, free of charge, within 14 calendar days.

Our notification will include the reasons for the refusal and the complaint mechanisms available to the individual.

5. Upon request by the individual whose correction request has been refused, we will also take reasonable steps to associate a 'statement' with the personal information that the individual believes it to be inaccurate, out-of-date, incomplete, irrelevant or misleading. This statement will be applied, free of charge, to all personal information relevant across ACTA Group systems within 30 calendar days of receipt of the statement request.

Privacy Complaints

If an individual feels that ACTA Group has breached its obligations in the handling, use or disclosure of their personal information, they may raise a complaint. We encourage individuals to discuss the situation with their ACTA Group representative in the first instance, before making a complaint.

The complaints handling process is as follows:

1. The individual should make the complaint including as much detail about the issue as possible, in writing to ACTA Group:

ACTA Group Privacy Officer
Ash Humphries
ash@actagroup.com.au
1300 011 144

2. ACTA Group will investigate the circumstances included in the complaint and respond to the individual as soon as possible (and within 30 calendar days) regarding its findings and actions following this investigation.
3. After considering this response, if the individual is still not satisfied, they may escalate their complaint directly to the Information Commissioner for investigation:
Office of the Australian Information Commissioner
www.oaic.gov.au
Phone: 1300 363 992
When investigating a complaint, the OAIC will initially attempt to conciliate the complaint, before considering the exercise of other complaint resolution powers.
4. Alternatively, if the complaint relates to a non-privacy matter, or should individuals choose to do so, a complaint may also be lodged with the ASQA complaints handling service for complaints against RTOs:
Australian Skills Quality Authority
www.asqa.gov.au
Phone: 1300 701 801

Quality

Quality means meeting or exceeding conformance with any required regulatory standards and also client expectations and requirements. ACTA Group is committed to ensuring it is able to provide quality training and assessment services. Systematic monitoring of internal systems, strategies and practices allows ACTA Group to quickly respond to changes in the marketplace or stakeholder expectations.

ACTA Group ensures it complies with the *VET Quality Framework and Standards for RTO's 2015* at all times, including where services are being delivered on its behalf. This applies to all scope of registration.

Access and Equity

ACTA Group is committed to maintaining an inclusive and diverse workforce and student services.

Access and equity means policies and approaches aimed at ensuring that VET is responsive to the individual needs of Students whose age, gender, cultural or ethnic background, disability, sexuality,

language skills, literacy or numeracy level, unemployment, imprisonment or remote location may present a barrier to access, participation and the achievement of suitable outcomes.

Access and Equity principles include:

- Equity for all people through the fair and appropriate allocation of resources;
- Equality of opportunity for all people without discrimination;
- Access for all people to appropriate quality training and assessment services; and
- Increased opportunity for people to participate in training.

Disadvantaged groups include the following groups who traditionally have been under-represented in Vocational Education and Training:

- People with a disability;
- Aboriginals and Torres Strait Islanders;
- Women;
- People from non-English speaking backgrounds;
- People in rural and remote areas; and
- Long term unemployed.

Inclusive Learning

Inclusive learning is about a fair go for everyone. Everyone has a right to learn, everyone can learn, but many people do not get fair access to learning opportunities.

Everyone learns differently

Everyone can learn. Good trainers partner with Students to empower them to achieve to their potential. ACTA Group trainers ensure Students feel connected, supported and valued as individuals and as part of a community of Students.

Being inclusive is everyone's responsibility

ACTA Group trainers use a variety of training methods, encourage respectful interaction, seek feedback from Students, collaborate with specialists when they need extra help and continually update their skills.

Students bring existing knowledge and skills

ACTA Group trainers ensure teaching and learning activities have contextual application and relevance. Learning is productive, meaningful and engaging, and builds on the Student's existing capabilities.

Five core skills underpin all learning

The skills of oral communication, reading, writing, numeracy and learning need special attention. ACTA Group trainers actively recognise the need for Students to continually update and build core skills for new contexts and are supported to identify and action Student skills gaps.

Support for Students with Additional Needs

ACTA Group is committed to complying with Commonwealth and State legislation and policies regarding access, equity and cultural diversity. This legislation includes the *Disability Discrimination Act 1992 (Cth)* and the *Anti-Discrimination Act 1998 (Cth)*.

ACTA Group also maintains compliance with the *Disability Standards for Education 2005 (Cth)* including processes relating to:

- Enrolment;
- Participation;
- Curriculum development, accreditation and delivery;
- Student support services; and
- Elimination of harassment and victimisation.

ACTA Group strives to maximise opportunities for access, participation and outcomes for all Students within the vocational education, training and employment system.

ACTA Group undertakes to identify and, where possible, remove barriers that prevent individuals from accessing and participating in our services. ACTA Group is committed to treating all prospective and actual students on the same basis.

On the same basis

A person with a disability is able to seek admission to, or apply for enrolment in, an institution on the same basis as a prospective student without a disability if the person has opportunities and choices in admission or enrolment that are comparable with those offered to other prospective student without disabilities.

ACTA Group ensures it treats prospective students with a disability on the same basis as prospective Students without a disability as it makes any decisions about admission or enrolment on the basis that reasonable adjustments will be provided.

An adjustment is a measure or action (or a group of measures or actions) taken by ACTA Group that has the effect of assisting a student with a disability:

- In relation to an admission or enrolment — to apply for the admission or enrolment;
- In relation to a course or program — to participate in the course or program; and
- In relation to facilities or services — to use the facilities or services;
- On the same basis as a Student without a disability, and includes an aid, a facility, or a service that the Student requires because of his or her disability.

Reasonable adjustments

An adjustment is reasonable in relation to a student with a disability if it balances the interests of all parties affected. In assessing whether a particular adjustment for a student is reasonable, ACTA Group has regard to all the relevant circumstances and interests, including the following:

- The student's disability;
- The views of the student or the student's associate;
- The effect of the adjustment on the student, including the effect on the student's:
 - Ability to achieve learning outcomes; and
 - Ability to participate in courses or programs; and
 - Independence;
- The effect of the proposed adjustment on anyone else affected, including ACTA Group, personnel and other students; and
- The costs and benefits of making the adjustment.

Student Rights and ACTA Group Responsibilities

Students' Rights		ACTA Group Responsibilities	
Enrolment			
<ul style="list-style-type: none"> • Right to seek admission and enrol on the same basis as prospective Students without disability including the right to reasonable adjustments. 		<ul style="list-style-type: none"> • Take reasonable steps to ensure that the enrolment process is accessible. • Consider Students with disability in the same way as Students without disability when deciding to offer a place. • Consult with the prospective Students or their associates about the effect of the disability on their ability to seek enrolment; and any reasonable adjustments necessary. 	
Participation			
<ul style="list-style-type: none"> • Right to access courses and programs; use services and facilities; and have reasonable adjustments, to ensure Students with disability are able to participate in education and training on the same basis as Students without disability. 		<ul style="list-style-type: none"> • Take reasonable steps to ensure participation. • Consult with the Student or their associate about the effect of the disability on their ability to participate. • Make a reasonable adjustment if necessary. • Repeating this process over time as necessary. 	

Curriculum Development, Accreditation and Delivery	
<ul style="list-style-type: none"> Right to participate in courses and relevant supplementary programs that are designed to develop their skills, knowledge and understanding, on the same basis as Students without disability and to have reasonable adjustments to ensure they are able to participate in education and training. 	<ul style="list-style-type: none"> Enable Students with disability to participate in learning experiences (including assessment and certification). Consult with the Student or their associate. Take into consideration whether the disability affects the Student's ability to participate in the learning experiences.
Student Support Services	
<ul style="list-style-type: none"> Right to access Student support services provided by education institutions, on the same basis as Students without disability. Students with disability have the right to specialised services needed to participate in the educational activities they are enrolled in. 	<ul style="list-style-type: none"> Ensure that Students with disability are able to use general support services. Ensure that Students have access to specialised support services. Facilitate the provision of specialised support services.
Harassment & Victimisation	
<ul style="list-style-type: none"> Right to education and training in an environment that is free from discrimination caused by harassment and victimisation on the basis of their disability. 	<ul style="list-style-type: none"> Implement strategies to prevent harassment or victimisation. Take reasonable steps to ensure that personnel and Students are informed about their obligation not to harass or victimise Students with disability. Take appropriate action if harassment or victimisation occurs. Ensure complaint mechanisms are available to Students.

Process for Considering Adjustments

ACTA Group provides equitable access to all required educational and support services, so that no Student is disadvantaged regardless of their mode of study or location. Where there may be limitations regarding access to these resources, ACTA Group provides clear advice in pre-enrolment information so all clients can make an informed choice about which RTO and course of study best meets their needs.

ACTA Group embraces the responsibility of ensuring that all personnel acquire the knowledge and skills to relate to Students without direct or indirect discrimination. All personnel are aware of and know how to use available ACTA Group or external resources or be able to confidently refer Students to appropriate tutoring and community support services.

All personnel continue to expand their knowledge or access and equity issues through induction processes when joining ACTA Group, and in structured professional development on a regular basis (at least annually) in access and equity issues and resources.

ACTA Group personnel have access to a range of access and equity materials designed to assist Students in undertaking and completing courses and qualifications.

In assessing whether an adjustment to the course of the course or program in which the Student is enrolled, or proposes to be enrolled, is reasonable, ACTA Group is entitled to maintain the academic requirements of the course or program, and other requirements or components that are inherent in or essential to its nature.

Consulting the Student

Before ACTA Group makes an adjustment for the Student, the Student or their associate is consulted about:

- Whether the adjustment is reasonable; and

- The extent to which the adjustment would achieve the aims in relation to the Student; and
- Whether there is any other reasonable adjustment that would be less disruptive and intrusive and no less beneficial for the Student.

Deciding on an adjustment to be made

In deciding whether to make a particular reasonable adjustment for a Student, ACTA Group:

- Assesses whether there is any other reasonable adjustment that would be less disruptive and intrusive and no less beneficial for the Student; and
- Assesses whether the adjustment may need to be changed over the period of a Student's education or training.

A detailed assessment, which might include an independent expert assessment, may be required in order to determine what adjustments are necessary for a Student. The type and extent of the adjustments may vary depending on the individual requirements of the Student and other relevant circumstances. Multiple adjustments may be required and may include multiple activities.

Assessing reasonable adjustments

In assessing whether a particular adjustment is reasonable for the student with a disability, ACTA Group takes into account:

- The nature of the student's disability;
- The information provided by, or on behalf of, the student about how the disability affects the Student's ability to participate;
- Views of the student, or an associate of the student, about whether a proposed adjustment is reasonable and will enable the student with a disability to access and participate in education and training opportunities on the same basis as Students without disabilities;
- Information provided by, or on behalf of, the student about his or her preferred adjustments;
- The effect of the proposed adjustment on the student, including the student's ability to participate in courses or programmes and achieve learning outcomes;
- The effect of the proposed adjustment on anyone else affected, including ACTA Group operations, personnel and other students; and
- The costs and benefits of making the adjustment.

In making a reasonable adjustment, ACTA Group ensures that the integrity of the course or program and assessment requirements and processes are maintained.

ACTA Group acts upon information about an adjustment in a timely way that optimises the student's participation in education or training.

In meeting its obligations to provide reasonable adjustments, ACTA Group may provide an alternative adjustment to the Student's preferred form of adjustment, if the alternative is effective in achieving the desired purpose.

Unjustifiable Hardship

Once a reasonable adjustment has been determined, ACTA Group adjustment may consider if the adjustment would impose unjustifiable hardship on its operations.

In determining what constitutes unjustifiable hardship, all relevant circumstances of the particular case are taken into account including:

- The nature of the benefit or detriment likely to accrue or be suffered by any persons concerned; and
- The effect of the disability of a person concerned; and
- The financial circumstances and the estimated amount of expenditure required to be made by the person claiming unjustifiable hardship.

In determining whether unjustifiable hardship applies, ACTA Group:

- Takes into account information about the nature of the student's disability, his or her preferred adjustment, any adjustments that have been provided previously and any recommended or alternative adjustments.

This information may be provided by the student, an associate of the student or independent experts (or a combination of those persons);

- Ensures that timely information is available to the student, or an associate of the student about the processes for determining whether the proposed adjustment would cause unjustifiable hardship; and
- Ensures that these processes maintain the dignity, respect, privacy and confidentiality of the student and the associates of the student, consistent with the rights of the rest of the community.

Where a claim of unjustifiable hardship is made, ACTA Group has taken into account all the financial and other resources that are reasonably available for the purpose of making any necessary adjustments for the student, and the impact of those adjustments on its capacity to provide education of high quality to all students while remaining financially viable.

ACTA Group considers all costs and benefits both direct and indirect that are likely to result, the student and any associates of the Student, and any other persons in the learning or wider community, including:

- Costs associated with additional personnel, the provision of special resources or modification of the curriculum;
- Costs resulting from the student's participation in the learning environment, including any adverse impact on learning and social outcomes for the student, other students and teachers; and
- Benefits deriving from the student's participation in the learning environment, including positive learning and social outcomes for the student, other students and teachers, and any financial incentives, such as subsidies or grants, available to ACTA Group as a result of the student's participation.

Where ACTA Group decides to rely on unjustifiable hardship, it ensures that a notice stating the decision and the reasons for the decision is given to the student, or an associate of the student, as soon as practicable after the decision is made.

Implementing Reasonable Adjustments

ACTA Group takes reasonable steps to ensure that any adjustment required to be made is made within a reasonable time. Whether the time is reasonable depends, in particular, on whether and when the student, or his or her associate, has provided:

- In a timely way, any relevant information in the possession of the Student or associate about how the disability affects the Student in relation to education or training; and
- The Student's or the associate's opinion about the matters.

Where reasonable adjustments are implemented, a detailed training and assessment plan including timetables, notes regarding the required adjustments, and any related communications regarding the adjustments is maintained in the Student's file.

NSW Smart and Skilled Requirements – Access and Equity

ACTA Group will provide for all prospective Smart and Skilled Student all reasonable opportunity to enrol and undertake learning opportunities and outcomes in an environment free from discrimination and harassment.

ACTA Group will treat all students fairly and equitably in accordance with all relevant legislation. Further information on Australian laws and regulation can be accessed <https://www.legislation.gov.au/>

Support Services

The following Support Services are available and accessible for all students studying with ACTA Group. ACTA Group will provide students with contact details to refer any matters that require further follow up with relevant professionals. A student can access the extensive Student Support Services List on ACTA Group's website.

Referral Service Available	Contact Details
Lifeline Lifeline provides all Australians experiencing a personal crisis with access to online, phone and face-to-face crisis support and suicide prevention services. Find out how these services can help you, a friend or loved one.	Phone: 13 11 14
Kids Helpline If you're between 5 and 25 and you're feeling depressed, worried, sad, angry or confused about things like your studies personal relationships, Kids Helpline offers free 24 hour, 7 day telephone counselling support (anonymous if you prefer).	Phone: 1800 551 800
Drug Info DrugInfo is a service provided by the Australian Drug Foundation that offers information about alcohol and other drugs and prevention of related harms	Phone: 1300 85 85 84 www.druginfo.adf.org.au/contact-numbers/help-and-support
Reading and Writing Hotline For the price of a local call anywhere in Australia, the Hotline can provide you with advice and a referral to one of 1200 providers of courses in adult literacy and numeracy.	Phone: 1300 655 506 www.readingwritinghotline.edu.au
Centrelink	Phone: 1800 057 111 www.humanservices.gov.au/customer/dhs/centrelink
Australian Apprenticeship Centres (AAC) Australian Apprenticeship Centres handle all matters related to traineeships and apprenticeships. If you are a trainee or apprentice, some language, literacy and numeracy courses attract government subsidies. Talk to your AAC about this now.	Phone : 13 38 73 australianapprenticeships.gov.au

Discrimination

Discrimination can be direct, indirect or systemic.

Direct discrimination is any action which specifically excludes a person or group of Individuals from a benefit or opportunity, or significantly reduces their chances of obtaining it, because their status or personal characteristics, irrelevant to the situation (e.g., sex, ethnic origin) are applied as a barrier. Direct discrimination has as a focus assumed differences between Individuals.

Indirect discrimination is the outcome of rules, practices and decisions which treat Individuals equally and therefore appear to be neutral; but which, in fact, perpetuate an initially unequal situation and therefore significantly reduce a person's chances of obtaining or retaining a benefit or opportunity. Rules, practices and decisions are applied to all groups alike but it is the very assumption of a likeness that constitutes the discrimination.

Systemic discrimination is system of discrimination perpetuated by rules, practices and decisions which are realised in actions that are discriminatory and disadvantage a group of Individuals because of their status or characteristics and serve to advantage others of different status or characteristics. Direct and indirect discrimination contribute to systemic discrimination.

Bullying & Harassment

Bullying is repeated, unreasonable behaviour directed towards an individual or a group of individuals that creates a risk to health and safety and is unlawful. Repeated behaviour refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

Unreasonable behaviour means behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening. Examples of bullying may include (but are not limited to):

- A manager or supervisor using a management style that is harsh, involves shouting, constant criticism or humiliation of an individual or group of individuals in private or in front of their peers;
- An individual being treated less favourably by another individual or group of individuals, including, but not limited to, bullying or intimidation; forcing an individual to participate in an “initiation” process; the playing of practical jokes or forcing an individual to undertake demeaning tasks;
- Sniggering or gossiping behind someone’s back;
- Laughing at someone which is intended to make them feel uncomfortable or distressed;
- A manager setting unreasonable timelines or constantly changing deadlines for an individual to meet, or setting tasks that are unreasonably below or beyond a person’s skill level; and/or
- Continuously and deliberately excluding someone from workplace activities including ignoring or keeping individuals isolated from relevant communications about work issues.

ACTA Group is committed to providing a workplace and client services which are free from bullying, harassment and unlawful discrimination. ACTA Group aims to ensure all those participating in the workplace and services are treated with respect, dignity and fairness with an aim of creating an environment which promotes positive working relationships.

ACTA Group ensures that all stakeholders understand what will be regarded as bullying, how complaints of bullying can be made and how claims will be treated. This applies to all personnel, agents and clients engaging in ACTA Group’s services.

ACTA Group expectations are not limited to the workplace or working hours, and will include all work related events which includes, but is not limited to; lunches, client functions, meetings and conferences as well as social events.

ACTA Group expectations relate to, but are not limited by the following types of communication:

- Verbal communication either over the telephone or in person in the workplace, and outside of it;
- Written communication including; letters, notes, minutes of meetings etc.;
- Internal and external electronic communication including:
 - Email;
 - Instant messaging services;
 - Internal intranet;
 - Faxes;
 - Social media and networking forums including; Facebook, LinkedIn, Twitter and other forms of social media; and
 - Communications via text message.

In line with ACTA Group’s commitment to creating a workplace which is free from workplace health and safety risks and one which strives to create positive working relationships, all individuals are expected to observe the following minimum standards of behaviour, including:

- Being polite and courteous to others;
- Being respectful of the differences between Individuals and their circumstances;
- Ensuring they do not engage in any bullying behaviour(s) towards others in, or connected with the workplace which includes all individuals;
- Ensuring they do not assist, or encourage others in the workplace, or in connection with the workplace to engage in bullying behaviour(s) of any type;
- Adhering to the complaint procedure if they experience any bullying behaviour(s) personally;
- Reporting any bullying behaviour(s) they see happening to others in the workplace, or connected with the workplace in line with the complaint procedure; and
- Keeping information confidential if involved in any investigation of bullying.

Fair and reasonable management action taken in order to counsel an individual for instances of underperformance, investigating complaints made against personnel, discipline for misconduct and other work directions in line with business needs does not amount to bullying.

All individuals are expected to adhere to the standards of behaviour contained herein at all times. Any individual who is found to have breached these expectations will be disciplined accordingly, which may lead up to, and include termination of employment. If a contractor of ACTA Group is found to have breached these expectations, their contract stands to be terminated, or may not be renewed in the future.

Equity & Bullying Complaints

Any individual who believes that they have been subject to actions or words that may constitute discrimination or bullying should act upon such bullying as soon as possible by following the procedure set out below. Individuals who believe they have witnessed discriminatory or bullying behaviour by another individual in the workplace are also able to make complaints.

In the first instance, the aggrieved individual should, wherever practicable and if they feel comfortable doing so, attempt to amicably resolve the matter with the individual(s) who are alleged to have engaged in bullying. When confronting the issue, the individual should clearly state the offensive behaviour experienced, explain that the behaviour is unwelcome and offensive and ask that the behaviour does not continue. The person may not be aware that their behaviour or conduct was causing offense or was unwelcome.

This is not a compulsory part of the complaint procedure, and if an individual does not wish to confront the person directly, then this is not encouraged.

Where the alleged bullying involves the individual's direct manager and it is not practical for them to directly resolve the matter, they shall immediately notify the Chief Human Resources Officer who, with the individual's approval will endeavour to investigate and resolve the matter on an informal basis in accordance with the procedure set out below.

Informal Complaint Procedure

An informal complaint procedure includes a range of alternatives which can be applied in a flexible manner in order to address different complaints in consideration of the relevant circumstances. The informal complaint procedure is intended to be used for less serious allegations of bullying and instances which generally do not warrant disciplinary action being taken. An individual who is unsure of whether or not to make a formal or informal complaint may make an informal complaint first and decide if they want to escalate the complaint to a formal complaint.

Different options for handling informal complaints may include, but are not limited to:

- ACTA Group relevant manager having a conversation with the alleged bully about the behaviour complained of; and
- ACTA Group relevant manager having a meeting with the individuals concerned in an attempt to reach a resolution.

Formal Complaint Procedure

Where an individual wishes to lodge a formal complaint, they will be required to do so by communicating this in writing to the Chief Executive Officer.

A written complaint shall include the names of individuals concerned, details of the incident(s) and the names of any witnesses present.

Where a written complaint has been lodged, a formal investigation procedure will commence immediately. Formal investigations may be conducted by the Chief Executive Officer or an external person who is appointed by ACTA Group e.g. an independent mediator.

Regardless of whether the investigation is carried out by an ACTA Group personnel member, or by an independent body/person, the investigator will aim to follow the procedure set out below:

- Clarify details of what took place and ensure that all necessary information is obtained;
- Identify the outcome the complainant is seeking;
- Discuss with the complainant their legal rights, including lodging a formal complaint with the relevant state or federal tribunal;
- Discuss the complaint made with the person/s accused of bullying; and
- Making a determination as to whether the alleged behaviour occurred and if it constituted bullying.

If ACTA Group feels it is appropriate in the interests of health and safety of individuals concerned, and / or the efficiency of the investigation process, individuals may be requested to refrain from attending work / course services for a period of time whilst the investigation is underway. Alternatively, individuals may be given different duties or work to perform while the investigation is being conducted. Employees who are requested to do either of these will be paid at their normal rate of pay during this period.

Where it becomes apparent that the complaint made relates to conduct which constitutes misconduct or otherwise warrants disciplinary action, the investigator is to refer to the *Discipline* section of this manual for further action and resolution.

Whilst the investigator will endeavour to preserve the confidentiality of the complainant and the person complained of, it may be necessary to speak with other workers or Individuals involved to determine what happened and to maintain the integrity of the investigation process.

Where potentially unlawful conduct has occurred, ACTA Group will alert the appropriate authorities. Those Individuals who are involved in the complaint (including the complainant, witnesses etc.) are also under a duty to maintain confidentiality and display a commitment to uphold the integrity of the investigation process. If the complainant chooses to bring a support person with them to any meetings, they too are bound by confidentiality.

Gossiping and/or the spreading of rumours as a result of, or in connection with, a process followed under this policy will not be tolerated under any circumstances and may lead to further disciplinary action for those concerned.

Outcomes

The outcomes of a formal or informal complaint procedure will depend on the nature of the complaint, its severity and what is deemed appropriate in the relevant circumstances.

Where the results of an investigation procedure suggest that an individual is guilty of bullying, appropriate disciplinary procedures will be followed in line with the Discipline Policy. The disciplinary action will depend on the nature and severity of the behaviour and may include termination of employment, which may be instant dismissal where serious misconduct is deemed to have occurred.

Where the complaint involves a contractor or agent of ACTA Group and an investigation process reveals that a person has engaged in unlawful conduct or other behaviour which is prohibited by this policy, those concerned may face termination of their contracts immediately, or will not be renewed in the future.

In addition to the remedies provided above, other action may be deemed necessary to resolve or remedy the behaviour complained of, including but not limited to:

- Providing training to employees concerned regarding bullying;
- Requiring employees who have breached this policy to apologise to appropriate person(s);
- Adjusting working arrangements where appropriate;
- Providing counselling to employees (complainant and the person complained of);
- Placing employees on performance improvement plans to ensure improved behaviour; and/or
- Providing coaching and mentoring.

Appeals Procedure

If any parties involved are unhappy with the outcome, or the way the complaint handling procedure was managed by ACTA Group please contact the ACTA Group Chief Executive Officer to discuss your concerns.

Once notified the Chief Executive Officer will conduct a review of the procedure followed, and the outcome issued, and make a final determination on the issue. Once this determination is made, the person who has made the appeal will be notified of the outcome and this determination will be final.

The following external bodies can also provide further information:

Jurisdiction	Contact Details
Australian Capital Territory	ACT Human Rights Commission 02 6205 2222 http://www.hrc.act.gov.au
New South Wales	Anti-Discrimination Board of NSW 02 9268 5544 http://www.antidiscrimination.lawlink.nsw.gov.au
Northern Territory	Northern Territory Anti-Discrimination Commission 1800 813 846 http://www.adc.nt.gov.au
Queensland	Anti-Discrimination Commission Queensland 1300 130 670 http://www.adcq.qld.gov.au
South Australia	Equal Opportunity Commission SA 08 8207 1977 http://www.eoc.sa.gov.au
Tasmania	Office of Anti-Discrimination Commissioner Tasmania 03 6165 7515 http://www.antidiscrimination.tas.gov.au
Victoria	Victorian Human Rights Commission 1300 292 153 http://www.humanrightscommission.vic.gov.au
Western Australia	Equal Opportunity Commission WA 08 9216 3900 http://www.eoc.wa.gov.au
National	Australian Human Rights Commission 1800 620 241 https://www.humanrights.gov.au
National ACTA Group Employees	Fair Work Ombudsman 13 13 94 http://www.fairwork.gov.au

Third Party Engagements

ACTA Group may engage a range of third parties from time to time in order to support the delivery of its services.

Services mean training, assessment, related educational and support services and/or any activities related to the recruitment of prospective students. It does not include services such as student counselling, mediation or ICT support.

Third party means any party that provides services on behalf of ACTA Group but does not include a contract of employment between an RTO and its employee. Third party arrangements do not include arrangements for the hiring trainers and/or assessors as contractors or arrangements for advertising of ACTA Group services. Arrangements also do not apply where an individual contributes evidence of competency, such as workplace supervisors in traineeship or apprenticeship arrangements.

ACTA Group is responsible for all services delivered under its registration, regardless of where these are conducted, including in other countries. This responsibility applies to all RTO obligations, including:

- Providing data;
- Cooperating with ASQA;
- Complying with advertising and marketing standards;
- Informing prospective students;
- Dealing with complaints and appeals;
- Collecting fees; and
- Recordkeeping.

Consumer Protection

Australian Consumer Law

ACTA Group maintains compliance with the national *Competition and Consumer Act 2010* and associated *Australian Consumer Law (ACL)* requirements as specified in the Act and enacted in various state legislation across Australia. The ACL protects clients and ensures fair trading in Australia. Under the ACL clients have the same protections, and businesses have the same obligations and responsibilities, across Australia.

ACTA Group has implemented this *Consumer Protection Policy* and aligned *Consumer Protection Strategy* to protect the needs and interests of all clients. A designated *Consumer Protection Officer* has also been implemented:

ACTA Group Chief Executive Officer
Ash Humphries
ash@actagroup.com.au
1300 011 144

Guarantee

As a course services provider, ACTA Group supplies services and guarantees that these services will be:

- Provided with due care and skill;
- Fit for the specified purpose; and
- Provided within a reasonable time.

ACTA Group ensures it uses an acceptable level of skill or technical knowledge and takes all necessary care to avoid loss or damage when providing course services.

Consumer Protection Strategy

ACTA Group Obligations

ACTA Group ensures it:

- Provides the training and support necessary to allow students to achieve competency;
- Provides a quality training and assessment experience for all students;
- Provides a clear and accessible feedback and consumer protection system, including a designated and identified consumer protection officer;
- Maintains procedures for protecting consumers' personal information – please refer to the *Privacy* section of this manual for further information;
- Has established, documented and accessible consumer feedback and complaints handling policies and procedures; and
- Provides clients with details of these pathways for resolving or escalating complaints.

Clients Rights and Obligations

ACTA Group clients have the right to:

- Expect that the quality of your training meets the standards, regulations and requirement set down by the Australian Skills Quality Authority (ASQA) and relevant government subsidy body (where applicable);
- Be informed about the collection of personal information and be able to review and correct that information; and
- Access ACTA Group's consumer protection complaints process.

Clients' obligations include:

- Providing accurate information to ACTA Group; and
- Behaving in a responsible and ethical manner.

Cessation of Delivery

If ACTA Group, or a third party delivering training and assessment on ACTA Group's behalf, closes or ceases to deliver any part of the training product that a student is enrolled in, a number of options will be available to the student including:

- Refund of course fees paid; and/or
- Continued delivery of services with alternate ACTA Group services delivery personnel (where applicable); and/or
- Supported transfer of the student enrolment to an alternate RTO for completion of services delivery (where applicable).

Clients' obligations include:

- Providing accurate information to ACTA Group; and
- Behaving in a responsible and ethical manner.

Publicly Available

All ACTA Group consumer protection information and approaches is made available to all clients by being publicly published on the ACTA Group website and included within the relevant handbook for each stakeholder group.

Cooling Off Period

Specifically, for unsolicited consumer agreements, clients have 10 business days to change their mind and cancel the Course Fees Agreement. During the cooling-off period ACTA Group does not provide any services or accept any payment.

For agreements negotiated by telephone, the cooling-off period begins on the first business day after the client receives the agreement document. For other agreements, the cooling-off period begins on the first business day after the agreement was made.

A client may terminate an agreement verbally or in writing. The termination date is when the client gives or sends the notice.

Course Fees Agreement

ACTA Group's *Course Fees Agreement* is transparent – expressed in plain language, legible and clear - and clearly states:

- The client's cooling-off and termination rights;
- The full terms of the agreement;
- The total fees payable, including fees for all additional items;
- ACTA Group's
 - Business address (not a post box number);
 - Australian Business Number (ABN) or Australian Company Number (ACN); and
 - Fax number and email address, where they have these.

The *Course Fees Agreement* front page is signed by the client and includes the date it was signed. The agreement is also provided with the *ACL Termination Notice* that the client can use to terminate the contract.

Provision of the Written Agreement

When an ACTA Group representative negotiates an unsolicited consumer agreement:

- The representative informs the client of their termination rights before the agreement is made;
- The client is given a written copy of the agreement; and
- Both parties sign the agreement and any amendments.

Information about termination rights is provided to clients by ACTA Group in writing and is:

- Attached to the agreement;
- Transparent – expressed in plain language, legible and clear, and
- The most prominent text in the document, other than the text setting out ACTA Group name and logo.

If negotiated in person, the written copy of the agreement is provided to the client immediately after it is signed. If negotiated by telephone, the written copy is provided to the client:

- In person, by post, or electronically (if the client agrees); and
- Within five business days of the agreement occurring.

Consumer Protection Complaints

If an individual feels that ACTA Group or one of its third party representatives has breached its obligations in the undertaking of marketing and sales activities, they may raise a complaint. We encourage individuals to discuss the situation with their ACTA Group representative in the first instance, before making a complaint. The complaints handling process is as follows:

- The individual should make the complaint including as much detail about the issue as possible, in writing to ACTA Group:

ACTA Group Consumer Protection Officer
 Ash Humphries
ash@actagroup.com.au
 1300 011 144

- ACTA Group will investigate the circumstances included in the complaint and respond to the individual as soon as possible (and within 30 calendar days) regarding its findings and actions following this investigation.
- After considering this response, if the individual is still not satisfied, they may escalate their complaint directly to the Consumer Protection Agency in the relevant jurisdiction for investigation:

Jurisdiction	Contact Details
Australian Capital Territory	ACT Office of Regulatory Services 02 62073000 fair.trading@act.gov.au
New South Wales	NSW Office of Fair Trading 13 32 20 www.fairtrading.nsw.gov.au <i>Smart & Skilled students</i> Smart & Skilled students can also contact the Smart and Skilled customer support centre to seek assistance, ask for advice, make a complaint or provide feedback. 13 28 11 or 1300 77 21 04 enquiries@smartandskilled.nsw.gov.au Support is also available in person at a State Training Services Centre: www.training.nsw.gov.au/about_us/sts_contacts.html
Northern Territory	NT Consumer Affairs 1800 01 93 19 consumer@nt.gov.au
Queensland	QLD Office of Fair Trading 13 74 68 www.fairtrading.qld.gov.au/lodge-your-complaint

South Australia	SA Office of Business and Consumer Services 13 18 82 www.cbs.sa.gov.au
Tasmania	TAS Consumer Affairs & Fair Trading 1300 65 44 99 www.consumer.tas.gov.au/fair_trading
Victoria	Consumer Affairs Victoria 1300 55 81 81 www.consumer.vic.gov.au
Western Australia	WA Department of Commerce 1300 30 40 54 www.commerce.wa.gov.au

- Alternatively, a complaint may also be lodged with the ASQA complaints handling service for complaints against RTOs:

Australian Skills Quality Authority
www.asqa.gov.au
 Phone: 1300 701 801

NSW Smart and Skilled Requirements – Consumer Protection

All students enrolled in a place under the Smart and Skilled Program have the right to expect that the training that they receive is consistent with the National VET regulator's requirements (the Australian Skills Quality Authority) and the requirements of the Smart and Skilled contract.

The Consumer Protection Strategy:

- Defines the rights and obligations of students and consumers with respect to their training under Smart and Skilled
- Defines the consumer protection obligations of a training provider with a Smart and Skilled contract
- Explains the measures the NSW Department of Education has implemented to protect the rights of students receiving training under Smart and Skilled
- Describes the Smart and Skilled complaints and dispute handling resolution process
- Lists other agencies that may assist in the complaint handling process

ACTA Group have an appointed NSW Consumer Protection Officer:

Ash Humphries
ash@actagroup.com.au
 1300 011 144

The NSW Smart and Skilled Consumer Protection Strategy (gov issued), describes the Smart and Skilled complaints handling and dispute resolution process. The NSW Smart and Skilled Consumer Protection Strategy can be accessed <https://www.nsw.gov.au/sites/default/files/2022-04/consumer-protection-strategy-1-jul-22-to-30-jun-23.pdf>

The Smart and Skilled website also provides information on:

- Consumer Protection
- Training provider obligations, minimum standards and grievances procedures

- The escalation of complaints and Smart and Skilled dispute resolution process
- Also includes a link to an online form for making an enquiry, complaint or provide feedback Smart and Skilled Form <https://www.nsw.gov.au/education-and-training/resources/tsnsw-complaint-or-compliment>

Complaints and disputes are handled from an officer from Training Services NSW, who will first try to resolve the issue through information and mediation.

Marketing & Advertising

ACTA Group enables informed choice for clients and students by providing clear and factual information, whether this is done directly or by a third party. ACTA Group is responsible for all marketing or other material disseminated on its behalf, regardless of the channel or method used.

ACTA Group is conscious of the national requirements for the marketing of nationally recognised training and ensures that the information used is accurate, clear and managed ethically. ACTA Group is subject to all relevant consumer protection law that applies in any jurisdiction where it operates and ensures it honours all commitments it makes.

ACTA Group's marketing or advertising material is consistent with its training and assessment strategies.

ACTA Group ensures its marketing of AQF qualifications to prospective students is ethical, factual and accurately represents the services it provides and the training products on its scope of registration.

Pre-Enrolment Information

ACTA Group provides extensive current and accurate information about its course services via publishing publicly on its website. This public information includes the relevant handbook for each stakeholder group that contains information about:

- ACTA Group itself;
- Student rights & responsibilities;
- General regulatory and legislative compliance;
- student attendance and behaviour expectations;
- Equity commitment;
- Work health and safety requirements;
- Privacy arrangements;
- Fees, charges and refunds;
- Language, literacy and numeracy arrangements;
- Recognition of prior learning (RPL) and credit transfer;
- Competency-based training and assessment processes;
- Complaints and appeals processes;
- Records, release of information and access to student records;
- Cheating, plagiarism and discipline arrangements;
- Evaluation and feedback arrangements; and
- Further information contact details.

A range of compliance and operating information is also publicly published on the ACTA Group website. Please refer to the *Marketing & Advertising* section of this manual for further information.

Course Services Information

Once a course information request, client expression of interest or course registration and application for enrolment has been received, ACTA Group provides further current and accurate information to prospective students to enable them to decide if ACTA Group as a training organisation and the relevant course service of interest is suitable for them, taking into account their existing skills and knowledge and any specific individual needs.

ACTA Group ensures information provision for all course services is accurate and conforms to the planned training and assessment described in ACTA Group's training and assessment strategies.

Prior to enrolment, ACTA Group provides clear information to prospective clients via the *Course Guide* including the following:

- Full course code and title of the training product(s) of interest;
- Any relevant currency information, such as whether a qualification has been superseded or removed from a training package;
- Where the training and/or assessment will be undertaken, how long it will take and mode/s involved;
- Information regarding any entry requirements and/or specific requirements they need to meet to successfully complete the course program of interest;
- Any requirements of the client to provide any materials and/or equipment;
- Information about educational and support services available to students and any cost associated with them;
- Any limitations regarding access to educational and support services and resources;
- Whether the training includes mandatory work placements. If mandatory work placements are part of the training, clients are provided with clear information on who will arrange this, the duration and schedule applicable and what outcomes are expected of the work placement;
- ACTA Group is responsible for the quality of the training and assessment during all course services in compliance with the *VET Quality Framework* and the *Standards for RTOs 2015*; and
- ACTA Group is responsible for the issuance of AQF certification documentation the student is entitled to as course services are undertaken.

Fee Information

ACTA Group provides fee information to clients prior to enrolment, via the *Course Fees Agreement*.

Third Party Arrangements

Where a third party is involved in the provision of training and/or assessment services, ACTA Group ensures clients have clear information regarding this engagement via the *Course Fees Agreement*.

ACTA Group provides the name and contact details of any third party involved in the provision of training and/or assessment services, or related educational and support services on its behalf to the client. Clients are able to contact both ACTA Group and the third party at any time.

Consumer Rights

ACTA Group informs prospective clients about their rights as a consumer in accordance with relevant state and territory laws. This includes information on cooling-off periods where relevant. Please refer to the *Consumer Protection* section of this manual for further information.

ACTA Group informs prospective clients about its complaints and appeals processes that may be relevant for course services and other business activities. These processes include provisions for the lodgement of a complaint or appeal against any relevant third party engaged by ACTA Group, and are outlined in the ACTA Group relevant handbook for each stakeholder group.

ACTA Group notifies clients as soon as practical after any change occurs that may affect the course services being provided. This includes changes of significant impact including:

- Any changes to, or new third party arrangements ACTA Group puts in place, for the delivery of services to specific clients; and
- A change in ownership should that occur.

Notification occurs in writing, via letter, email or an amended *Course Fees Agreement* in cases where this is relevant.

Student Advice & Suitability Process

On application for enrolment, ACTA Group ensures that all Students are able to seek admission to a course program on the same basis. Where Students have particular needs, these are discussed in open consultation with the Student, and where appropriate, reasonable adjustments will be made in order to facilitate the Student's enrolment.

ACTA Group provides high quality course services, including training and assessment that is suitable and appropriate for each Student.

Suitable means the training and assessment meets the individual's needs, links to likely job and/or participation outcomes and minimises duplication of the individual's existing competencies.

Appropriate means the training and assessment is delivered to regulatory and industry standards, uses delivery modes and durations optimised for the individual's needs and includes reasonable support to facilitate the individual's participation and attainment.

ACTA Group focuses on supporting a prospective student to understand how their options may affect their future and, ultimately, helping them to choose the right training. This includes being prepared to suggest, in some instances, that none of its offerings are right for an individual. Where this is the case, ACTA Group refers prospective Students to relevant government websites in their jurisdiction as a good place to start to determine more suitable course options. Some example sites include:

Jurisdiction	Course Gateways
Australian Government	Australian Training Directory https://www.myskills.gov.au/
Australian Capital Territory	Skilled Capital https://www.skills.act.gov.au/
New South Wales	Smart & Skilled https://smartandskilled.nsw.gov.au
Northern Territory	VET NT http://www.vet.nt.gov.au/
Queensland	QLD Skills Gateway http://www.skillsgateway.training.qld.gov.au
South Australia	WorkReady Gateway http://www.skills.sa.gov.au
Tasmania	Skills Tasmania http://www.skills.tas.gov.au/learners
Victoria	Victorian Skills Gateway http://www.education.vic.gov.au/victorianskillsgateway
Western Australia	Future Skills http://www.dtwd.wa.gov.au/future-skills-wa

Academically Suited

ACTA Group has implemented this student entry procedure to ensure that students are confirmed to be academically suited to undertake the particular course they wish to study.

To ensure students are academically suited, ACTA Group's student application and enrolment processes include the requirements that:

1. The student satisfies minimum academic admission requirements; and
2. The student satisfies any other specified entry requirements for the particular course; and
3. ACTA Group reasonably believes that the student is academically suited to undertake the course.

Pre-Enrolment Review

ACTA Group conducts a *Pre-Enrolment Review* of current competencies including language, literacy and numeracy skills prior to commencement in training for each student.

The Pre-Enrolment Review is designed to:

- Identify any competencies previously acquired - Recognition of Prior Learning (RPL) or Credit Transfer;
- Ascertain a suitable, and the most suitable qualification for the Student to enrol in, based on:
 - the individual's existing educational attainment, capabilities, aspirations and interests;
 - due consideration of the likely job outcomes, participation and/or further study opportunities from the development of new competencies and skills;
 - being vocationally relevant and reflecting industry requirements and the workplace setting;
 - minimising duplication of the individual's existing competencies; and
 - meeting the individual's needs;
- Ascertain that the proposed learning strategies and materials are appropriate for that individual, based on:
 - providing reasonable and accessible support to facilitate the individual's participation in training and attainment of skills; and
 - the Volume of Learning, Amount of Training, duration, delivery modes, materials, facilities and equipment are sufficient:
 - to meet the individual's needs; and
 - for the individual to consolidate skills and produce job-ready competencies;
- Where the proposed learning includes portions delivered online, identify the individual's digital capability, including access to necessary technology, and where necessary identify steps to overcome any barriers in this regard.

Course Services are designed to build on a student's existing abilities and develop new ones. Students are not encouraged to undertake training where there is not a reasonable prospect of completion. The individual's existing educational and vocational attainment, other demonstrated capabilities, career aspirations and general interests are considered in course selections and services planning.

ACTA Group does not enrol a student in a course or qualification that is not suitable or inappropriate for that Student. The Pre-Enrolment Review is completed, and the outcomes known and documented, prior to acceptance of the Student's enrolment application.

The Pre-Enrolment Review is a comprehensive assessment where ACTA Group genuinely seeks to understand a Student's training needs. It's a conversation that encourages Students to reflect on their own aspirations and guides their selection of suitable training.

The Pre-Enrolment Review is undertaken by skilled ACTA Group personnel who provide impartial advice and translate a Student's ideas about their future into tangible and suitable choices.

The Pre-Enrolment Review process encompasses:

- Student identification confirmation;
- Course information & requirements;
- Identifying Students' existing educational attainment, capabilities, aspirations and interests and individual needs;
- Language, Literacy & Numeracy assessment;
- Where the proposed learning includes portions delivered online, identify the individual's digital capability, including access to necessary technology;
- Previous competencies, Credit Transfer application (if relevant) and Recognition of Prior Learning application (if relevant);
- Employer engagement (if relevant);
- Government support eligibility (if relevant); and
- Final planning, course confirmation and enrolment decision.

Each of these components is outlined below.

Student Identification Requirements

A number of ACTA Group projects require identification to be confirmed and verified identification evidence to be retained on file on admission to any nationally recognised course program. This may include:

- Evidence of student identity (for example, photo identification);
- Evidence of student eligibility to participate (for example, citizenship); and
- Evidence of pre-requisites being met (for example, previous qualifications/study).

Student identity is confirmed as an initial step in the Pre-Enrolment Review process.

Course Information

During the *Pre-Enrolment Review* process, general and course specific pre-enrolment information, including the relevant *Course Guide* is explained in further detail and student queries answered. This generally includes:

- Explanation of course content, competency standards, timelines and stakeholders;
- Outline of entry requirements and admission requirements;
- Duration of course and the delivery mode of course;
- Identification of specific resource requirements for the course;
- Explanation of assessment procedures relevant to course;
- ACTA Group's procedures and processes; and
- Fees, charges and refunds information.

Identifying Individual Student's Needs

Prior to enrolment ACTA Group provides advice to the prospective client about the training product(s) appropriate to meeting the student's needs, taking into account the individual's existing skills and competencies.

As a part of this process, ACTA Group ascertains and consider the individual's existing educational and vocational attainment, other demonstrated capabilities, career aspirations and general interests. To maximise the chance of students successfully completing their training, ACTA Group:

- Identifies any support individual students need prior to their enrolment; and
- Provides access to that support throughout their training.

Student Enrolment Information Collection

All prospective students must complete and provide relevant enrolment information and personal data as a part of their enrolment application. This includes relevant AVETMISS data collection information and relevant student identifiers including the USI.

Prospective students have the option of commencing their enrolment information process online, by completing an online registration form for their initial course of interest. This online registration form once received is printed out and forms the basis of the student's enrolment information.

For prospective students that do not start the enrolment information process online, a hard-copy *Enrolment Application Form* will be completed by the prospective student as a part of the Pre-Enrolment Review.

In either case, once provided the enrolment information provided is used by ACTA Group representatives as a component of the re-Enrolment Review, as it provides significant information on the student's background, prior skills and qualifications, current employment status and particular special needs.

Either online print out or hard copy version of the *Enrolment Application Form* is signed by the student as a part of the Pre-Training Review process, to confirm that the information being provided is a true and accurate record relating to their individual situation. This confirms the application process but does not constitute formal acceptance of the student's enrolment into the course.

Students' Needs

As a component of this process, ACTA Group determines the amount of training it will provide to each student with regard to:

- The existing skills, knowledge and the experience of the student;
- The academic suitability of the student;
- The mode of delivery; and
- Where a full qualification is not being delivered, the number of units and/or modules being delivered as a proportion of the full qualification.

ACTA Group provides a range of educational and support services to its students that include, but are not limited to:

- Pre-enrolment materials;
- Study support and study skills programs;
- Language, literacy and numeracy (LLN) programs or referrals to these programs;
- Equipment, resources and/or programs to increase access for students with disabilities and other students in accordance with access and equity;
- Learning resource centres;
- Mediation services or referrals to these services;
- Flexible scheduling and delivery of training and assessment;
- Counselling services or referrals to these services;
- Information and communications technology (ICT) support;
- Learning materials in alternative formats, for example, in large print;
- Learning and assessment programs contextualised to the workplace; and
- Any other services that ACTA Group considers necessary to support students to achieve competency.

Support services are made available either directly or via arrangements with a third party.

ACTA Group's individual needs process includes:

- Identifying particular requirements such as literacy, numeracy, English language or physical capabilities students would need to complete each course;
- student learning styles and identification of any special learning needs; and
- Developing strategies to make support available where gaps are identified.

Academic Suitability - Language, Literacy, and Numeracy (LLN) Assessment

As a component of the Pre-Enrolment Review process, ACTA Group reviews all enrolment applications to ensure course admission requirements relating to the student's academic suitability are being met prior to acceptance of a student into a course.

Where a course has specific academic suitability admission requirements, as part of the Pre-Enrolment Review students are required to complete an *Australian Core Skills Framework (ACSF) aligned Language, Literacy, and Numeracy (LLN) Assessment* to ensure that the student has the ability to complete the course.

For all students in all course application processes, ACTA Group requires the assessment process to be conducted with honesty and integrity.

General VET Courses – Academic Suitability

General arrangements for students wishing to enrol in a VET course require the student to complete an ACTA Group designed LLN Quiz relevant to their course application.

That is, students are required to complete a LLN Quiz mapped directly to ACSF Level 1, 2, 3 or 4 requirements, at the ACSF level that has been confirmed relevant to the specific ACSF level of the course to which the application relates.

For students undertaking the ACTA Group designed LLN Quiz as part of the Pre-Enrolment Review, this assessment will be undertaken:

- Via paper-based or online quiz depending on the student's application preference;
- Individually by the student after identification has been confirmed; and
- Under the direct supervision of an ACTA Group representative to ensure the authenticity of the assessment results.

Results of Assessments

For all assessment undertaken as outlined above, the results of the assessment are reported to the student as soon as practicable after the assessment has occurred.

If the student is unable to complete the LLN Assessment satisfactorily, the relevant ACTA Group representative will complete a further *LLN Assessment Report*, making recommendations on required actions that may include:

- Refusal to process the student's application for enrolment, on the basis that the student has not met the entry requirements to support their successful completion of the course; or
- The required strategies and actions to be taken to assist the student to be able to complete the course, if this option is possible under course admission requirements.

The *LLN Assessment Report* is provided as soon as practicable to the Chief Executive Officer, who will make a final determination on the report's recommendations within five working days.

If the student's application for enrolment is rejected, reasons for this rejection will be provided in writing, with information including instructions on how to provide a further complaint regarding this decision.

Regardless of the outcome of the assessment result or outcome of the student's application for enrolment, ACTA Group retains all records of assessments undertaken and their results for a minimum of 5 years after the completion of the process.

Reasonable Adjustment

There may be times and situations in which a student may require 'reasonable adjustment' of the training and assessment methods implemented by ACTA Group to meet their specific individual needs. Please refer to the *Access and Equity* section for further information.

Credit Transfer

As a component of the *Pre-Training Review* process, ACTA Group ensures students are not required to repeat any unit or module in which they have already been assessed as competent, unless a regulatory requirement or license condition (including industry licensing schemes) requires this.

Credit transfer is a process that provides students with credit outcomes for components of a qualification based on identified equivalence in content and learning outcomes from previous studies.

Where a student provides suitable evidence, they have successfully completed a unit or module at any RTO, ACTA Group provides credit for that unit or module. In some cases, licensing or regulatory requirements may prevent a unit or module being awarded through a credit process.

ACTA Group is not obliged however to issue a qualification or statement of attainment that is achieved wholly through recognition of units and/or modules completed at another RTO or RTOs.

Note that providing credit for previous studies is not a Recognition of Prior Learning (RPL) process. RPL is a form of assessment of the competence of a person, while providing credit is recognising the equivalence of studies previously undertaken and completed successfully.

Verification of Documentation

ACTA Group recognises verified testamurs from other Registered Training Organisations. This applies to all cases, including students seeking credit transfer for previous study, and personnel documentation.

Before providing credit on the basis of a qualification, statement of attainment or record of results, ACTA Group authenticates the information in the document. When verifying testamurs of nationally recognised qualifications or statements of attainment from other RTOs, ACTA Group personnel are required to:

1. Sight the *original* certificate/statement of attainment from which credit transfer is being sought;
2. Confirm the authenticity of the document with the relevant issuing registered training organisation;
3. Ensure the unit codes on the previous certificate/statement of attainment are highlighted as the unit codes being sought for credit transfer;
4. Take a copy of the certificate/statement of attainment and certify this document by signing and dating that the certificate/statement of attainment has been verified, with the statement "I confirm that this document is a true and accurate copy of the original"; and
5. Where units are deemed equivalent, attach the relevant mapping page from the official training package / curriculum list where equivalency has been noted.

Student Request for Credit Transfer

If a student wishes to apply for Credit Transfer it is *mandatory* that they complete the *Credit Transfer / RPL Application Form* and include appropriate evidence to support the Credit Transfer application.

All Credit Transfer applications must be supported by the appropriate evidence. This may be in the form of Nationally Recognised Qualification or Statement of Attainment indicating exactly the same code and title as those included in the student application, or other documents of equivalence.

Where appropriate evidence is provided with the Credit Transfer application ACTA Group must grant the Credit Transfer. Where Credit Transfer is granted, the student will be advised within five working days of completion of the assessment and the training program adjusted accordingly.

Where Credit Transfer is not granted, the student will be notified in writing of the outcome within five working days of completion of the assessment. The written communication to the student includes a reason for refusal, and information on how to lodge a complaint or appeal if desired.

In all cases, a copy of the credit transfer application and verified copies of the relevant documentation evidence is retained in the student's file.

Recognition of Prior Learning

Recognition of Prior Learning (RPL) means an assessment process that assesses the competency/s of an individual that may have been acquired through formal, non-formal and informal learning to determine the extent to which that individual meets the requirements specified in the training package or VET accredited courses.

- *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);
- *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
- *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).

RPL assesses this prior learning against the requirements of a qualification, in respect of both entry requirements and outcomes to be achieved. RPL encourages an individual to continue upgrading their skills and knowledge through structured education and training towards formal qualifications and improved employment outcomes. RPL keeps the system of qualifications open to recognition of the value of learning achieved outside the formal system, as part of everyday living in a continuum of learning throughout one's life.

In order to recognise prior learning it is necessary to:

- Compare the informal or non-formal learning the individual has achieved against the learning outcomes or performance criteria of the course or qualification for which the student is using as a basis for seeking entry or the award of credit; and
- Determine appropriate evidence to support the claim of prior learning.

The processes used to assess RPL applications may take several (not mutually exclusive) forms, for example:

- Participation in exactly the same or modified versions of the assessment the student would be required to complete as part of the full course;
- Assessment based on a portfolio of evidence;
- Direct observation of demonstration of skill or competence;
- Reflective papers, journals or portfolios that relate past learning to the learning or competency outcomes of the current course or qualification;
- Provision of examples of the student's work drawn from the workplace, social, community or other setting in which the student applies their learning, skill or competence;
- Testimonials of learning, skill or competence; and
- Combinations of any of the above.

ACTA Group ensures that trainers and assessors remain current in their professional development and in their knowledge and understanding of issues related to recognition.

RPL Process

As a component of the *Pre-Training Review* process, ACTA Group implements a robust RPL process to ensure that:

- The uptake of RPL is encouraged and RPL processes are reviewed to streamline the RPL application process;
- Where possible, the student is able to complete the qualification in less time;
- RPL information is provided to students prior to enrolment and prior to commencement of formal training delivery in a course program;
- RPL processes offered provide adequate information, support and opportunities for students to engage in the RPL process;
- RPL decisions are made prior to the commencement of the course, subject or unit for which the RPL is being claimed; and
- RPL assessment processes and procedures meet the same delivery and quality assurance requirements as all other assessment arrangements.

RPL Requirements

To achieve RPL, students must:

- Apply for RPL;
- Provide appropriate RPL evidence (including documents, demonstrations and interviews as may be relevant); and
- Have this evidence assessed as meeting all of the requirements of the entire Unit of Competency.

Where students have gaps, or require additional mentoring and support, RPL is not applicable. In these cases *learning* is occurring, and a '*Competent*' result is achieved on completion of assessment.

RPL Applications

It is *mandatory* that students wishing to achieve RPL with ACTA Group complete a *Credit Transfer / RPL Application Form* and provide this form with their evidence submission for assessment. This application form ensures:

- The Application for RPL is recorded effectively;
- The start date for each Unit of Competency is correctly identified; and
- The appropriate declarations of authenticity of prior work are recorded.

Financial / Regulatory Implications

All ACTA Group personnel must ensure they are aware of RPL implications with regard to financial / regulatory impacts in their region and projects. RPL in some jurisdictions is:

- Fully subsidised;
- Partially subsidised; or
- Not subsidised.

Depending on the region, when students are applying for RPL, it is critical that ACTA Group personnel understand any financial implications that may apply and discuss correct fees and charges with the student concerned.

Employer Engagement

As a component of the *Pre-Training Review* process, ACTA Group ensures that employers or other parties who contribute to each student's course services and outcome are informed and engaged in the training and assessment on the development, delivery and monitoring of training and assessment. This may include course services involving work placements, employer sponsored courses and apprenticeship or traineeship arrangements.

- All employers involved in ACTA Group course services receive the *Student Handbook* that provides a range of important information for employer involvement including:
- Employer and RTO responsibilities;
- student attendance and behaviour expectations;
- Equity commitment;

- Work health and safety requirements;
- Privacy arrangements;
- Language, literacy and numeracy arrangements;
- student support services;
- Recognition of Prior Learning (RPL) and Credit Transfer;
- Competency-based training and assessment process;
- Complaints and appeals processes;
- Evaluation and feedback arrangements;
- Further information contact details; and
- Any relevant required release from work or study.

ACTA Group ensures all students involved in workplace delivery have a range of processes and mechanisms implemented to engage the employer in the training and assessment process. This includes but is not limited to:

- Consultation prior to and during enrolment, and subsequent training and assessment sessions to gain input from the employer in areas such as the development of the training plan;
- Providing employer guidance on how to assist students to achieve competency through undertaking specific workplace tasks. This is undertaken through various contact and employer specific information and documents;
- Ensuring the assessment process is supported with supplementary evidence from the employer to contribute to the assessment outcome (such as *Third Party Reports*);
- Regular contact with the employer to confirm the student's progress; and
- Formal evaluation processes to gain further feedback on the training and assessment processes provided.

Government Loan / Subsidy / Support Eligibility Assessment

As a component of the *Pre-Training Review* process, ACTA Group may undertake an eligibility assessment on particular government subsidy or support initiatives that the student may be eligible to access.

On appropriately qualified and trained ACTA Group representatives who have received a *Delegation of Authority* from the ACTA Group Chief Executive Officer are able to undertake government subsidy eligibility assessments.

Finalising the Pre-Enrolment Review

As a Pre-Enrolment Review is conducted, ACTA Group representatives complete the Pre-Enrolment Review Record to confirm that all components of the process are completed effectively.

As all Pre-Enrolment Review activities above are completed, the ACTA Group representative clearly documents:

- Details of which of the key learning objective(s) the proposed course aligns with as follows:
 - enable the individual to obtain the required skills to make them job-ready;
 - assist the individual to undertake further education; and/or
 - promote/enable access to training for a disadvantaged individual; and
- How the proposed course aligns with the stated key learning objective(s); and
- The rationale for how the selected course is being both suitable for the individual, and the most suitable course option for the individual; and
- The overall Pre-Enrolment Review decision.

On conclusion of this process, a Course Fees Agreement (including Statement of Fees) is then prepared by ACTA Group in order to make a formal enrolment offer to the prospective student and/or relevant supporting employer.

Non-Acceptance of Enrolment Application

Should the prospective student not be accepted into the course program they have applied for, the individual will be provided with formal notice of this non-acceptance:

In writing;

- With reasons provided for this non-acceptance;

- With any alternate options or actions recommended by ACTA Group; and
- With relevant information on how the prospective student may raise a complaint or seek to have the decision reviewed.

NSW Smart and Skilled Requirements – Application and Enrolment

Training to meet students needs and requests - When advising a Prospective Student on the most suitable qualifications, ACTA Group will consider the students requests, the most appropriate pathway for the student to achieve their goals and the students ability.

Student information - ACTA Group will ensure all students considering enrolling in Subsidies Training receive and have been provided access to information both electronically and hard copy (if requested) in the following:

- Fee and Charges Information
- Recognition of Prior Learning
- Credit Transfer
- Discontinuing and deferring Subsidies Training (including any implication on fees)
- Consumer Protection Information
- Third Party Information (if applicable)
- What the enrolled student should do if they wish to discontinue or defer training
- How to access Support and assistance during training, including support contact details

Notification of enrolment - ACTA Group will adhere to the student eligibility requirements outlined in the Smart and Skilled Student Eligibility Policy and Procedure (gov issued).

ACTA Group will only action notifications of enrolment (NoE) through the portal in accordance with the following process:

Consent – ACTA Group will first obtain consent from the Prospective Student to the Department's use of the Prospective Students information by:

- Prospective Student signing or electronically accepting (including ticking a check box) a consent form
- Prospective Student verbally provides consent providing a consent statement which is recited to the Prospective Student or is made available to the Prospective Student by an ACTA Team Representative.

Third Party Arrangement – ACTA Group will inform the Prospective Student and any employer of any Third Party Arrangement including any Brokering Arrangement.

Provider Calculator – ACTA Group will use the Provider Calculator to validate eligibility, input details of any Credit Transfers or Recognition of Prior Learning, and generate any fees chargeable and the applicable Subsidy together with any Loadings. ACTA Group will provide the Prospective Student with details of the Fee chargeable.

Notification of Enrolment Report – Provider Copy – ACTA Group will generate and maintain a hard copy or electronic copy of the Notification of Enrolment Report (*ACTA Group copy that can be referred to where the fee and Subsidy is adjusted after the Commitment ID is generated*).

Prospective Student Declaration – ACTA Group will confirm the Prospective Student has signed or electronically accepted a declaration confirming the following:

- All the information provided by the Prospective Student to ACTA Group, in connection with the Notification of Enrolment (NoE) Process is true, accurate, complete and not misleading in any way.
- A Notification of Enrolment Process has not concurrently been completed for the same qualification and/or the same units of competency for the same or other qualification/s
- The Prospective Student is aware of any Third Part Arrangements (if applicable)

- The Prospective Student will be provided with the details of the Fee chargeable and fee information

Notification of Enrolment Process – ACTA Group will carry out this process simultaneously with the students enrolment process and will be completed before any training commences.

Fees, Charges and Refunds

ACTA Group undertakes to provide course services as outlined in the Course Fees Agreement.

Fees and Charges

Prior to enrolment, ACTA Group notifies clients of a range of fee information in a Course Fees Agreement. This fee information includes:

- All fees payable to ACTA Group, clearly describing all costs involved with the course;
- How and when fees must be paid;
- How to request a refund;
- The conditions under which a refund would be provided; and
- The student's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies.

ACTA Group publishes all fees and charges. ACTA Group details its fees and charges including, but not limited to:

- Compulsory fees;
- Additional charges or co-contributions;
- Application process for exemptions and concessions;
- Methods of collection; and
- Refund information.

Where a student is being enrolled under any loan or delayed payment arrangement, the terms of the arrangement are clearly stated, including:

- Any debt that may be incurred;
- When repayment is required;
- Under what conditions; and
- Any associated fees, indexation or interest.

This information forms part of the Course Fees Agreement. Information provided to clients is consistent with ACTA Group course services arrangements. ACTA Group ensures all fees and charges related to the provision of training services are outlined to all parties prior to enrolment. Information provided is clear, accurate and sufficient to enable an informed choice.

ACTA Group fees are designed to minimise the impact of fees and charges, through flexible payment plans, dependent on service type. ACTA Group is committed to cost efficiency for Recognition of Prior Learning (RPL) applications and will at all times seek to complete RPL applications at the same cost or lower than normal course delivery costs.

Course Tuition Fees

All fees are published and available on the ACTA Group website. Published fees information includes fee rates for each training product, including full fee for service, subsidised, concession and exemption fee rates for each course and relevant government jurisdiction.

ACTA Group charges students (and/or their employer or school) the mandatory or at least the minimum course tuition fee in accordance with the relevant specific jurisdictional training initiative requirements.

Student Support Services Fees

If any specific student support options available attract an additional cost, ACTA Group makes this clear in pre-enrolment information and as a part of the Course Fees Agreement. Similarly, if there are limitations to the support ACTA Group is able to provide to particular Student cohorts, these limitations are also made clear in information provided to potential Students.

ACTA Group ensures support provided is reasonable and accessible, with clear and accurate information on these items is included in the ACTA Group's *Student Handbook*.

Incidental Expenses / Resource / Other Fees

There may be some instances of a personal cost to a Student over and above the general course fees. These costs include:

- *Essential equipment and other items* that the student has the choice of acquiring from ACTA Group, or from a supplier other, that become the physical property of the student, are retained by the student on completion of training, and are not consumed during the training. Example: tool kit.
- An optional charge for *an item that is not essential* for the Student to complete the training.
- An optional charge for an *alternative form of access* to an item or service that is an essential component of the training but is otherwise made readily available at no additional fee by ACTA Group.
- *Field trips and food, transport and accommodation costs* associated with the provision of field trips that form part of the training.
- *Any textbook* the Student requires for their course that is retained by the Student after completion of the qualification.

Other fees may be charged for alternate forms of access to essential goods or services that are otherwise made available by ACTA Group at no additional cost, such as course reading material that is available free of charge through another source.

These fees do not exceed cost recovery. Any increases to the resource fee must not exceed a Perth consumer price index (CPI) increase of 1%. Where appropriate, accountable officers may apply a resource fee to new or existing courses where they have not previously applied.

Trainees and apprentices are not exempt from these fees. However, ACTA Group provides Trainee Record Books to trainees and apprentices free of charge.

For each qualification, ACTA Group publishes on its website any additional costs that a Student will or may incur and ensure that Students are aware of these costs prior to enrolment ACTA Group *Incidental Fee Schedule*.

ACTA Group provides the student or employer (where relevant) with receipts for any monies collected by ACTA Group for incidental expenses. ACTA Group retains copies of receipts issued.

Services Not Incurring Fees

ACTA Group does not charge Students separate fees for goods and services that are considered an RTO's responsibility.

For example, ACTA Group does not charge fees for costs associated with goods and services such as enrolment, records archiving, the purchase or depreciation of equipment or general infrastructure, IT support, and access to general learning and personal support services such as mentoring, study skills programs and career guidance. Separate fees may not be charged for negotiating training plans or determining employers' capacity to train.

Fees are not charged for any items that will be retained by the student as their own personal property, such as tools, protective clothing or textbooks. Such items are purchased separately by the student.

Embedded Qualifications

In some cases, a qualification may include all the units of competency required to complete a lower level qualification, an 'embedded' qualification. The student may wish to be issued with a testamur for the lower level qualification in addition to the higher one they enrolled in.

In this case the student has paid the fee for the higher level qualification. ACTA Group does not charge an administrative fee to produce the additional testamur.

Co-enrolments

ACTA Group charges a fee for each government subsidised course that a student enrolls in, as relevant to the relevant government contractual requirements.

Repeated Assessment

Students are able to attempt assessment to complete a unit of competency on two (2) occasions within their initial course fee. ACTA Group does not levy additional fees for these attempts.

Government Loan, Funding, Subsidy and Support Entitlements

ACTA Group ensures each student is made aware of how undertaking training and assessment will impact their access to further government funded training. This includes ensuring that students are aware of any government funding entitlement that may reduce their ability to access such funding in the future (such as arrangements that limit funding to one qualification for a person).

ACTA Group also provides advice on these arrangements prior to enrolment, via the Course Fees Agreement.

The total course fee for a government subsidised course is divided into two components:

- The Fee (to the Student / employer / employee); and
- The Subsidy (paid by the relevant government body).

In cases of government funding or subsidy, the Course Fees Agreement also includes the approximate value of the contribution from government towards the qualification(s) in which the student is considering enrolment.

Fee Concessions and Exemptions

Fee concessions and exemptions do not apply to ACTA Group programs.

Notifications and Guarantee

ACTA Group notifies clients as soon as practical after any change occurs that may affect the course services being provided. This includes changes of significant impact including:

- Any changes to, or new third party arrangements ACTA Group puts in place, for the delivery of services to those specific clients; and
- A change in ownership of the RTO entity should that occur.

ACTA Group guarantees that no additional charges will be imposed during the period covered by the Course Fees Agreement.

All Students are offered the option to pay fees across multiple instalments. Where an employer pays fees this is typically paid in one instalment.

Third Party Fee Arrangements

ACTA Group third party representatives do not collect fees on behalf of ACTA Group.

Fee Protection

ACTA Group does not collect more than \$1,500 in prepaid fees (fees in advance) from Students at any time for any course service. As such, no further fee protection arrangements are required. The requirements that apply to prepaid fees include all fees that a Student is required to pay, including enrolment fees, tuition fees, materials fees and any other fee component that is a mandatory payment for the course.

ACTA Group is required to protect prepaid fees from individual Students and prospective Students. These requirements do not apply for employers - for example, where an employer engages ACTA Group to provide training and/or assessment to its personnel.

Payment of Fees

Enrolment is not considered complete until statutory and RTO enrolment-based fees and charges are paid, deferred payment arrangements have been made or fees and charges have been waived.

On enrolment, Students must take up one of the following payment options:

- Pay the full amount of fees and charges;
- Present a signed authority from an employer to invoice that employer for the Student's fees and charges;
- Pay the fee by instalment; or
- Make application on the grounds of severe financial hardship for fees and charges to be waived for courses below diploma level.

Students who fail to take up one of the above options are not enrolled. Apprentices and trainees are treated the same as other students and are legally liable to pay fees.

Payment Instalments

Students are given a minimum of eight weeks from the commencement of the unit to finalise payment when paying by instalment.

Where approval has been given for a student to pay by instalment, ACTA Group is responsible for the collection of outstanding fees and charges. Fair and adequate recovery procedures are in place to manage the collection and recovery of monies.

Students who have fallen behind in their payments are not enrolled in additional units unless appropriate arrangements, agreed to by both the student and present a signed authority from an employer to invoice that employer for the student's fees and charges, have been put in place to pay the amount outstanding.

Recovery of Outstanding Student Fees

ACTA Group collects all fees to be paid by the student by the time they complete their subsidised training. ACTA Group retains student fees that it collects.

ACTA Group has a robust process for the recovery of outstanding fees from a student. The failure by a student to pay a fee owing is considered to be a breach of discipline and can lead to penalties being imposed on the student under Discipline arrangements.

One of the penalties that may be considered is the delay in release of results or testamur(s) as relevant to the student until all fees are recovered, depending on the contractual requirements in each jurisdiction. For significant student debts, formal debt collection actions may also be undertaken.

Refunds

From time to time a refund may be required for specific student cases. Refund information and arrangements are made available to clients prior to enrolment through:

- ACTA Group's *Student Handbook*;
- ACTA Group website; and
- As a part of the Course Fees Agreement completed prior to enrolment.

ACTA Group has publicly published on its website and makes students aware of this Fees, Charges and Refunds Policy and Procedure before enrolment.

Enrolment Fees

Enrolment fees paid for any course service cover administrative components of service provision and are often mandatory fees in the cases of publicly funded course services. In these cases, enrolment fees are non-refundable once the course service has commenced.

ACTA Group's general refund arrangements for all course services, including the provision of refunds to employers/industry for additional charges paid beyond the student and government contributions, are as follows:

Refund Arrangements	
ACTA Group is unable to commence the course for which the original enrolment and payment has been made.	<ul style="list-style-type: none"> Full refund of all fees levied or placement in an appropriate alternate course, as per the clients' preference.
Student withdrawal before course commencement and/or the 'withdrawal with no penalty cut-off date.' <i>The 'withdrawal with no penalty cut-off date' for each unit is before 20% of the scheduled unit of competency hours for each unit has been delivered. Students are advised that written advice (such as email) of course withdrawal is necessary to ensure that they are eligible for refunds.</i>	<ul style="list-style-type: none"> Full refund of course tuition fees paid. A full refund of any resource fee if the course is a Diploma or Advanced Diploma course; or 50% of any resource fee if the course is below Diploma level. <p><i>Note: In cases for subsidised Students in specific jurisdictions where a mandatory government enrolment fee is required, these fees are non-refundable once the course services have commenced.</i></p>
Recognition of Prior Learning and/or Credit Transfer has been granted.	Pro-rata refund paid based on a calculation of the number of units that have received RPL or CT results and the fees paid to date.
ACTA Group is unable to continue to deliver the course as agreed.	Pro rata refund of unit tuition fees levied for units of competency not completed, or placement in an appropriate alternate course, as per the clients' preference.
Student withdrawal after unit commencement beyond the 'withdrawal with no penalty cut-off date.'	No refund payable for units of competency beyond the 'withdrawal with no penalty cut-off date.' Full refund of course tuition fees paid for units of competency yet to reach the 'withdrawal with no penalty cut-off date.'

Refunds Due to Non-Provision of Services

All fees levied are refunded in full if ACTA Group is unable to commence the course service as agreed due to a lack of minimum Student numbers, a course or unit is cancelled or re-scheduled to a time unsuitable to the student, a student is not given a place due to maximum number of places being reached, where a student withdraws from training not of their own accord, or any unforeseen circumstances.

A full refund of relevant unit tuition fees will be paid at any time during delivery if a class is cancelled because of declining student numbers, no available training personnel, ACTA Group is no longer approved to deliver government supported courses in the relevant jurisdiction, where ACTA Group RTO closes or due to other circumstances caused by ACTA Group.

Where there is an instance of ACTA Group default due to unforeseen circumstances, ACTA Group will endeavour arrange for another course, or part of a course, to be provided to Students at no (extra) cost to the student as an alternative to a refund. Where the student agrees to this arrangement, ACTA Group will not refund fees paid.

Refunds Due to Request / Hardship Application

Students may have extenuating circumstances that prevent them from attending scheduled course dates that may include but are not limited to illness, family or personal matters, or other reasons that are out of the ordinary. Where delivery has commenced, course fees have been paid and an employer or Student believes a special circumstance refund is warranted, the client may apply for a refund by writing via email at:

ACTA Group Chief Executive Officer
 Ash Humphries
ash@actagroup.com.au
 1300 011 144

ACTA Group generally approves a pro rata refund of fees and charges at any time during the course of delivery if Students withdraw for reasons of personal circumstances beyond their control, such as

- Serious illness resulting in extended absence from course activities;
- Injury or disability that prevents the Student from completing their course; or
- Other exceptional reasons at the discretion of ACTA Group.

In all cases, relevant documentary evidence (for example, medical certificate) is required. Details of all refunds are retained for audit purposes.

This decision of assessing the extenuating circumstances rests with the Chief Executive Officer and shall be assessed on a case by case situation.

All refund applications are assessed and processed within fourteen (14) days of the application being placed. The applicant will be advised in writing of the outcome of their application, including reasons for refusing a refund in cases where this occurs.

ACTA Group does not provide a refund in cases where a student has withdrawn from a qualification but has completed all the requirements for a lower level qualification, which attracted a lower student fee.

All clients have the right to appeal a refund decision made by ACTA Group. Please refer to the Complaints section for further information.

Third Party Refunds

If course services fees have been paid to ACTA Group by a third party, any refunds payable will be remitted to that third party.

Course Fees Agreement

All prospective students, prior to enrolment, receive a *Course Services Agreement* including *Course Fees Agreement* from ACTA Group. This agreement makes a formal enrolment offer to the prospective student and/or relevant supporting client, and includes all relevant fees, charges, refunds and government support information relevant to the student's course selection.

NSW Smart and Skilled Requirements – Fees, Charges and Refunds

Charging Fees - ACTA Group only charges the student the relevant set fee by the NSW Government for the subsidies training the student is undertaking. The student fee is confirmed when ACTA Group enters the student data into the Smart and Skilled Provider Calculator. ACTA Group does not charge the student any additional fees, except for allowable additional costs outlined in Section 5: Additional Fees [Fee Administration Policy](#)

All references in the Smart and Skilled Fee Administration Policy to charging a student a fee includes, but is not limited to:

- The student
- The student parent or guardian
- The student employer
- Any other organisation or entity

Credit Transfer (CT and RPL) - When an eligible student is granted credit transfer or recognition of prior learning for one or more units of competency, the qualification price is adjusted and a new student fee determined.

ACTA Group will grant credit transfer for all units of competency already achieved, where the evidence to support is provided. Where credit transfer is granted, student fees are calculated as follows:

- The fix cost of the qualification will be reduced by the proportion of units of competency given credit transfer
- The variable cost will be reduced by the total cost of each unit of competency granted credit transfer

Once the adjusted qualification price is calculated the new student fee will be determined at the same percentage of the price as the original student fee for the course.

ACTA Group ensures that our RPL Process aligns with the [NSW Recognition Framework](#) as published from time to time. RPL involves a student demonstrating they already have skills, experience and/or knowledge to complete the qualification and/or Unit of competency without needing to attend training and/or assessment.

ACTA Group will inform the student of the RPL opportunities and the process for applying. Where RPL is granted, student fees are calculated as follows:

- The fixed cost of the qualification and/or unit of competency will be reduced by 50 % of the total cost of each unit of competency granted
- The variable cost will be reduced by 50% will be reduced of the total coast of each unit of competency granted

Once the adjusted qualification price is calculated the new student fee will be determined at the same percentage of the price as the original student fee for that course.

Levying of student fees - ACTA Group will determine the payment arrangements for student fees. ACTA Group will publish information and inform each student of these arrangements before the student enrolls.

ACTA Group will collect all fees to be paid by the student prior to completing their subsidies training. ACTA Group will not accept fees on behalf of a student unless the entity or organisation is the employer of the student or is a provider of government funded employment services and the student is a direct client. ACTA Group will collect and retain evidence of the above two conditions.

Discontinuing students - *Withdrawn without penalty*

ACTA Group advises students, prior to any fees being paid, of the 'withdrawn without no penalty' cut-off dates. The date is determined as 7 days after enrolment.

Withdrawal after the 'without penalty cut-off date

Where a student withdraws from training after the cut-off date, ACTA Group will:

Give the existing student a statement of fees that includes all fees applied and any fees refunded, if applicable

Comply with requirements relating to 'Discontinuing Students' in the [Smart and Skilled Operating Guidelines](#) including the following:

- Attempt to obtain formal notification from the enrolled student of the date the training ended
- Comply with the Fee Administration Policy including with respect to the refund of any applicable fees
- Issue the enrolled student with a Statement of Attainment and associated transcript for completed Units of Competency within 30 days of notification of the discontinuance
- Update the Training Plan listing all units of competency where an outcome has been achieved, commenced but not completed and/or not commenced
- Provide the updated Training Plan to the enrolled student
- Return results of any outstanding completed training activities and/or assessments to the enrolled student
- For any Trainee or Apprentices, notify the local Training Services NSW Regional Office within 14 days of notification of the discontinuance of training
- Submit Training Activity Data to finalise the record and, if eligible, receive any further payments or Subsidies and Loadings

Fee Refunds - ACTA Group publishes their Fees, Charges and Refund Policy and Procedure on its website. The policy includes the following:

- The withdrawal with no penalty cut off date
- Process for refunding a student who withdraws from training not of their own accord (Transfer out Process)
- A process for partial refund of fees where credit transfer and/or recognition of prior learning (RPL)

- Information on whether the student will get refund if they withdraw from a qualification but have completed all the requirements for a lower level qualification

Transferring students - *Transfer Out Process* - If there is to be a transfer out of an enrolled student, ACTA Group will provide advice to the enrolled student as soon as practically possible. In the event the Smart and Skilled Contract is terminated or suspended the Transfer Out Process will commence prior to the termination of the Contract and/or ending the delivery of Subsidies Training to the relevant enrolled student, and will be completed within 28 days after the date of commencement of the Transfer Out Process.

ACTA Group will comply with all the directions from the Department in relation to the transfer out of students:

- The date of the forthcoming termination of the Contract or of the ending of the delivery of Subsidies Training

Options for continuing Training, which may include:

- Referring the enrolled student to the Smart and Skilled website to identify an alternative RTO who can provide Subsidies Training
 - Referring enrolled student to the local Training Services NSW Regional Office for assistance
 - The enrolled student opting to remain with ACTA Group and continue Training on a fee for service basis
 - ACTA Group suggesting an alternative RTO Provider
- Fee arrangements for transferring enrolled students
 - Issuing of Statement of Attainment/Qualification credentials reflective for their actual Training and Assessment progress to date
 - Issuing of current Statement of Fees and Receipts of Payments
 - Issuing an updated Training Plan listing all units of competency where an outcome has been achieved, commenced but not completed and/or not commenced
 - Ensure all current enrolled students in training receive any refunds owned in accordance with the Smart and Skilled Fee Administration Policy
 - Return results of any outstanding completed Training activity and/or Assessments the enrolled student
 - Submit Training Activity Data to finalise the record and, if eligible, receive any further payments of Subsidies and Loadings

Transfer In Process - A student transferring into ACTA Group will be treated as a new student and ACTA Group will follow the Notification of Enrolment Process (NoE). As per Smart and Skilled Fee Administration Policy, ACTA Group will contact the Department to determine the fee.

Recovery of outstanding fees - ACTA Group will not action an issuance of a students Statement of Attainment unless the student has paid in full the student contribution fees.

ACTA Group will work with every student to ensure they provide a payment plan option to a student to pay all outstanding fees (if applicable).

Changes to student fees - The enrolled student will pay the student fees that applies at the time that they are to commence training. Students will not be affected by any subsequent changes to Smart and Skilled Fees.

A student undertaking a Smart and Skilled qualification may withdraw from a qualification with ACTA Group and transfer to another Smart and Skilled Provider to complete their qualification because:

- They choose to of their own accord
- ACTA Group has closed, or has had their contract terminated, or ACTA Group cannot continue to deliver training to the student in the delivery mode chosen by the student and it is not possible for the student to continue training in an alternative delivery mode.

Students transitioning from superseded qualifications - Where a student is enrolled in a qualification that is superseded and the student is required to transition to the new qualification to continue and complete the training, and the price of the new qualification is different to that of the superseded qualification:

- ACTA Group will continue to be paid the applicable subsidy for the superseded qualification
- The student fee will remain the same

Fee protection mechanisms - ACTA Group complies with Clause 7.3 of the ASQA Standards for Registered Training Organisations (RTOs) 2015 relating to an RTO's responsibility to protect prepaid fees by learners. ACTA Group will not request prepay fees excess of a total of \$1500 (being the threshold prepaid fee amount) either directly or through a third party, a prospective or current learner.

Where any changes are made to ASQA's requirements for the protection of student fees. These override fee protection obligations set out under the [Smart and Skilled Fee Administration Policy](#).

Fee Records

All course services fees, relevant invoices and receipts for each student course enrolment are recorded and maintained in the aXcelerate student management system. This system acts as the official accounts receivables system for ACTA Group and is maintained as the official and auditable records for all fees, charges and refunds.

Enrolment and Induction

ACTA Group course services meet strict student services standards, to maintain an exceptional standard of student service, and meet compliance with the conditions and standards of the *VET Quality Framework, Standards for RTOs 2015* and various other guidelines and contractual requirements.

Enrolment

ACTA Group assesses all potential student enrolment applications to ensure they meet the enrolment requirements of the course and to confirm their ability to complete the requested training product. Where the enrolment of the student would require unreasonable adjustments to the course program, the student's admission for enrolment will not be processed. Decisions on the acceptance or otherwise of student enrolment applications are free from bias and discrimination.

Confirmation of Enrolment

A student's enrolment application into a course program is accepted and enrolment confirmed once:

- All pre-enrolment information has been provided and discussed;
- student identity has been confirmed;
- student individual needs assessment has been completed;
- Enrolment information collection has been completed and confirmed;
- Course entry requirements and admission requirements have been reviewed and confirmed;
- Any government subsidy or support eligibility process has been undertaken and concluded;
- Any final Pre-Enrolment Review processes are conducted; and
- A *Course Fees Agreement* has been completed and signed by all parties.

The date on which the *Course Fees Agreement* is completed and signed by all parties is confirmed as being the official date of enrolment.

Induction

ACTA Group induction sessions with students may be individual or in groups, and include:

- Further explanation of course content, competency standards, timelines and stakeholders;
- Preparation and signing of the Training Plan; and
- Provision of initial course resources, information or activities.

ACTA Group personnel conducting the induction process are responsible to ensure all paperwork is completed.

Training Plans

ACTA Group documents course services information on training and assessment in a *Training Plan* for all full qualification students. Training plans include:

- Name and contact details for ACTA Group (and employer, for apprentices/trainees);
- Title and code of qualification;
- Unit title and code of competencies/modules to be obtained;
- Scheduled hours for competencies to be obtained;
- Timeframe for achieving competencies including the start date and end date of each competency (and actual dates for where training has already occurred, for Apprentices/Trainees);
- Delivery modes to be used;
- Proposed learning strategies and resources that are appropriate for the student;
- Details of the support services that the student will receive, including if they:
 - Are Australian Aboriginal or Torres Strait Islander;
 - Have a disability; or
 - Are long-term unemployed;
- Details of any customisation included to respond to the needs of the student and/or work locations and/or employer;
- Assessment details and arrangements;
- Party or parties responsible for the delivery and/or assessment of each competence;
- Record of Recognition of Prior Learning and Credit Transfer hours granted, as relevant; and
- Signature (including date of signature) of the ACTA Group representative and the student.

Additional Apprentice/Trainee requirements:

- Detailed training activities and responsibilities for training to be undertaken as part of any workplace-based training arrangements;
- Details (when, how & how much) of the time allocated outside routine work duties for Structured Training;
- Signature (including date of signature) of the ACTA Group representative, employer, Apprentice/Trainee (School-based Apprentices/Trainees also require the signature of the school's representative); and
- Any other specific requirements to be met.

Training Plans are developed and signed prior to training commencement.

Training plan jurisdiction specific requirements, including the use of mandatory training plan formats, is also met. The information in training plans is consistent with the needs of the student identified in the Pre-Enrolment Review.

A copy of the endorsed (hardcopy or electronic) training plan is provided to each student. This information ensures that both ACTA Group and the student are making informed decisions about the course services required and the respective obligations in the delivery of these course services.

Amendments to the Training Plan

ACTA Group routinely negotiates amendments to the Training and Assessment Plan approach with all students. Where a major amendment occurs (e.g. delivery mode / change of unit selection):

- An amended training plan is prepared in negotiation with the student(s); and
- All parties sign off a new declaration on the amended training plan to confirm agreement.

ACTA Group updates the *Training Plan* according to any changes mutually agreed throughout the course services. ACTA Group monitors each student's progress in satisfying the requirements of the qualification, in line with the *Training Plan*.

State Jurisdictional / Contractual Requirements

The following student course services have mandatory training plan requirements:

Jurisdiction	Requirement
ACT	<ul style="list-style-type: none"> Apprentices / Trainees – <i>ACT Australian Apprenticeships Training Plan Template</i> must be used. Skilled Capital students – <i>ACT Skilled Capital Training Plan Template</i> must be used.
NSW	<ul style="list-style-type: none"> Apprentices / Trainees – <i>NSW Australian Apprenticeships Training Plan Template</i> must be used.
QLD	<ul style="list-style-type: none"> Apprentices / Trainees – <i>QLD Australian Apprenticeships Training Plan Template</i> must be used.
SA	<ul style="list-style-type: none"> Apprentices / Trainees – <i>SA Australian Apprenticeships Training Plan Template</i> must be used.

In all other regions ACTA Group general training plan templates are in use.

Training Services

Competency Based Training and Assessment (CBT&A) is a flexible form of training that aims to produce a workforce with the knowledge and skills which industry requires. Under CBT, we have competency standards. The concept of competency focuses on what is expected of an employee in the workplace rather than on the learning process and embodies the ability to transfer and apply skills and knowledge to new situations and environments.

Competency is a broad concept that includes all aspects of work performance and not only narrow task skills.

The *dimensions of competency* encompass:

- The requirement to perform individual tasks (task skills);
- The requirement to manage a number of different tasks within the job (task management skills);
- The requirement to respond to irregularities and breakdowns in routine (contingency management skills);
- The requirement to deal with responsibilities and expectations of the work environment (job role environment skills), including working with others.

Each Unit of Competency describes the work performed in the workplace. Students undertaking training and assessment receive a competent result when successful workplace performance is demonstrated.

Volume of Learning

ACTA Group is required to develop and implement approaches, including providing access to suitable resources, facilities and trainers, to ensure students gain all relevant skills and knowledge.

The Australian Qualifications Framework (AQF) provides a guide to the volume of learning which describes how long a student who does not hold any of the competencies identified in the relevant units of competency or modules would take to develop all the required skills and knowledge.

The volume of learning includes all teaching and learning activities such as guided learning (classes, lectures, tutorials, online or self-paced study), individual study, research, learning activities in the workplace and assessment activities. The amount of training provided by ACTA Group is part of the overall volume of learning and relates primarily to formal activities including classes and other activities as well as workplace learning.

ACTA Group complies with the AQF in applying the volume of learning to its programs. In a competency-based training environment, students aren't required to study for a specified number of weeks or months; however,

ACTA Group must still be able to identify and explain any significant variations from the time periods described in the AQF.

ACTA Group has developed and implemented strategies for training and assessment that are consistent with the AQF. If a course is structured so as to be completed in a shorter time period than that described in the

AQF, ACTA Group clearly describes, using a rationale based on the previous skills and knowledge and the needs of students, how a specific student cohort:

- Has the characteristics to achieve the required rigour and depth of training; and
- Can meet all of the competency requirements in a shorter timeframe.

Descriptions take into account the need to allow students to reflect on and absorb the knowledge, to practise the skills in different contexts and to learn to apply the skills and knowledge in the varied environments that the 'real world' offers before being assessed.

A shorter course may be acceptable if, for example, the student cohort comprises experienced workers who already have most of the required skills and knowledge. Because these students have previous relevant experience, it may be appropriate to deliver the program over a shorter period. Assessment requirements must still be met in such programs, although some assessment may be undertaken by recognising existing skills and knowledge.

Where the student cohort consists of new entrants or inexperienced workers, before assessment ACTA Group ensures students have been provided with the opportunity to fully absorb the required knowledge, and to develop skills over time in the different contexts they would experience in the workplace. This may require a longer timeframe than for those students with significant industry experience.

Training & Assessment Strategies

ACTA Group develops a strategy (or strategies as relevant) for each training product it is registered to deliver. Different strategies may be developed for different delivery models or target groups.

Guarantee

ACTA Group has, for all of its scope of registration, and consistent with its training and assessment strategies, sufficient:

- Trainers and assessors to deliver the training and assessment;
- Provision of or referral to educational and support services to meet the needs of the student cohort/s undertaking the training and assessment;
- Learning resources to enable students to meet the requirements for each Unit of Competency, and which are accessible to the student regardless of location or mode of delivery; and
- Facilities, whether physical or virtual, and equipment to accommodate and support the number of students undertaking the training and assessment.

ACTA Group meets all requirements specified in the relevant training package or VET accredited course for each training product delivered. ACTA Group training and assessment strategies and practices, including the amount of training provided, are consistent with the requirements of training packages and VET accredited courses relevant to the training products being delivered, and enable each student to meet the requirements for each Unit of Competency or module in which they are enrolled.

ACTA Group determines the amount of training provided when documenting and implementing training and assessment strategies with regard to:

- The existing skills, knowledge and the experience of the student target group;
- The mode of delivery; and
- Where a full qualification is not being delivered, the number of units and/or modules being delivered as a proportion of the full qualification.

Training Delivery

ACTA Group is committed to quality student centred course services provision that meets each individual student's needs. ACTA Group personnel strive to ensure that their teaching meets this commitment and:

- *Provides a learning environment which recognises differences in students' ages, experiences, aptitudes, learning styles and background; and*
- *Incorporates flexible delivery methods based on students' needs.*

Services Delivery

ACTA Group:

- Provides students with initial course materials and documentation within ten (10) days of finalising and signing their training plan;
- Delivers the training and assessment services in accordance with the training plan through the appropriate mode as identified in that plan;
- Where relevant, assists employer representatives to access appropriate materials to record achievements of the student in the workplace;
- Monitors the progress of the student throughout the program;
- Reviews progress of the student at regular intervals - typically on a monthly basis;
- Provides additional support as planned or required; and
- Conducts training and assessment services in a safe and accessible environment.

If at any stage prior to commencing delivery of the structured training and assessment, ACTA Group is unable to deliver the structured training and assessment identified in the training plan, it:

- Assists the student to identify an alternative RTO;
- Manages the transfer of that student to the new RTO with all appropriate records;
- In accordance with the Fees, Charges and Refunds policy, refund relevant fees paid by the student; and
- In the case of students under a training contract, notify the relevant STA that it will no longer be providing training relating to that particular qualification outcome and provide information confirming that the student has been transferred to another RTO.

Attendance

ACTA Group ensures consistency in monitoring and recording of student attendance meeting contractual requirements to maintain accurate records for reporting against training and assessment engagement.

ACTA Group trainers and assessors must ensure that complete and accurate records of attendance by students are maintained relevant to all engagement in accredited training delivery and assessment. It is each trainer and assessor's responsibility to record attendance requirements.

Attendance recording applies to:

- Workshop attendance;
- Workplace training logged time;
- Assessment meetings; and
- Observation activities.

Recording Attendance

Attendance is recorded at every ACTA Group training or assessment event, whether that be a group workshop, individual session or workplace onsite visit. The attendance record is completed at the beginning of each training session.

Non-attendance

Where a student misses a session without notice, the trainer makes contact with the student (and/or their immediate supervisor for workplace supported students) to verify the reason for their absence and to negotiate their return. Reasons for non-attendance are to be recorded on the *Attendance Record* for all non-attended students before the record is provided to ACTA Group Data and Administration team for processing.

In cases of repeated non-attendance, the trainer provides relevant advice to the student that their ability to complete the training program may be compromised by their non-attendance. Non-attendance contact and advice is noted on a *Contact Record*.

If non-attendance continues for more than two consecutive sessions, the trainer:

- Discusses the non-attendance with the student (and their employer where relevant);
- Provides options and determines a resolution to the non-attendance.

Where a student identifies that they will not be continuing with the program it is the trainer's responsibility to look at options to try and re-engage the student. Failing this, the trainer must collect the student's withdrawal in writing.

Workplace Delivery

In the case of workplace delivery, many of the required resources for course services may be readily available. ACTA Group confirms all resources required for delivery are available using the Workplace Resources Checklist.

Where workplaces do not have access to all required resources ACTA Group addresses resource gaps through a variety of options including:

- Provision of additional resources;
- Placement of the student in a simulated or alternate workplace environment; or
- Provision of alternate elective unit options that better reflect the workplace environment.

Simulated Workplace Environments

When using 'simulated' workplace environments, ACTA Group ensures they fully replicate the resources, environment and any time and productivity pressures that exist in the actual workplace. The selection and structure of simulated workplace environments is informed by consultation with industry stakeholders to ensure relevance to real workplaces.

Monthly Contact

ACTA Group maintains at a minimum monthly contact with all students and their workplace supervisor in cases of workplace-based delivery. All contacts are recorded using the *Contact Record*.

Providing Student Support

ACTA Group embraces the responsibility of ensuring all students are supported in acquiring the knowledge and skills sought through their training and assessment program. ACTA Group determines the support needs of individual students prior to enrolment and ensures access is provided to the educational and support services necessary for the individual student to meet the requirements of the training product as specified in training packages or VET accredited courses.

All ACTA Group personnel are aware of available internal or external resources or are able to confidently refer students to appropriate tutoring and community support services. For further information, please refer to the *Meeting Individual Student Needs* section of this manual.

ACTA Group ensures support provided is reasonable and accessible.

Work Placements

ACTA Group organises and administers work placements to students during course services where required. The opportunity of work placement provides:

- The student with the opportunity to gain real world experience in their chosen industry;
- The student to gain initial access to a potential future employer; and
- The host employer to support and 'test' a student as a potential employee.

Workplace learning programs are to achieve curriculum outcomes and enhance the vocational, educational and social development of students.

ACTA Group ensures that students with special needs are provided with opportunities on the same basis as other students. This includes identifying and liaising with the workplace around adjustments and accommodations that students with disabilities may require.

Work Placement Guidelines

The following guidelines are strictly adhered to at all times, for work placement opportunities:

- Work placements are voluntary - as such a student can choose not to participate in a work placement, and this should not affect their achievement of the course program unless the work placement is a specific mandated requirement for the course area.
- Students enrolled in a post-secondary education course undertaking a practical placement are not required to be paid for the work on that placement.

- Work placements may be as short as two days and as long as thirty days in duration (240 hours) - work placements longer than twenty days should only be organised in exceptional circumstances and after approval from ACTA Group management.
- If additional hours are required for any reason (for example, by professional bodies or regulators), it is the responsibility of ACTA Group to satisfy itself that those longer hours are justified to meet the course outcomes for the students(s) concerned, and having regard to the welfare of the student concerned.
- ACTA Group personnel hold the primary responsibility for organising work placements, although students may be involved in seeking and securing an appropriate host employer.
- Students are not placed on work placement if the ACTA Group representative feels that they are not 'job ready' for a placement.
- Work placements are conducted at a suitable time, location and industry employer for the student's needs.
- The student is under supervision at all times by the host employer while on work placement.
- The learning obtained during the practical placement should relate directly to the course outcomes at the appropriate skill level and to the actual competencies required for employment.
- ACTA Group personnel monitor work placements through regular contact and feedback process with host employers, including workplace visits with the number of visits dependent on the length of the work placement.
- Work placements are terminated at any time if the student and/or host employer is not comfortable with the progress of the placement.

In organising work placements, ACTA Group personnel ensure that all students have a voluntary work placement agreement in place to confirm that the student and the host employer are aware of their obligations and are committed to the work placement.

Insurance

ACTA Group provides all insurance requirements to cover students while on work placement. In some jurisdictions under publicly funded contractual arrangements, insurance is provided by the relevant state or territory authority.

Written Agreement

A written practical placement agreement is a mandatory component of any work placement. It is a legal agreement and must stipulate the rights, obligations and duties of the employer, ACTA Group and the student. ACTA Group enters into an agreement in writing with the employer about the placement of each particular student.

- In addition to the relevant details of ACTA Group, employer and student, the practical placement agreement includes:
- The course of study and the relevant skills required as part of that course to be developed, reinforced and/or assessed during the practical placement;
- The length of the practical placement expressed as hours; and
- Signatures of the student, the employer and the RTO.

The original of the written, signed practical placement agreement is maintained by ACTA Group for future reference. A copy is given to both the employer and the student.

Student Responsibilities

The student's responsibilities while on work placement are as follows:

- Attend the work placement on the agreed dates;
- Notify both the workplace supervisor and their ACTA Group work placement coordinator if unable to attend;
- Perform duties as requested and comply with all reasonable directions given by their work placement employer;
- Ensure dress and behaviour are in keeping with the accepted standards of the workplace; and
- Promptly tell the workplace supervisor and ACTA Group work placement coordinator of any personal injury or damage to property that has involved the student.

Employer Responsibilities

The work placement employer's responsibilities for a work placement are as follows:

- Understand the obligation of care for the student under relevant Workplace, Health and Safety Acts;
- Inform the student of safety requirements in the workplace;

- Provide meaningful activities and appropriate direction and supervision;
- Notify ACTA Group immediately of any incident involving the student, any actions undertaken and damages to property involving the student;
- Ensure that the student is not paid for the work placement; and
- Notify ACTA Group of any absences by the student.

ACTA Group Responsibilities

ACTA Group responsibilities for a work placement are as follows:

- Contact employers to arrange work placements for students;
- Ensure the work placement is related to the training the student has undertaken;
- Ensure the student is prepared for the work placement. For example, a construction induction 'White Card' training is mandatory for student attending building sites;
- Ensure the work placement occurs;
- Contact the work placement employer on the first day of the work placement to confirm the student's attendance;
- Visit the student at the work placement once per five-day period during the placement;
- Gather feedback from both student and work placement employer to evaluate the placement; and
- Has a process to advise relevant insurers and other parties immediately if an event occurs or a potential situation arises that could result in a claim.

Work Placement Booklet

All students are to be provided with a work placement booklet while on placement, so that they may record their progress, and host employers are aware of the skills or tasks they should cover while on placement.

Relevant National Criminal Checks or Working with Children Checks

If students are entering an industry requiring a character check (for example, aged care or children's services):

- Students are made aware of the requirement prior to enrolment, including the process and costs to secure the relevant check;
- Checks should be processed by students as soon as practicable after course enrolment, so that they have received their police check in time for their work placement (the processing time can be up to six weeks); and
- Students may select an industry area without this requirement for their placement, or opt out of placement altogether, instead of undergoing the required check, but only in cases where the work placement is not a mandatory component of the course services.

Duty of Care - Including Child Safety Code of Conduct

ACTA Group reflect the below core values and ethical activity. These core values, while important to all ages, are of the highest priority for young people to have the right to an environment where they are treated with respect, integrity and safety, with an absolute right to be protected from harm in its many forms.

Code of Conduct

All ACTA Group personnel are required to observe child safe principles and expectations for appropriate behaviour towards and in the company of children and are responsible for supporting the safety, participation, wellbeing and empowerment of children by:

- Adhering to ACTA Group's child safe policy at all times upholding ACTA Group's statement of commitment to child safety and wellbeing at all times.
- Participating in all compulsory training and professional development including training on child safety and wellbeing.
- Treating all children and young people with respect, regardless of race, sex, gender identity, sexual orientation, language, religion, political or other opinion, nationality, cultural background, financial situation, disability or other characteristics.
- Taking all reasonable steps to protect children from abuse.

- Listening and responding to the views and concerns of children, particularly if they are telling you that they or another child has been abused and/or are worried about their safety or the safety of another child.
- Promoting the cultural safety, participation and empowerment of Aboriginal children.
- Promoting the cultural safety, participation and empowerment of children with culturally and/or linguistically diverse backgrounds.
- Promoting the safety, participation and empowerment of children with a disability.
- Ensuring as far as practicable that adults are not left alone with a child.
- Reporting any allegations of child abuse to the Child Safety Officer & ACTA Group Management and ensure any allegation is reported to the police or child protection.
- Reporting any child safety concerns to the Child Safety Officer & ACTA Group Management.
- If an allegation of child abuse is made, ensure as quickly as possible that the child(ren) is safe.
- Encouraging children to 'have a say' and participate in all relevant organisational activities where possible, especially on issues that are important to them.
- Promoting friendships and encourage children and young people to support their peers.
- Reporting any conflicts of interest I have (such as an outside relationship with a child) that may affect my ability to perform my role.
- Respecting the privacy of children and their families, including keeping all personal information confidential unless required by law to share it.
- Informing parents and carers if there are situations that need to be safely managed but are outside the boundaries of this Code of Conduct (such as undertaking one-on-one training sessions).
- Upholding the rights of the child and always prioritising their needs.

Personnel must not:

- Develop any 'special' relationships with children that could be seen as favouritism.
- Exhibit behaviours with children which may be construed as unnecessarily physical.
- Put children at risk of abuse.
- Do things of a personal nature that a child can do for themselves.
- Engage in open discussions of a mature or adult nature in the presence of children.
- Use inappropriate, hurtful or offensive behaviour or language in the presence of children.
- Express personal views on cultures, race or sexuality in the presence of children.
- Discriminate against any child, including because of culture, race, ethnicity or disability.
- Have organised contact with a child or their family outside of our organisation without our child safety officer's knowledge and / or consent.
- Have any inappropriate online contact with a child or their family.
- Ignore or disregard any suspected or disclosed child abuse.
- Condone or participate in illegal, unsafe, abusive or harmful behaviour towards children – this includes physical violence, sexual abuse, emotional or psychological abuse, grooming, neglect or sexual misconduct.
- Ignore or disregard any concerns, suspicions or disclosures of child abuse or harm.
- Exaggerate or trivialise child abuse issues.
- Fail to report information to police if I know a child has been abused.
- Touch children in a way that is unnecessary or unsuitable and falls outside what is reasonable for ACTA Group services delivery purposes.
- Persistently criticise and/or denigrate a child.
- Deliberately prevent a child from forming friendships.
- Verbally assault a child or create a climate of fear.
- Offer children and young people alcohol, cigarettes or other drugs.
- Show children pornographic images, share details of sexual experiences with a child or use sexual language or gestures in the presence of children.
- Have unauthorised contact with children and young people online, on social media or by phone.

- Take photographs, screenshots or share images of children involved in activities that are not authorised or required for ACTA Group service delivery activities.
- Be alone with a child when there is no professional reason for doing so.

By observing these standards all personnel acknowledge individual responsibility to immediately report any breach of this code to the Child Safety Officer & ACTA Group Management.

All third-party contractors are also expected to abide by the Child Safe Code of Conduct, and where they are engaging with children will have to sign an agreement to comply with the code, prior to delivering any services.

ACTA Group enforces this policy, the Code of Conduct and any other child safety and wellbeing policies. Potential breaches by anyone will be investigated and may result in restriction of duties, suspension or termination of employment or engagement or other corrective action.

Child Safety Officer

ACTA Group has appointed a Child Safety Officer for its RTO operations, being the designated person to hear or be informed about all allegations or concerns and providing support to other personnel.

Child Safety Officer
Ash Humphries
ash@actagroup.com.au
1300 011 144

Our designated Child Safety Officer provides a single contact for children, parents and personnel to seek advice and support regarding the safety and wellbeing of children.

Promoting and Celebrating Young People's Identity

This policy and procedure are underpinned by the understanding that all children are vulnerable, however is conscious of the increased level of vulnerability of:

- Aboriginal children
- Those from culturally and linguistically diverse backgrounds
- Children with disabilities

To create a sense of identity and belonging for Aboriginal children, ACTA Group has in place a range of strategies including:

- Culturally appropriate symbols on campus through its welcoming plaques at reception

Working with Children Checks

- All ACTA Group personnel are required to undertake, as a component of the recruitment process, a National Criminal Check to ensure suitability in meeting ACTA Group legislative and contractual obligations. National criminal checks are valid for and must be renewed every three years.

NSW Smart and Skilled Requirements – Child Safety and Wellbeing

Reporting wellbeing of under 18 year olds - ACTA Group will report all safety, welfare and wellbeing of students protected under the Child Protection (working with children) Act 2012, to the NSW Department of Families and Community Services and Justice in accordance with legislative requirements.

Child related screening - ACTA Group will conduct child related screening of all employees, agents or individuals engaged by ACTA Group in accordance with the requirements established by the Office of the Childrens Guardian (NSW).

Student Variation to Enrolment

Withdrawals

If a current student is thinking of withdrawing from study, the student should contact the ACTA Group Student Support team for specific support and advice on their individual situation.

If a student wishes to withdraw from a unit/subject or a course, they can do so at any time.

Notification of withdrawal can occur in any written form, including but not limited to email, fax, letter or form.

Key contact details for withdrawal include:

ACTA Group Chief Executive Officer
Ash Humphries
ash@actagroup.com.au
1300 011 144

ACTA Group ensures there are no financial, administrative or other barriers that would result in a student not being able to withdraw from a course or unit on or before the withdrawal without penalty / census date.

If, on or before a withdrawal without penalty / census date, a student gives notice to ACTA Group that he or she wishes to withdraw from a course or unit or cancel his or her enrolment in the course or unit, ACTA Group ensure the student is not enrolled in that course or unit from the time of notification.

Notification of withdrawal can occur in any written form, including but not limited to email, fax, letter or form.

Enrolment in subsequent units

Where a student is enrolled in a course or unit with ACTA Group and the student withdraws from the unit, ACTA Group will:

- Write to the student via personal email address (and personal mail address if needed) seeking confirmation whether the student wishes to continue any enrolment in any other unit forming part of the course; and
- Ensure the student's written permission is provided before commencing an enrolment in a further unit.

ACTA Group publishes on its website and make readily available its withdrawal procedures.

ACTA Group does not charge a student any fine, penalty or fee to allow the student to withdraw from a course or unit.

Student Transfer Out Process

If a student elects to transfer to ACTA Group from another registered training organisation, ACTA Group provides advice to the student as soon as practically possible.

Where the enrolled student elects to transfer out, ACTA Group:

- Provides options for continuing training, which may include:
 - Refers the student to relevant government authorities to identify an alternative RTO who can provide Subsidised Training;
 - The enrolled student opting to remain and continue training on an alternate basis or arrangement; or
 - Suggesting an alternative Provider.
- Issues Statements of Attainment/Qualification credentials reflective of their actual training and assessment progress to date;
- Issues an updated Training Plan listing all units of competency where an outcome has been achieved, commenced but not completed and/or not commenced;
- Ensures any refunds owed are paid;
- Return results of any outstanding completed training activities and/or assessments to the student;
- Submits any government reporting required; and

- If the student is an Apprentice or Trainee, follows the process required for the change of RTO named on the Training Contract.

ACTA Group keeps records of all requests for/notices of discontinuation or keep a file note or log of such requests/notices together with evidence of all discontinuations made including evidence that it fulfilled its obligations above.

Student Transfer In Process

A student transferring in to ACTA Group is treated as a new student and ACTA Group carries out all standard enrolment processes.

Students Deferring Training

If a student indicates that they wish to defer their studies, ACTA Group makes every effort to assist students to continue training where possible.

If a student proceeds with the deferral of their studies, ACTA Group only permit a deferral of no more than six (6) months from the date of receipt of notice from the student.

ACTA Group advises students of the fee implications of deferring their studies in accordance with the individual's relevant fee arrangements.

Students who do not recommence studies within a six (6) month period of deferral are considered to have discontinued their studies with all records and reports processed as per the discontinuance process below. ACTA Group keeps records of all requests for/notices of deferral or keep a file note or log of such requests/notices together with evidence of all deferrals made.

Discontinuing Students

If a student indicates they wish to discontinue their studies without completing their course, ACTA Group ascertains if the reason for discontinuing relates to the performance of ACTA Group.

If that is the case, ACTA Group ensure that reasonable efforts are made to address concerns of the student related to the delivery and assessment of training.

If a student proceeds to discontinue their studies, ACTA Group

- Attempts to obtain formal notification from the student of the date their studies will end;
- Provides any refund of any applicable fee;
- Gives the exiting student a Course Fees Agreement that includes all fees applied and any fees refunded, if applicable;
- Issues the student with a Statement of Attainment and associated transcript for completed units of competency;
- Updates the *Training Plan* listing all units of competency where an outcome has been achieved, commenced but not completed and/or not commenced;
- Provides the updated *Training Plan* to the student;
- Returns results of any outstanding completed training activities and/or assessments to the student;
- For Apprentices or Trainees, notifies the relevant AAC and government authorities within 14 days of notification of the discontinuation of training; and
- Finalises any other government reporting requirements.

ACTA Group keeps records of all requests for/notices of discontinuation or keep a file note or log of such requests/notices together with evidence of all discontinuations made.

Student Course Extension Request

If a student indicates they wish to apply for a course extension, the student must apply at least one month prior to the end date of the course. ACTA Group keeps records of all requests for extensions (Student Deferring, Transferring, Discontinuing, Extension Form) or keeps a file note or log of such requests/notices together with evidence of all extension requests made.

If a student proceeds with the extension of their studies, ACTA Group only permits an extension of no more than two (2) months from the date of receipt of notice from the student.

ACTA Group advises students of the fee implications of extending their course enrolment in accordance with ACTA Groups Incidental Fee Schedule – Extension Fee.

NSW Smart and Skilled Requirements – Variation to Enrolment

Deferring students - When an enrolled student wishes to defer Subsidies Training in an Approved Qualification, ACTA Group will make every effort to assist the enrolled student to continue training where possible. ACTA will develop and implement strategies that accommodate enrolled students who wish to defer their Subsidies Training. If the enrolled student proceeds with the deferral of Subsidies Training in an Approved Qualification, ACTA Group may only permit a deferral of deferrals totally no more than 12 months from the date of receipt of notice from the enrolled student. ACTA Group will inform the prospective student before enrolment, any fee implications of deferring their Subsidies Training in accordance with the Smart and Skilled Fee Administration Policy.

Enrolled Students who do not recommence Subsidies Training within 12 month period of deferral will be reported as discontinuing Subsidies Training in accordance with:

- Reporting obligations: ACTA Group will submit relevant Training Activity Data (Including reporting Code D) and
- The started date and end date for any Unit of Competency which has not been commenced
- ACTA Group keeps records of all requests for/notices of deferral and keeps a file note of such on its LMS together with evidence of all deferrals made
- A student who wishes to recommence training after discontinuing an Approved Qualification will be treated as a new student and the Notification of Enrolment Process (NoE) will be carried out

Discontinued students - When an enrolled student wishes to discontinue their Subsidised Training in an Approved Qualification without completing the Approved Qualification, ACTA Group will first ascertain if the reason for discontinuing relates to the performance of ACTA Group including in respect to the delivery of Subsidies Training. If this is the case, ACTA Group will ensure that reasonable efforts are made to address concerns of the enrolled student related to the delivery and Assessment of Training. If the enrolled student proceeds to discontinue their training, ACTA Group will:

- Attempt to obtain formal notification from the enrolled student of the date the training will end
- Comply with the Smart and Skilled Fee Administration Policy including with respect to the refund of any applicable fees
- Issue the enrolled student with a Statement of Attainment and associated transcript for completed units of competency within 30 days of notification of the discontinuance
- Update the Training Plan listing units of competency where an outcome has been achieved, commence but not completed and/or not commenced
- Provide the updated Training Plan to the enrolled student
- Return results of any outstanding completed training activities and/or assessments to the enrolled student
- For Trainees or Apprentices, notify the local Training Services NSW Regional Office within 14 days of notification of the discontinued of training
- Submit Training Activity Data to finalise the record and, if eligible, receive any further payments of Subsidies and Loadings
- ACTA Group will submit relevant Training Activity Data (including reporting Code TNC)

Apprenticeships & Traineeships

Apprenticeships and traineeships offer many benefits to employers and employees. Employers can develop an employee who is trained to understand the specific requirements of their workplace and has the skills that match business objectives. Employees have the chance to gain valuable work experience, develop skills and acquire a nationally recognised qualification.

Employee & Employer Agreement

Both parties understand that there is a formal agreement to train the *Australian Apprentice* known as the *National Training Contract* that sets out the legal obligations binding on the employer and the employee.

Both parties enter into the employment and training arrangement with a commitment to mutual respect, honesty and fairness. Both parties agree to determine the qualification and the competencies that the employee is working to attain.

Both parties have a clear understanding of their contractual obligations including the duration of the training contract. Both parties are clear about available dispute resolution avenues and understand what is required to terminate the contract.

The employer will:

1. Meet legal obligations. This involves:
 - Conforming with relevant Commonwealth and State/Territory legislation, including that relating to apprenticeship/traineeship arrangements.
2. Provide a safe working environment. This involves:
 - Providing a safe workplace, free from workplace, verbal, physical, racial and sexual abuse;
 - Ensuring that all Workplace health and safety requirements are addressed; and
 - Provision of an appropriate introduction to the workplace, stressing Workplace health and safety requirements essential to workplace safety.
3. Support structured training. This involves:
 - Providing opportunities to develop knowledge and skills;
 - Lodging training contract documentation with the relevant authorities;
 - Participating in the development of the training plan and providing facilities and expertise to assist in the training of the trainee/apprentice in the agreed qualification (this may include on-the-job training, supervision from competent Individuals, mentoring, or time off for off-the-job training);
 - Ensuring that a record of training is maintained; and
 - Ensuring that the relevant authorities are notified on the completion of the training contract, or advising them in instances where the training contract is in danger of not being completed.
4. Provide supervision and support. This involves:
 - Providing the trainee/apprentice with a nominated workplace supervisor and could involve a coaching or mentoring arrangement, especially for trainees/apprentices with little experience of work; and
 - Being mindful that trainees/apprentices under the age of 18 are minors, and that their parents or guardians have legal responsibility for them.
5. Advise Trainee/Apprentices of their rights and responsibilities. This involves:
 - Ensuring that trainees/apprentices are encouraged to raise issues and problems both in the workplace and with ACTA Group;
 - Advising trainees/apprentices of entitlements, such as wages and conditions;
 - Ensuring that the trainee/apprentice is aware that help and assistance is also available from the relevant State/Territory Training Authority; and
 - Providing comprehensive induction processes for commencing trainees/apprentices to ensure that they are aware, from the time of commencement, of the proposed training program, workplace safety requirements and their rights and responsibilities.

The trainee/apprentice will:

1. Be aware of and make a commitment to fulfil work responsibilities. This involves:
 - Attending and performing work in a professional and courteous manner in accordance with the employer's requirements;
 - Taking care of workplace property and resources;

- Respecting the rights of other Australian Apprentices and employees in the workplace;
 - Remembering that information obtained from the employer must be kept confidential and not disclosed without approval from the employer; and
 - Consent from a parent or guardian, if you are less than 18 years of age.
2. Be aware of and make a commitment to fulfil training responsibilities. This involves:
- Making all reasonable efforts to achieve the competencies specified in the training plan and undertaking any training and assessment required;
 - Participating in the development of the training plan;
 - Attending training sessions or supervised workplace activities and taking advantage of learning opportunities; and
 - Maintaining a record of training.

General Administrative Practices

Government Systems

The relevant government authorities in each jurisdiction have a range of web systems that are made available to RTO's to assist in the management of traineeships and apprenticeships.

When ACTA Group is nominated as the training provider for an Apprentice or Trainee, it will use web systems as required in each jurisdiction. ACTA Group accesses each system on at least a weekly basis to identify new individuals that have nominated it as their preferred provider.

Notifications

ACTA Group immediately notifies the relevant Australian Apprenticeships Centre (AAC) if the qualification selected is not appropriate or relevant to the Apprentice/Trainee's work duties, and request that the employer and Apprentice/Trainee vary the Training Contract.

ACTA Group notifies the relevant AAC and State Training Authority contact in each jurisdiction within 24 hours of being notified of the death of an Apprentice/Trainee.

ACTA Group undertakes the notifications outlined below within two (2) weeks of each listed event occurring:

- After first contact with an employer where a training contract needs to be completed – notification to the AAC.
- An Apprentice/Trainee's non-enrolment – notification to the AAC.
- A situation, including absences, which has the potential to affect completion of the Training Contract (after making an effort to resolve the matter via contact with the employer and Apprentice) – notification to the relevant State Training Authority contact in each jurisdiction.
- Withdrawal/non-start of enrolled Apprentice/Trainee – notification to the AAC.
- The requirements being met for issuing of a qualification to any Apprentice or Trainee - notification to the AAC and the relevant State Training Authority contact in each jurisdiction.
- An Apprentice/Trainee's change of address – notification to the AAC and the relevant State Training Authority contact in each jurisdiction.
- An Apprentice/Trainee's change of employer – notification to the AAC.

ACTA Group Responsibilities

ACTA Group confirms its responsibilities under *National Training Contract* arrangements as follows:

- Confirm the employer's capacity to train;
- Provide training as nominated on the Training Contract to full time or part time Apprentices/Trainees.
- Make all reasonable provisions for the Apprentice/Trainee to achieve all competencies required for the Structured Training within the nominal duration of the Training Contract
- Advise the Apprentice/Trainee and their employer that an application for an extension to the term of the Training Contract must be made if they are unable to complete the Structured Training prior to the nominal completion date of the Training Contract (this application should be lodged by the employer via the relevant AAC).

Delivery Practices

ACTA Group does not commence Structured Training before:

- The commencement date of the Training Contract;
- Creation of the State Training Authority record or approval (as relevant in each jurisdiction); and
- The trainer has contacted the employer/workplace supervisor of the Apprentice/Trainee to:
 - Outline the supervisor's responsibilities;
 - Outline the purpose of further contacts; and
 - Develop the Training Plan (in conjunction with the Apprentice/Trainee).

Structured training

ACTA Group may deliver structured training within one or a combination of both of the following modes:

- Off-the-job Structured Training refers to training that is conducted by ACTA Group personnel at an ACTA Group training site or nominated training facility; and/or
- Workplace based Structured Training refers to training that is conducted by ACTA Group training staff at the Apprentice/Trainee's workplace. The Apprentice/Trainee must be withdrawn from regular work duties in order to participate in the training.

For every Apprentice/Trainee who is undertaking some workplace based training, ACTA Group:

- Conducts a workplace induction with the Apprentice/Trainee and supervisor and sign off the Training Plan with the supervisor/employer;
- Makes a minimum of four contacts per year (at least one in each calendar quarter) with the employer in person, in writing or electronically to discuss the Apprentice/Trainee's progress against the Training Plan and obtain employer confirmation in writing of the Apprentice/Trainee's competence in the workplace;
- Obtains verification of the face to face visits by acquiring the dated signature of the employer/workplace supervisor and Apprentice/Trainee;
- During the course of the visit:
 - Meets with the Apprentice/Trainee to discuss progress in relation to the Training Plan;
 - Delivers training and/or assessment in accordance with the Training Plan; and
 - Documents the training and/or assessment provided in reference to the competencies;
- Ensures withdrawal time from routine work duties for Structured Training activities, as follows:
 - At Certificates III and above, a minimum of three hours per week, averaged over a four week cycle (pro rata for part time Trainees and only for the duration of competencies delivered and assessed in the workplace if the training program combines Off-the-job Structured Training and Workplace based Structured Training);
 - At Certificates I and II a minimum of one and half hours per week, averaged over an eight week cycle (pro rata for part time Trainees and only for the duration of competencies delivered and assessed in the workplace if the training program combines Off-the-job Structured Training and Workplace based Structured Training); and
 - A maximum of 40 hours of the annual withdrawal time may be delivered as block training within the first 3 months of training for all certificates. This training should focus on compliance and regulatory units and generic skills.
- Where an employer/supervisor is not allowing the Apprentice/Trainee to be withdrawn from routine work duties for the applicable minimum specified time, report the non-compliance if initial consultation with the employer/supervisor does not resolve the issue.
- Make monthly contact by either e-mail, phone with both the Apprentice/Trainee and the workplace supervisor to:
 - Monitor and document the progress of training against the Training Plan;
 - Monitor and document the training/learning activities undertaken during the withdrawal time for the previous month; and
 - Document the dates and time periods logged as withdrawal time in the previous month.

Progress

Monthly Contact

ACTA Group maintains at a minimum monthly contact with all students and their workplace supervisor in cases of workplace-based delivery. All contacts are recorded using the Contact Record.

ACTA Group keeps employers, and their trainees and apprentices, informed of an apprentice's progress toward completing their qualification.

ACTA Group conducts a review of the student's work performance and competency development progress every three (3) months at minimum. This is a two-way engagement with structured feedback provided to the employer.

Some industrial arrangements increase an apprentice's wages based on the apprentice's progress through their apprenticeship (typically at 25, 50 and 75 percent through the apprenticeship). Most Modern Awards with these provisions require the employer to notify ACTA Group within 21 days if they disagree with the assessment.

These industrial arrangements relate to the employment relationship and do not remove the requirement for ACTA Group to continue to seek employer confirmation of competency.

Reporting of Traineeship / Employer Issues

Each state jurisdiction has a requirement for the reporting of traineeship / trainee employer issues in cases where issues are hampering the effective implementation of the traineeship program.

Minimum compliance requirements may include availability for onsite visits at least quarterly, provision of release time for study and support for on-the-job training. Where an employer / traineeship process is in danger of breach of a minimum compliance requirement, the ACTA Group representative:

- Must support the trainee and employer to understand their obligations;
- Must undertake and document numerous support actions as appropriate to ensure that the compliance requirement is met; and
- Must communicate with ACTA Group management of any issues and concerns.

Immediately once an employer / traineeship process has experienced a breach of a minimum compliance requirement, the ACTA Group representative:

- Must advise the trainee and employer that the compliance requirements are not being met; and
- Must communicate with ACTA Group management of the compliance breach, for immediate reporting to the relevant state training authority for action as per the relevant process in each jurisdiction.\

In the unfortunate event of the death of a trainee, this event must be reported to the relevant State Training Authority within 24 hours of the event occurring.

Unemployment of Apprentices / Trainees

In instances of Apprentice/Trainee unemployment:

- ACTA Group encourages unemployed apprentices to register on the Need an Apprentice website: www.needanapprentice.com.au.
- ACTA Group continues the Structured Training, under a relevant Apprentice/Trainee funding source code, of an Apprentice/Trainee who becomes unemployed before completing the qualification for the following periods of time to provide reasonable opportunity of re-employment; and/or
- An Apprentice may continue to receive training toward the qualification, subject to tuition fees being paid until completion of the qualification; and/or
- Trainee may continue to receive training towards the qualification for three (3) months, or to the end of the enrolment period for which the Trainee's tuition fees have been paid, whichever is the greater.
- If an Apprentice/Trainee successfully completes the Structured Training while continuing to be unemployed the qualification can be issued but the words "achieved through Australian Apprenticeship arrangements" are omitted from the certificate or at the Apprentice's request, ACTA Group will withhold the certificate to allow for re-employment and completion of the Training Contract.

Competency Based Training and Completion requirements

For all Trainees, and Apprentices, ACTA Group may issue the qualification only when:

- All competencies of the Structured Training have been achieved; and
- The employer has returned written confirmation of the Apprentice/Trainee's competence in the workplace (if the employer is a GTO, final confirmation must be from the GTO, not the host employer). ACTA Group retains the written confirmation of the Apprentice/Trainee's competence from the employer for audit purposes; and

- ACTA Group has given clear advice to the employer that final confirmation completes the Training Contract.

Assessment Services

ACTA Group has implemented 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; and
- Is conducted in accordance with the Principles of Assessment and the Rules of Evidence.

Assessment means the process of collecting evidence and making judgements on whether competency has been achieved, to confirm that an individual can perform to the standard required in the workplace, as specified in a training package or VET accredited course.

Assessment system is a coordinated set of documented policies and procedures (including assessment materials and tools) that ensure assessments are consistent and are based on the Principles of Assessment and the Rules of Evidence.

Assessors are persons who assess a student's competence.

ACTA Group has developed and implemented a rigorous assessment system to ensure:

- Assessment judgements are consistently made on a sound basis; and
- Validation of assessment judgements is carried out.

The assessment system includes not only the actual materials used directly in conducting assessment, but also policies, procedures and other supporting documents that inform the way assessment is conducted within ACTA Group.

For a student to be assessed as competent, ACTA Group ensures the student demonstrates their:

- Ability to perform relevant tasks in a variety of workplace situations, or accurately simulated workplace situations;
- Understanding of what they are doing, and why, when performing tasks; and
- Ability to integrate performance with understanding, to show they are able to adapt to different contexts and environments.

All students:

- Are assessed against all of the tasks identified in the elements of the unit or module;
- Demonstrate they are capable of performing these tasks to an acceptable level;
- Must demonstrate they hold all of the required skills and knowledge, as specified in the unit or module assessment requirements.

General Assessment Requirements

ACTA Group assessment approaches are always based on the performance of the individual student. If assessment tasks are undertaken as a group, each student is still assessed on each component of the assessment task.

Recognition of prior learning is simply a form of assessment of a student's competence. As such, recognition of prior learning must be conducted with the same rigour as any other form of assessment. Where assessment is completed via recognition of prior learning, the requirements do not change, although the variety of evidence gathered and considered in making an assessment decision may be greater than through 'traditional' assessment activities.

Similarly, distance and online delivery methods may change the type of evidence considered, although the same requirements apply. Regardless of the mode of delivery or engagement, all assessment meets the same requirements.

Assessment Requirements

Each Unit of Competency contains assessment requirements grouped into three areas:

- Performance evidence;
- Knowledge evidence; and
- Assessment conditions.

Performance and knowledge evidence describe what a student must demonstrate in order to be considered competent. Assessment conditions describe the conditions under which a student must demonstrate this, including any specific requirements for resources, trainers and assessors and the context for assessment. Note that some training packages and courses may not have been updated to this format. In these cases, 'required skills and knowledge' and 'evidence guide' or similar terms are used.

Assessment Planning

When planning assessment, ACTA Group addresses all of the requirements of the unit or module. This does not mean separate assessment activities for each item, but that, as a whole, ACTA Group assessment activities cover every area required. To achieve a 'competent' result, students must meet all the requirements of the unit.

As similar requirements are often expressed in multiple units of competency, ACTA Group often 'clusters' a number of units together for assessment to avoid repeating assessment of the same tasks.

Simulated Work Environments

When conducting training and assessment in a simulated workplace environment, ABS RTO ensures that the simulated environment gives students the opportunity to meet the following critical criteria:

- Quality – The work is of the standard required for entry into the industry.
- Productivity – The work is performed within a timeframe appropriate for entry to the industry.
- Safety – The work is performed in a manner that meets industry safety standards.

This approach ensures that student are 'work ready' on successful completion of units of competency.

All simulations used provide opportunities for integrated assessment of competence that include coverage of the Dimensions of Competency:

- Performing the task (task skills);
- Managing a number of tasks (task management skills);
- Dealing with workplace irregularities such as unexpected problems, breakdowns and changes in routine (contingency management skills);
- Fulfilling the responsibilities and expectations of the job and workplace, including working with others (job/role environment skills); and
- Transferring competencies to new contexts.

Assessment activities are designed to be realistic and reasonable in terms of scale. Assessment conducted under simulated conditions therefore reflects those typically found in the workplace.

Transitioning Students

ACTA Group will ensure the transition from superseded Training Packages of accredited courses shall occur within twelve (12) months of their publication on the national register.

NSW Smart and Skilled Requirements – Transitioning Students

Where a student is enrolled in a qualification that is superseded and the student is required to transition to the new qualification to continue and complete the training, and the price of the new qualification is different to that of the superseded qualification:

ACTA Group will continue to be paid the applicable subsidy for the superseded qualification
The student fee will remain the same.

Principles of Assessment

ACTA Group ensures the principles of fairness, flexibility, validity and reliability are met in all assessment approaches.

Fairness

- The individual student's needs are considered in the assessment process.
- Where appropriate, reasonable adjustments are applied by ACTA Group to take into account the individual student's needs.
- ACTA Group informs the student about the assessment process and provides the student with the opportunity to challenge the result of the assessment and be reassessed if necessary.

Flexibility

Assessment is flexible to the individual student by:

- Reflecting the student's needs;
- Assessing competencies held by the student no matter how or where they have been acquired; and
- Drawing from a range of assessment methods and using those that are appropriate to the context, the Unit of Competency and associated assessment requirements, and the individual.

Validity

Any assessment decision of ACTA Group is justified, based on the evidence of performance of the individual student. Validity requires:

- Assessment against the unit/s of competency and the associated assessment requirements covers the broad range of skills and knowledge that are essential to competent performance;
- Assessment of knowledge and skills is integrated with their practical application;
- Assessment to be based on evidence that demonstrates that a student could demonstrate these skills and knowledge in other similar situations; and
- Judgement of competence is based on evidence of student performance that is aligned to the unit/s of competency and associated assessment requirements.

Reliability

Evidence presented for assessment is consistently interpreted and assessment results are comparable irrespective of the assessor conducting the assessment.

Rules of Evidence

ACTA Group ensures the rules of validity, sufficiency, authenticity and currency are met in evidence collection approaches.

Validity

The assessor is assured that the student has the skills, knowledge and attributes as described in the module or Unit of Competency and associated assessment requirements.

Sufficiency

The assessor is assured that the quality, quantity and relevance of the assessment evidence enables a judgement to be made of a student's competency.

Authenticity

The assessor is assured that the evidence presented for assessment is the student's own work.

Currency

The assessor is assured that the assessment evidence demonstrates current competency. This requires the assessment evidence to be from the present or the very recent past.

Assessment Methods

Assessment methods are the particular technique/s used to gather different types of evidence. There are three main assessment methods or techniques used by ACTA Group:

- Observation (sometimes referred to as demonstration, simulation, role play, scenario, etc) – where the student is observed performing their skills and knowledge;
- Interview (sometimes referred to as questioning, verbal quiz, test, explanation, competency conversation, role play, scenario, case study, etc) - where the student describes or answers questions to confirm their skills and knowledge; and
- Product (sometimes referred to as project, case study, scenario, creation, work product, etc) - where the student provides a product, they have created to confirm their skills and knowledge.

NSW Smart and Skilled Requirements – Quality Training and Assessment

NSW Quality Framework - ACTA Group complies with all the requirements within the NSW Quality Framework including the National Standards under ASQA. ACTA Group follows best practices under training delivery and assessment:

- Striving towards continuous improvement to student-centered approach to training experience
- Engaging and consulting with industry
- Delivering innovative training that meets both industry and employer needs
- Provide access for students to work placement and practical environments
- Providing individualised support for each student
- Embrace a quality system with a focus on continuous improvement
- Ongoing professional development opportunities for all staff
- Utilise External sources/experts to participate in validation processes

ACTA Group is subscribed to receive all notifications of changes roll out through the NSW Quality Framework.

Training Plans

ACTA Group will develop a Training Plan for each approved Qualification that an Enrolled Student is receiving a Subsidies Smart and Skilled Entitlement Full Qualification Program within 12 weeks of commencement and prior to completion of training. The Training Plan will include the following:

- Enrolled Student Name and Commitment ID
- ACTA Group contact details
- Training Activity for both ACTA Group and the Enrolled Student
- Included additional Support Services the Student will receive from ACTA Group, including if they:
 - are Aboriginal and or Torres Strait Islander;
 - have a disability; or
 - long term unemployed
- Include any additional adjustments to Training delivery and Assessment if the student has a disability
- Include any RPL and/or Credit Transfer
- Comply with the Training Package requirements including the following:
 - Name, Code Title and AQF level
 - Name and Code Title of Units of Competency/s
 - Scheduled hours for each unit
 - Proposed timeframes for achieving competency including start/end date
 - Delivery mode
 - Details of any customisation e.g. Employer requirements
 - Proposed learning strategies and any equipment and/or resources
 - Names of Trainer/Assessors responsible for delivery of each unit of competency
- Signed by both the Enrolled Student and ACTA Group Representative

- ACTA will endeavor to include the Enrolled Student in the development of the Training Plan and also provide a copy to the Enrolled Student within 12 weeks of commencing training.

Training and assessment requirements

ACTA Group will provide Subsidies Training that is:

- Consistent with the Australian Qualification Framework qualification type level outcome descriptor 'Volume of Learning'
- Consistent with the requirements of the relevant Training Package including competency requirements, entry requirements, corequisite, prerequisite, employability skills, foundation skills and required Trainer/Assessor competencies.
- Consistent with the NSW Recognition Framework

Discipline

ACTA Group is committed to the principle of ensuring that every student has the right to participate in training programs, free of inappropriate behaviour that may impair the learning processes, or the well-being of individuals.

Student Responsibilities

Each ACTA Group student is expected to:

- Treat other and ACTA Group personnel with respect and fairness;
- Follow any reasonable direction from ACTA Group personnel;
- Be punctual and regular in attendance;
- Refrain from using mobile phones in workshops;
- Excessive or offensive swearing;
- Return ACTA Group equipment / materials on time;
- Observe normal safety practices, such as wearing approved clothing and protective equipment;
- Refrain from smoking in ACTA Group buildings and designated areas; and
- Submit assessment events by the due date or seek approval to extend the due date.

ACTA Group student must not at any time:

- *Harass fellow students or ACTA Group personnel;*
- *Damage, steal, modify or misuse property (including electronic records);*
- *Be under the influence of alcohol or drugs;*
- *Engage in any other behaviour which could offend, embarrass or threaten others; or*
- *Engage in plagiarism, collusion or cheating in any assessment activity.*

Cheating & Plagiarism

Cheating is the act of attempting to circumvent the assessment practices in an unethical or illegal manner. *Plagiarism* is a form of cheating. Plagiarism is the practice of claiming or implying original authorship of (or incorporating material from) someone else's written or creative work, in whole or in part, into one's own without adequate acknowledgement.

Cheating and plagiarism are serious acts and may result in a students' exclusion from a unit, module or a course overall. Where a student has any doubts about including the work of other authors in their assessments, they should consult with their ACTA Group trainer and assessor.

The following list outlines some of the activities for which a student can be accused of plagiarism:

- Presenting any work by another individual as one's own unintentionally;
- Handing in assessments markedly similar to or copied from another student;
- Presenting the work of another individual or group as their own work; and
- Handing up assessments without the adequate acknowledgement of sources used, including assessments taken totally or in part from the internet.

Students are required to submit a signed cover sheet with every assessment. This includes a declaration that all work submitted is their own work except where there is clear acknowledgement or reference to the work of others.

Breaches

Breach of discipline means any conduct that impairs the reasonable freedom of other persons to pursue their learning or work or is in breach of the ACTA Group's expectations.

A student commits a breach of discipline if she/he:

- Assaults a person on the premises of the ACTA Group training site or nominated facility;
- Unlawfully removes, damages or uses any property of another person or the ACTA Group;
- Obstructs personnel of ACTA Group in the performance of their duties;
- Obstructs the teaching / training of a group or an assessment activity;
- Commits or engages in any dishonest or unfair act in relation to an assessment activity, such as plagiarism or cheating;
- Willfully disobeys or disregards any lawful order or direction given by a member of personnel;
- Enters part of the ACTA Group's premises when directed not to do so by a member of personnel;
- Fails to leave part of the ACTA Group's premises when directed to do so by a member of personnel;
- Fails to return ACTA Group property or pay replacement costs when instructed to do so;
- Fails to pay financial commitments to ACTA Group;
- Enters part of the ACTA Group's premises whilst under the influence of alcohol or a drug;
- Engages in any unlawful activity on the ACTA Group's premises such as using, possessing or supplying any prohibited drug, substance or weapon;
- Discriminates against a person on the grounds of the person's age, race, sex, sexuality, gender, marital status, physical or intellectual disability, background or religion;
- Incites hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the grounds of the person's age, race, sex, homosexuality, transgender, marital status, physical or intellectual disability or religion of the person or members of the group; or
- Commits any other act which could reasonably be considered to be in breach of ACTA Group expectations.

Addressing Breaches

ACTA Group personnel and students have an interest and a responsibility to prevent minor behavioural problems from becoming larger ones. Any individual who believes that a breach of discipline has occurred should report the breach of discipline to ACTA Group without delay.

1. All cases of breach of discipline committed by an ACTA Group representative must be reported to the *Chief Executive Officer*.
2. In the case of a student breach, the breach must be reported to ACTA Group's *Chief Executive Officer* in writing with the following information:
 - student name and program;
 - Description of the breach of discipline;
 - Damage or inconvenience caused by the breach;
 - Level of cooperation given by the student;
 - Witnesses to the breach; and
 - Evidence available to support the claim of a breach.
3. If appropriate, the student can be ordered off the ACTA Group's premises for the remainder of the day on which the breach takes place. Circumstances where it may be appropriate to exclude the student from the ACTA Group's premises include serious cases of breach of discipline such as violence, abusive behaviour, discrimination, vandalism or willful disobedience of a personnel direction. In situations of greater urgency, such as cheating or violence, an oral report may be made to ACTA Group's *Chief Executive Officer* in the first instance, followed by the written report as soon as practicable thereafter.

4. Within two working days of the report, the *Chief Executive Officer* will speak to the student concerned, in the presence of the relevant member of personnel if possible and if not then in the presence of a third party chosen by the *Chief Executive Officer*.

The student may also have a representative present to act as a witness to the discussion. Where appropriate, the students are cautioned and advised of the possible consequences and the grounds for such report. Confidentiality of all meetings is maintained.

5. ACTA Group's *Chief Executive Officer* may apply any of the following penalties where satisfied a breach of discipline has been committed and the penalty matches the seriousness of the breach:
- A verbal or written reprimand;
 - A requirement to attend counselling at a specified time and place;
 - Payment of compensation by student for damages or loss of resources;
 - Restitution of property removed or damaged;
 - Use of specified equipment only in accordance with certain conditions (for a set period); or
 - Exclusion from ACTA Group.

Attempts are to be made to solve behavioural problems of students through discussion and mediation before the provision of more formal procedures is invoked.

6. Any penalty imposed is communicated to the student in writing within five days of the meeting. The student is also advised of the right to appeal the penalty under ACTA Group *Complaints* arrangements.

Complaints

During course activities, students may have some concerns with the processes they are being exposed to or they may be unhappy with a particular aspect of the program. ACTA Group undertakes to provide a mechanism allowing allows for the fair and equitable resolution of any issues.

ACTA Group complaints process is available to manage and respond to allegations involving the conduct of:

- ACTA Group, its trainers, assessors or other personnel; or
- AN ACTA Group contracted third party providing services of ACTA Group, including the third party representatives trainers, assessors or other personnel; or
- A student of ACTA Group.

Allowing students to easily engage with the personnel of ACTA Group about any concerns they have can stop minor issues becoming larger. There is no fee or charge levied for any complaint processed.

ACTA Group will maintain a student complainant's enrolment during any appeal process.

ACTA Group's complaints process is publicly available on the ACTA Group website and is provided to all prospective clients via the relevant handbook for each stakeholder group prior to enrolment. Where ACTA Group uses third parties to deliver services, complaints information is also made available to prospective clients of these third party representatives.

ACTA Group's complaints process follows the principles of natural justice and procedural fairness by allowing anyone subject to a decision by ACTA Group, or anyone who has allegations made against them, to tell their side of the story before a decision is made.

Complaint & Grievance Procedure

The following problem resolution framework has therefore been implemented for all stakeholders raising a complaint or issue, with a desire to resolve matters as positive adults. This procedure applies to all complaints about:

- Academic matters from students;
- Non-academic matters from students; and
- Non-academic matters from persons seeking to enrol with the ACTA Group in a VET course or unit of study.

1. In the first instance a student should discuss the matter with the personnel member or responsible person concerned. Where this is not considered appropriate then the complainant is encouraged to discuss the matter with ACTA Group management.

If the complainant is satisfied with the outcome of the discussion, it would mean that the matter is resolved.

2. Any client may submit a formal complaint to ACTA Group in writing. Complaints are to include the following information:
 - Submission date of complaint;
 - Name of complainant;
 - Nature of complaint;
 - Date of the event which lead to the complaint; and
 - Any other relevant information or attachments (if applicable).

ACTA Group Chief Executive Officer
Ash Humphries
ash@actagroup.com.au
1300 011 144

3. The ACTA Group Chief Executive Officer will acknowledge receipt of the complaint in writing within five working days and arrange a suitable time if needed to discuss the complaint.
4. The Chief Executive Officer will investigate the complaint or refer the matter to appropriate ACTA Group personnel to investigate. In either case, the investigation will be resolved, and decisions made on the complaint within 20 working days of the complaint being received in writing.

In all cases, each party may be accompanied and assisted by a third party at any relevant meeting.

5. The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcomes. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.
6. If the complainant is not satisfied with the outcome, they may escalate the complaint in writing to the ACTA Group Chief Executive Officer.
7. Escalated complaints are to include the following information:
 - Submission date of complaint;
 - Name of complainant;
 - Nature of complaint;
 - Reasons why the complainant is not satisfied with the outcome of the original complaint; and
 - Any other relevant information or attachments (if applicable).
8. The ACTA Group Chief Executive Officer will acknowledge receipt of the escalated complaint in writing within five working days and arrange a suitable time if needed to discuss the complaint.
9. The Chief Executive Officer will investigate the complaint or refer the matter to an external dispute resolution process by a body appointed for this purpose by ACTA Group. The *default* external body available is:

Resolution Institute
1800 651 650
infoaus@resolution.institute

In either case, the investigation will be resolved and decisions made on the escalated complaint within twenty working days of the complaint being received in writing.

10. The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcomes. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.

11. If the complainant is not satisfied with the outcome, and the complaint is yet to be mediated by an external dispute resolution process, they may escalate the complaint in writing to the ACTA Group *Chief Executive Officer*. In this situation, the *Chief Executive Officer* will:

- Acknowledge receipt of the escalated complaint in writing within five working days; and
- Refer the matter to an external dispute resolution process by a body appointed for this purpose by ACTA Group.
- ACTA Group will give due consideration to any recommendations arising from the external review within ten working days of the receipt of the recommendations.
- The investigation will be resolved, and decisions made on the complaint within thirty working days of the escalated complaint being received in writing.

12. The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcomes. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.

All stages of the complaints process are documented, and notes provided to all parties involved, including the outcomes of the complaint at each stage and reasons for the decisions made. Each complaint and its outcome is recorded in writing and stored on the *Complaints Register*.

If at any stage ACTA Group considers more than 60 calendar days are required to process and finalise the complaint, ACTA Group:

- Informs the complainant in writing, including reasons why more than 60 calendar days are required; and
- regularly updates the complainant on the progress of the matter.

If the internal or external complaint handling or appeal process results in a decision that supports the student, ACTA Group immediately implements any decision and/or corrective and preventative action required and advises the student of the outcome.

At all times records of complaints and grievances are maintained confidentially. ACTA Group retains records of all complaints and grievances for a period of at least five years, allowing parties to the complaint or grievance appropriate access to these records.

Complaints Key Contacts

If the student is still not satisfied with the resolution of the complaint, they are directed to seek further assistance from the following additional parties:

Organisation	Details
Vocational Education & Training Programs Australia Skills & Quality Authority (ASQA)	1300 701 801 enquiries@asqa.gov.au
Skills Canberra	www.cmd.act.gov.au/skillscanberra/individuals
NSW Department of Education & Training	www.training.nsw.gov.au

Organisation	Details
NT Department of Education and Training	www.det.nt.gov.au
QLD Department of Education, Training & Employment	www.training.qld.gov.au

SA Department of Further Education, Employment, Science and Technology	www.training.sa.gov.au
Skills Tasmania	www.skills.tas.gov.au
Victorian Department of Education & Training	www.skills.vic.gov.au
WA Department of Training and Workforce Development	www.dtwd.wa.gov.au

Improvement Actions

ACTA Group confirms its commitment to investigate and act on any complaint raised, and also to take appropriate action in any case where complaints are substantiated. In cases where a complaint is upheld, ACTA Group endeavours to identify the cause of the complaint and implement steps to prevent the situation happening again.

All improvement actions arising from complaints are raised via an *Improvement Record*. ACTA Group maintains a *Continuous Improvement Register* for recording the receipt and management of improvement records.

Once improvement records are raised, activities review complaints and their causes, evaluate corrective actions to resolve the issue and prevent reoccurrence, implement appropriate actions, record results of actions undertaken and review these actions to ensure effectiveness after implementation.

Appeals

ACTA Group provides all students with a formal appeals process, which draws on a commitment to all parties understanding their rights and responsibilities in the assessment process. Other grievances or issues not pertaining to assessments should be referred to ACTA Group's complaints processes.

ACTA Group's appeals process facilitates requests for a review of decisions, including assessment decisions, made by ACTA Group or a third party representative providing services on ACTA Group's behalf.

ACTA Group's appeals process follows the principles of natural justice and procedural fairness by allowing anyone subject to a decision by ACTA Group, or anyone who has allegations made against them, to tell their side of the story before a decision is made. There is no fee or charge levied for any appeal processed.

ACTA Group will maintain a student appellant's enrolment during any appeal process.

ACTA Group's process ensures that the decision-maker is independent of the decision being reviewed (for example, an assessor does not consider or decide an appeal against an assessment decision they made). If a student objects to actions taken or decisions made by ACTA Group personnel in conducting Recognition of Prior Learning and assessment services, they have the right to lodge an appeal.

Students also have the right to lodge an appeal against competency decisions made if:

- They believe the outcome is invalid; or
- They feel the process was invalid, inappropriate or unfair.

Appeals Process

ACTA Group's appeals process is publicly available on the ACTA Group's website.

1. Before making a formal appeal, students are required to discuss the matter with the relevant ACTA Group personnel in an effort to reach an agreement. ACTA Group personnel will undertake to reassess the decision that has been made.
2. If a student is still unhappy, they must lodge a formal appeal in writing to ACTA Group Chief Executive Officer.
3. Upon receiving a formal appeal, ACTA Group Chief Executive Officer will:
 - Acknowledge receipt of the appeal in writing within five working days; and

- Appoint an independent member of personnel as a third party to try to resolve the issue. Any decision recommended by the third party is not binding to either party.

The independent member will review the information provided by all parties and either reject or uphold the appeal. The student will be advised of the outcome of the appeal in writing within 10 working days of lodging the appeal, including reasons for the decision made, and any additional appeal or complaint options available to them.

4. If a student, on receiving written advice on the initial appeal, is still unhappy they may lodge a second appeal to the ACTA Group Chief Executive Officer. The ACTA Group Chief Executive Officer will:
- Acknowledge receipt of the further appeal in writing within five working days; and
 - Appoint another Registered Training Organisation (RTO) to review the appeal, at no additional cost to the student. This second registered training organisation will:
 - Uphold the appeal;
 - Reject the appeal; or
 - Recommend further evidence gathering by either party.

The student will be advised of the outcome of the appeal in writing within 20 working days of lodging the further appeal, including reasons for the decision made, and any additional appeal or complaint options available to them.

5. If a student, on receiving written advice on the further appeal, is still unhappy they have a right of appeal to:
- Their relevant State Training Authority (STA) in each state and territory if an apprenticeship/traineeship based course; or
 - Alternatively to the Australian Skills & Quality Authority (ASQA) via the appropriate process. <http://www.asqa.gov.au/complaints/making-a-complaint.html>

If at any stage ACTA Group considers more than 60 calendar days are required to process and finalise the appeal, ACTA Group:

- Informs the appellant in writing, including reasons why more than 60 calendar days are required; and
- regularly updates the appellant on the progress of the matter.

All stages of the appeals process are documented, and notes provided to all parties involved, including the outcomes of the appeal and reasons for the decisions made. Each appeal and its outcome is recorded in writing and stored on the *Appeals Register*.

NSW Smart and Skilled Requirements – Complaints and Appeals

All students enrolled in a place under the Smart and Skilled Program have the right to expect that the training that they receive is consistent with the National VET regulators – Consumer Protection requirements (the Australian Skills Quality Authority) and the requirements of the Smart and Skilled contract.

ACTA Group have an appointed Consumer Protection Officer:
Ash Humphries
ash@actagroup.com.au
1300 011 144

The NSW Smart and Skilled Consumer Protection Strategy (gov issued), describes the Smart and Skilled complaints handling and dispute resolution process.

The NSW Smart and Skilled Consumer Protection Strategy can be accessed

<https://www.nsw.gov.au/sites/default/files/2022-04/consumer-protection-strategy-1-jul-22-to-30-jun-23.pdf>

Students can access the National Training Complaints Hotline on:
Phone 13 38 73
Email NTCH@dese.gov.au

or lodge a Smart and Skilled Complaints and Compliment Form <https://www.nsw.gov.au/education-and-training/resources/tsnsw-complaint-or-compliment>

Complaints and disputes are handled from an officer from Training Services NSW, who will first try to resolve the issue through information and mediation.

Improvement Actions

ACTA Group confirms its commitment to investigate and act on any appeal raised, and also to take appropriate action in any case where appeals are substantiated. In cases where an appeal is upheld, ACTA Group endeavours to identify the cause of the appeal and implement steps to prevent the situation happening again.

All improvement actions arising from appeals are raised via an *Improvement Record*. ACTA Group maintains a *Continuous Improvement Register* for recording the receipt and management of improvement records.

Once improvement records are raised, activities review appeals and their causes, evaluate corrective actions to resolve the issue and prevent reoccurrence, implement appropriate actions, record results of actions undertaken and review these actions to ensure effectiveness after implementation.

Qualifications Issuance

ACTA Group issues AQF certification documentation only to a student whom it has assessed as meeting the requirements of the training product as specified in the relevant training package or VET accredited course.

ACTA Group has robust controls in place to ensure qualifications, statements of attainment and records of results are not issued unless the student has completed all requirements. While ACTA Group delivers at multiple locations and through third party arrangements, it has centralised issuance of certification to strengthen these controls. Certification is only issued to students after they have fully demonstrated competence, with a *Testamur Checklist* completed on each student file prior to documentation issuance.

Australian Qualifications Framework Requirements

ACTA Group ensures:

- Students receive the certification documentation to which they are entitled.
- AQF qualifications are correctly identified in certification documentation.
- AQF qualifications are protected against fraudulent issuance.
- A clear distinction can be made between AQF qualifications and non-AQF qualifications.
- Certification documentation is used consistently across the education and training sectors.
- Students and others are confident that the qualifications they have been awarded by ACTA Group are part of Australia's national qualifications framework.

Qualifications Pathways

ACTA Group also accepts and provides credit to students for units of competency and/or modules (unless licensing or regulatory requirements prevent this) where these are evidenced by:

- AQF certification documentation issued by any other RTO or AQF authorised issuing organisation; or
- Authenticated VET transcripts issued by the Registrar.

ACTA Group ensures it maximises the credit students can gain for learning already undertaken, by:

- Enhancing student progression into and between AQF qualifications;
- Recognising the multiple pathways students take to gain AQF qualifications and that learning can be formal, non-formal or informal; and
- Supporting the development of pathways in qualifications design.

Credit Arrangements Register

ACTA Group maintains a publicly available *Credit Agreements Register* of all credit arrangements and agreements in place with other educational institutions. The *Credit Agreements Register* is available on the ACTA Group website.

Unique Student Identifier (USI)

ACTA Group ensures that it meets the requirements of the Student Identifier scheme at all times, including:

- Verifying with the Registrar, a USI provided to it by an individual before using that USI for any purpose;
- Ensuring that ACTA Group does not issue AQF certification documentation to an individual without being in receipt of a verified USI for that individual, unless an exemption applies under the *Student Identifiers Act 2014 (Cth)*;
- Ensuring that where an exemption applies, it will inform the student prior to either the completion of the enrolment or commencement of training and assessment, whichever occurs first, that the results of the training will not be accessible through the Commonwealth and will not appear on any authenticated VET transcript prepared by the Registrar; and
- Ensuring the security of USIs and all related documentation under its control, including information stored in its student management systems.

To avoid possible delays in issuing certification, ACTA Group has processes in place to verify a student's USI on enrolment or as soon as possible thereafter - well in advance of when certification is expected to be issued.

ACTA Group does not include the student's USI on any testamur documentation, consistent with the *Student Identifiers Act 2014 (Cth)*.

NSW Smart and Skilled Requirements – Student Unique Identifier

ACTA Group will commit to assisting students to apply for a USI from the Student Identifier Registrar, including publishing on the RTO's website on information for students on how to obtain a Student Identifier or apply to the Student Identifier Registrar for a Student Identifier to be assigned to a student (if authorised by the student to do so).

ACTA Group will ensure that every prospective student sets their access controls in relation to their USI to allow the Department and ACTA Group the appropriate levels of access to their USI record.

ACTA Group will request the Student Identifier Registrar to verify that an identifier is the USI of a student prior to using it or providing it to the Department.

Fraud Prevention

ACTA Group confirms its responsibility for authentication and verification of a student's certification and statement of attainment documentation.

ACTA Group has mechanisms in place to reduce fraudulent reproduction of its certification. All ACTA Group documentation includes the ACTA Group seal, logo and unique watermark. Additional fraud prevention measures implemented include:

- Printing documentation on commercially printed shells that make it clear when a document is not the original;
- Using an embossed seal;
- Using document numbers for verification purposes; and
- Including information about what security measures are used on ACTA Group's website (with references to this information on the documents).

Third Parties

ACTA Group does not allow third parties to create qualifications or statements of attainment on behalf of ACTA Group.

ACTA Group may include additional relevant information on AQF certification documentation, including the name and/or logo of a third party involved in the training and assessment. Whenever used, ACTA Group ensures such information is accurate and does not introduce confusion about which organisation is issuing the certification.

Issuance Timelines

ACTA Group ensures AQF certification documentation is issued to a student within twenty-one (21) calendar days of the student being assessed as meeting the requirements of the training product if the training program in which the student is enrolled is complete, and providing all agreed fees the student owes to ACTA Group have been paid.

ACTA Group issues AQF certification documentation directly to the student, not to another party, such as an employer.

Re-Issuance of Testamur Documentation

ACTA Group ensures that current and past students are able to access records of their achievements. All ACTA Group students who hold a verified USI, and whose results have been reported into the USI system, will be able to access their records through the USI system.

Where a student's achievements have not been recorded through the USI system, ACTA Group has processes in place to ensure that this student can access re-issues of their testamur documentation via a *Request for Reissue Form*.

A fee of \$20.00 including GST per request applies to all re-issue of documentation requests. All documentation re-issues occurs within twenty-one (21) calendar days of receipt of the *Request for Reissue Form* with accompanying fee payment.

NSW Smart and Skilled Requirements – Issuance and Re-Issuance

When a Qualification has been issued to an enrolled student, ACTA Group will notify the Department through submitting the Training Activity Data.

Student Data Records and Retention Management

ACTA Group maintains sound administrative practices and processes to ensure secure and effective management of student records.

Student Record Retention

- Student records are kept for the following minimum periods of time:
 - Evidence of assessment decisions are kept for a minimum of **6 months** past the date of course completion or withdrawal, unless the student is a government-funded student.
 - For government-funded students all records relating to a student's enrolment in the course, confirmation of students' eligibility for subsidised training and confirmation of application fees for delivery of the course are kept for at least **7 years** so that the records may be audited upon request.
 - For government-funded students all records relating to the Training Plan and Evidence of Participation including but not limited to assessment outcomes are kept for at least **7 years** so that the records may be audited upon request.

Records of the issuance and attainment of AQF qualifications and units of competency will be kept for a minimum of 30 years in aXcelerate to ensure that they can be re-issued as required.

All record keeping will comply with the Standards for Registered Training Organisation RTO 2015.

NSW Smart and Skilled Requirements – Student Records

ACTA Group are required to collect and retain records of Subsidies Training and for all enrolled students and when required, will provide this evidence to the Department. ACTA Group will commit to ensuring the evidence is valid, easily accessible, current, sufficient, authentic and capable of verification by the Department.

ACTA Group will ensure the use of any electronic signatures can be properly attributed to the individual who alleged to have signed and the individual applied the signature electronically. The confirmation of electronic signatures will be tracked through email correspondence and/or a declaration.

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