

# INDUSTRY COMPLIANT TRAINING CANDIDATE HANDBOOK

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## INTRODUCTION

### ABOUT INDUSTRY COMPLIANT TRAINING

Industry Compliant Training (ICT) is a private Registered Training Organisation (RTO) registered with the national regulator ASQA as an assessment only RTO. Under our current registration, ICT offers assessment only services which include RPL and any additional verbal or written assessment tasks identified during the RPL process. ICT does not offer any training or delivery services. Industry Compliant Training (ICT) specialises in three units of competency: RIIHAN301E Operate elevating work platform, RIIHAN309F Conduct telescopic materials handler operations and BSBPMG415 Apply project risk management techniques. Highly customised assessment services that meet the needs of industry are offered to ICT's two clients: The Elevating Work Platform Association of Australia (EWPA) and The Telescopic Handler Association of Australia (TSHA).

Industry Compliant Training supports its two clients through providing the opportunity for EWPA and TSHA operators to meet pressures from industry to hold nationally recognised units of competency on top of non-accredited training. In providing highly customised solutions to clients, this has strengthened industry's confidence in operators of Elevating Work Platforms and Telescopic Handlers. ICT's customised solutions also focus on assisting operators in job readiness, meeting legislative responsibilities placed upon both the worker and PCBU, as a requirement of their job, and therefore in boosting employment prospects.

Industry Compliant Training takes pride in the quality of the services we deliver to our clients, and we extend a warm welcome to candidates seeking to receive Nationally Recognised Statements of Attainment through Industry Compliant Training's two clients.

Industry Compliant Training wishes you every success in the completion of your application and your chosen career.

### USING THIS HANDBOOK

This handbook is provided to all candidates looking to enrol with Industry Compliant Training (ICT) in order to provide candidates with information about our policies and procedures towards the program you are enrolling into and lists legislated safety and other requirements. If candidates have any concerns regarding safety, discrimination or equity issues, then they should discuss these with the CEO.

### BUSINESS ADDRESS

Industry Compliant Training Ltd.  
PO Box 1304  
Mona Vale NSW 1660

### KEY CONTACTS

James Oxenham - CEO  
P: 02 9998 2222 F: 02 9998 2299  
E: [info@industrycomplianttraining.com.au](mailto:info@industrycomplianttraining.com.au)

## 1. ENROLMENT

### CANDIDATE SELECTION

Industry Compliant Training delivers specialised programs to its two clients; The Elevating Work Platform Association of Australia and the Telescopic Handler Association of Australia. These programs provide our clients with solutions that are focused on assisting operators in job readiness and increases their employment prospects and compliance with legislative responsibilities placed upon both the worker and PCBU.

These programs are highly specialised with a number of entry requirements. Industry Compliant Training requires applicants to the RIIHAN301E Operate elevating work platform to have successfully completed the EWPA Trained Operator Licence (Yellow Card) within the last 6 months, and for applicants to the RIIHAN309F Conduct telescopic materials handler operations to have successfully completed the TSHA Trained Operator Gold Card within the last 6 months. Applicants to the BSBPMG415 Apply project risk management techniques to have successfully completed the EWPA MEWP Supervisor course within the last 6 months. The programs offered by ICT have been specifically designed at the request of the EWPA and TSHA for their trained operators.

We are committed to ensuring that candidate selection processes are fair and equitable and consistent with workplace performance, competency level and the requirements of Training Packages and relevant curriculum requirements. The CEO acts as the access and equity officer for Industry Compliant Training so if you are experiencing any harassment or discrimination, refer the matter to the CEO in writing.

Industry Compliant Training:

- Aims to ensure that access to employment and assessment is available, regardless of gender, socioeconomic background, disability, ethnic origin, age or race.
- Delivers assessment services in a non-discriminatory, open and respectful manner.
- Ensures staff are appropriately skilled in access and equity issues, including cultural awareness and sensitivity to the requirements of clients with special needs.
- Conducts client selection for assessment opportunities in a manner that includes and reflects the diverse client population.
- Provides culturally inclusive language, literacy and numeracy advice and assistance to help clients meet personal assessment goals.
- Is accountable for its performance in adhering to the principles of this policy, and welcomes feedback as part of its quality improvement system.
- Requires staff and candidates to comply with access and equity requirements at all times.

Industry Compliant Training provides equal opportunity in education. Our staff members have responsibility for access and equity issues for all candidates with whom they assess and work. They are expected to act in accordance with our Code of Practice and all of our candidates are made aware of their rights and responsibilities through this Candidate Handbook.

Industry Compliant Training is not a CRICOS Provider and does not enrol International Candidates.

### ENROLMENT

For our clients to enrol in our specialised programs you can email ([info@industrycomplianttraining.com.au](mailto:info@industrycomplianttraining.com.au)) or call us 02 9998 2222 and you will be given:

- This Candidate Handbook;
- Information on Recognition of Prior Learning and Credit Transfer;
- A Fee Schedule showing current tuition fees and other costs associated with our programs;
- Refund information;
- Complaints and appeals information; and
- Program information and outcomes.

Candidates are required to complete an Enrolment form. When your enrolment is received, it is assessed and you will be advised of your acceptance or non-acceptance into the program.

The CEO will be making a decision about your enrolment based on the information you provide so it is important that you provide us with everything we require.

Applicants refused admission to the program are able to submit an appeal regarding that refusal. Applicants should contact ICT directly or refer to the grievance and appeals process located in this Candidate Handbook or on our website: <http://www.industrycomplianttraining.com.au/>

#### **CHANGE OF ADDRESS, NAME OR CONTACT DETAILS**

It is a requirement that we have your correct name and contact details while you are enrolled with us. If you change address, name or contact details after enrolment please notify Industry Compliant Training within 7 days. Our contact details can be found on the first page of this handbook.

#### **CANCELLATION/WITHDRAWAL**

If you are having difficulty with your application/program and are considering withdrawing, speak to your assessor as they can assist you in putting a plan in place to assist and support you to complete your program. Every effort will be made to assist you to continue your application/program where possible however should you wish to cancel or withdraw from your application/program, whether before or after commencement, you must advise Industry Compliant Training in writing. Information on refunds can be found in the Fees and Refunds Policy on the website or in the Fees and Refunds section of this Candidate Handbook.

#### **OBLIGATION TO RECOGNISE QUALIFICATIONS AND STATEMENTS OF ATTAINMENT**

It is our obligation to recognise qualifications and statements of attainment issued by other RTOs. Originals or original certified copies of qualifications and statements of attainment issued by another RTO are accepted under Credit Transfer arrangements where the qualification or competence is considered equivalent to the one for which transfer is being granted.

Please note however that Industry Compliant Training is not obligated to issue any certificate that would be entirely comprised of units or modules completed at another RTO or RTOs.

## 2. CANDIDATE CODE OF CONDUCT

It is expected that staff and candidates will work in a manner which displays respect for others and for property.

It is also expected that they will show diligence in their work, honesty in all dealings with each other and other parties, and respect for the privacy of others. Staff and candidates will conduct themselves in a manner which respects the laws of Australia, including the states and the regulations of statutory bodies.

It is expected that all candidates will:

- » Ensure an understanding of the requirements for the assessment of the program or unit.
- » Notify ICT of any change in address or personal details.
- » Maintain a high standard of behaviour whilst undertaking assessment activities and refraining from any activities that may result in damage to property or unduly interfering with the comfort or convenience of other candidates.
- » Refrain from behaviour that may disrupt or interfere with the assessment of others.
- » Observe at all times all safety, health and hygiene requirements, including appropriate dress, footwear and personal protective equipment.
- » Take responsibility to identify and tell staff about any individual needs as a candidate.
- » Keep assessors informed of any difficulties that may be interfering with your assessment or where you may need some extra assistance.
- » Check the assessment requirements for each subject including due dates and number of assignments.
- » Be aware of, and meet, the assessors' individual expectations in relation to submitting assignments, communication, negotiation and problem solving strategies.
- » Be aware of, and comply with, ICT's policies that may affect candidate.
- » Conduct themselves appropriately at all times whilst a candidate with ICT.

Breaches of the Code of Conduct shall be dealt with under Industry Compliant Training's disciplinary policy and procedure.

Industry Compliant Training is responsible for the quality of services provided in compliance with the Standard's for RTOs 2015 and for the issuance of the AQF Certification Documentation. We take pride in the quality of services we deliver to our and clients and we strive to provide an environment that is supportive to our candidates.

### 3. SUPPORT & ASSESSMENT

#### LANGUAGE, LITERACY AND NUMERACY (LLN)

We aim at all times to provide a positive and rewarding assessment experience for all of our candidates. Our enrolment form asks candidates to provide information regarding their literacy and numeracy requirements or any other special needs. In the event of LLN becoming an issue, the assessor will contact the candidate to discuss any requirements. The CEO may ask that you organise for yourself to undergo formal testing and possible English remedial courses to improve your English speaking or writing ability, at your own expense. Numeracy difficulties will be accommodated through using other forms of assessment. Where language, literacy and numeracy competency is essential, we have made every effort to ensure that candidates are adequately supported to enable them to complete their assessment.

Industry Compliant Training abides by the EWPA and TSHA policy on participants with inadequate reading and writing skills, which states as follows:

Mobile Elevating Work Platforms and Telescopic Materials Handlers require operators to have a thorough understanding of the risks associated with using them. This includes being able to read and understand technical information such as instructions for controls and emergency lowering systems, wind speed ratings, gradeability, rated capacity, load computers, load charts, operators manuals and logbook checklists.

Operating a MEWP or Telehandler does not require a participant to have more than basic writing skills. An EWPA/TSHA Accredited Trainer should allow flexibility or adjustment in the assessment process for a verbal knowledge assessment to be undertaken for participants whose writing skills are at a low level. Prior arrangement or a separate appointment may be required for a verbal knowledge assessment.

Whilst verbal assessment is allowed, the participant must be able to understand and communicate in English. The Accredited Trainer must be confident that the knowledge and skills imparted have been absorbed and developed by the participant and assessed to a level that they can deem the person competent.

The use of an interpreter for the purpose of training and assessing is **not permissible**. This includes electronic Apps such as Google Translate.

If a participant and Accredited Trainer cannot speak and understand each other in English, at a level where the Accredited Trainer is confident via the assessment process that the participant can show they have understood the training course and information presented to them, then it could be difficult for an Accredited Trainer to show how they have complied with WHS/OHS Regulations and heavy penalties can be applied by a WHS Regulator if found to be in breach.

In line with the conditions for conducting high risk work licence assessments<sup>1</sup> and EWPA Code of Practice for Accredited Trainers<sup>2</sup> **ATs must not assess an applicant who cannot speak and/or understand the English language. Under no circumstances may an assessor use a language interpreter.**

The harmonised WHS Regulations in most states and territories contain this clause<sup>3</sup>:

(1) This clause applies for the purposes of section 19 of the Act to a person conducting a business or undertaking (PCBU). (*This could be you, the trainer*)

(2) The person must ensure that information, training and instruction provided to a worker is suitable and adequate having regard to:

<sup>1</sup> Safework NSW Conditions for conducting high risk work licence assessments in NSW under the Work Health and Safety Regulation 2011; [http://www.safework.nsw.gov.au/\\_data/assets/pdf\\_file/0013/50116/conditions-conducting-HRW-licence-assessment-3720.pdf](http://www.safework.nsw.gov.au/_data/assets/pdf_file/0013/50116/conditions-conducting-HRW-licence-assessment-3720.pdf)

<sup>2</sup> EWPA/TSHA Accredited Trainers Manual Code of Practice for Accredited Trainers. Clause 1.1.5

<sup>3</sup> Work Health and Safety Regulation 2017 Division 1, Clause 39;  
<https://www.legislation.nsw.gov.au/#/view/regulation/2017/404/chap3/part3.2/div1/sec39>



- (a) the nature of the work carried out by the worker, and
- (b) the nature of the risks associated with the work at the time the information, training or instruction is provided, and
- (c) the control measures implemented.

Maximum penalty: (a) in the case of an individual—\$6,000, or (b) in the case of a body corporate—\$30,000.

- (3) The person must ensure, so far as is reasonably practicable, that the information, training and instruction provided under this clause is provided in a way that is readily understandable by any person to whom it is provided.**

Maximum penalty: (a) in the case of an individual—\$6,000, or (b) in the case of a body corporate—\$30,000.

It is EWPA/TSHA policy that any cardholders discovered to be unable to converse in English will not have their cards issued/renewed.

### **SUPPORT SERVICES**

Candidates requiring special or intensive assistance will be referred to an appropriate external service. Any costs associated with the external service will be at your own expense.

### **FLEXIBLE STRATEGIES & ASSESSMENT PROCEDURES**

We customise our assessments to meet our clients' specific needs. If you are having difficulty achieving competency in any unit of competence please discuss the matter with your assessor and where possible alternative assessment strategies will be provided to you. This may, for example, be on- or off-the-job assignments or projects.

### **ASSESSMENT**

Assessment is carried out by the comparison of your skills and knowledge against the requirements of the Training Package.

Assessments are not intended to be a stressful activity - they are conducted in a relaxed and friendly manner. Do not regard your assessment as an examination. Your Assessor simply needs to know which competencies you have mastered, and which competencies require further practice and will be flexible in the assessment method used.

### **ASSESSORS**

Your Assessor is to objectively assess and judge your performance either practically or written against a set of standards. Your Assessor has been selected based on a sound knowledge of your program and must be skilled in its application to the Australian Workplace. Qualified Assessors will be responsible for assessing your competence and are required to:

- Be fair and reasonable during assessment
- Be proficient in the field of study, with relevant industry experience and to be up to date with assessment methods and procedures appropriate for the assessment environment
- Negotiate reasonable adjustment to context with candidates regarding the type of assessment and evidence required, taking into account assessment delivery mode, EEO and anti-discrimination principles, and the particular needs and circumstances of candidates
- Advise candidates, with sufficient time, regarding up and coming assessment(s)
- Provide candidates with assessment criteria/context and purpose of the assessment
- Advise candidates of the Recognition for Prior Learning (RPL) processes
- Make proper assessment decisions based on explicit evidence of competency

- Expedite assessment to avoid unnecessary delays, allowing for the readiness of the candidate
- Consider the authenticity, validity, relevance to the assessment outcomes, currency and variety of assessment evidence, whether evidence is provided by interview, performance or work place evidence.

Additional support services where Candidates can seek immediate support from are:

- Telephone Interpreting Services 13 14 50
- Literacy and Numeracy Support:
  - Reading Writing Hotline 1300 655 506 or visit <http://www.literacyline.edu.au/>
  - Australian Council of Adult Literacy phone 03 9546 6892 email [info@acal.edu.au](mailto:info@acal.edu.au)
  - NSW Adult Literacy and Numeracy Council Phone 1300 655 506 Web: [www.literacyline.edu.au](http://www.literacyline.edu.au)

## 4. RECOGNITION AND PRIOR LEARNING

### **NATIONAL RECOGNITION**

Industry Compliant Training recognises the qualifications that are presented by any candidate, provided that they are original (or verified) copies from any Australian Registered Training Organisation. Candidates must map those qualifications to the program, currently being undertaken.

To apply for National Recognition, simply email certified copies of original qualifications or statement of attainment and complete the application for RPL through Head Office, contact details are provided on the cover page of this Candidate Handbook.

### **RECOGNITION OF PRIOR LEARNING**

All candidates are offered the opportunity to apply for recognition of their existing skills and knowledge at enrolment. To do this, applicants should request an RPL Kit relevant to the program in which they are enrolling. RPL kits are available from Head Office.

The RPL process allows candidates to apply for recognition for previous study, work, life and educational experience that match the outcomes of specific units of competence within their program.

All RPL applicants will be asked to provide evidence to support their claim and this should be attached to the application form. Examples of evidence might include; documentation such as certificates issued by other training organisations, support letters from employers, course outlines of previously studied courses. We also recognise the credentials issued by other Registered Training Organisations operating under the Standards for Registered Training Organisations.

All assessments of RPL applications are reviewed by the Training Director who is qualified to conduct the assessment. Candidates may request a review of the RPL decision through our appeals procedure outlined in this Candidate Handbook.

### **CREDIT TRANSFER**

Industry Compliant Training had three units of competency on scope; RIIHAN301E Operate elevating work platform, RIIHAN309F Conduct telescopic materials handler operations and BSBPMG415 Apply project risk management techniques. Where Credit Transfer could apply is where one of these units of competency has become superseded and the new unit of competency is deemed equivalent.

To apply for Credit Transfer, complete the Credit Transfer form which you can obtain from Head Office and attach certified copies of the evidence you have (e.g. Statement of Attainment or Certificate) before emailing it back to the CEO to show you have completed that unit. All certificates and statement of attainments emailed to ICT must be certified by a Justice of the Peace, pharmacist, police officer or any other persons authorised to certify documents.

Please note however that ICT is not obligated to issue any certificate that would be entirely comprised of units or modules completed at another RTO or RTOs.

## 5. RIGHTS AND OBLIGATIONS

### COLLECTION AND USE OF YOUR PERSONAL INFORMATION

Collection of information: As part of the enrolment process, you will be required to acknowledge and give consent that under the *National Vocational Education and Training Regulator Act 2011*, and other legislative instruments, duly authorised ICT staff members are required to collect certain personal information to enable service delivery. We may also be required to disclose this information to various government entities, employers and/or third party bodies (as appropriate). For further information, also refer to section 10 of this handbook.

Your personal details and candidate records may be made available to:

- any Commonwealth Government agency and/ or
- any State Government agencies.

### WELFARE & GUIDANCE SERVICES

We endeavour to provide welfare and guidance to all candidates/clients. In the first instance, you should speak with an Assessor who may put you in contact with appropriate persons or organisation to resolve any matter that you may be worried about. This includes:

- RPL opportunities;
- Provision for special assessment needs;
- Provision for special cultural and religious needs;
- Provision for special dietary needs; and
- Any other issue.

### THE CANDIDATES RIGHTS AND OBLIGATIONS

To ensure all candidates get the most out of their program, you are required to abide by the following legislation while you are a candidate of Industry Compliant Training:

- Work Health and Safety Act 2011 (Commonwealth)
- Work Health and Safety Regulation 2011 (Commonwealth)
- Occupational Health & Safety Act 2004, Occupational Health & Safety Regulations 2007 (Victoria)
- Occupational Safety & Health Act 1984, Occupational Safety & Health Regulations 1996 (Western Australia)
- Human Rights & Equal Opportunity Commissions Act 1986 (Commonwealth)
- Human Rights Legislation Amendment Act 1999 (Commonwealth)
- Racial Discrimination Act 1975 (Commonwealth)
- Sex Discrimination Act 1984 (Commonwealth)
- Disability Discrimination Act 1992 (Commonwealth)
- Disability Discrimination Amendment (Education Standards) Act 2005 (Commonwealth)
- Age Discrimination Act 2004 (Commonwealth)
- Standards for NVR Registered Training Organisations 2015
- Privacy Act 1988 (Commonwealth)
- Copyright Act 1968 (Commonwealth)
- National Vocational Education and Training Regulator Act 2011 (Commonwealth)

**WHAT YOU CAN AND CANNOT DO**

To ensure you gain the maximum benefit from your time with us, we reserve the right to remove any person(s) who display(s) disruptive behaviour. Such behaviour will not be tolerated and, if this behaviour occurs again, then you may be asked to leave the program. You must be of good behaviour and respect the rights of others.

Working with others within Industry Compliant Training is not a requirement by Law, but rather is seen by Industry Compliant Training as necessary to maintaining a free and amiable study environment for all candidates, and as such will be strictly enforced by Industry Compliant Training. Being involved in the ICT community may require maturity and, at times, understanding. If you have any concerns about how you should act, speak with your Assessor or the CEO.

**UNACCEPTABLE BEHAVIOUR INCLUDES:**

- Being disrespectful to other candidates.
- Harassment by using offensive language.
- Sexual harassment.
- Acting in an unsafe manner that places you or others at risk.
- Refusing to participate when required in group activities.
- Continued absence at required times.
- Being under the influence of alcohol or illegal drugs.
- Other objectionable behaviour.

**ONCE ENROLLED, YOU HAVE THE FOLLOWING RIGHTS:**

- To be treated with respect by others, to be treated fairly and without discrimination.
- To be free from all forms of intimidation.
- To have any disputes settled in a fair and rational manner.
- To work in a supportive environment without interference.
- To express and share ideas and to ask questions.

**IN THE EVENT OF NON-COMPLIANCE WITH OUR RULES, THE FOLLOWING APPLIES:**

- An Assessor or the CEO will contact you to discuss the issue or behaviour and to determine how the issue might be rectified. This will be documented, signed by all parties and included on your personal file.
- If your behaviour continues or the issue is unresolved, you will be invited for a personal interview with the CEO to discuss this issue further and to make you aware of our complaints procedure that is available to you. This meeting and its outcomes will be documented, signed by all parties and included on your personal file.
- Should the issue or behaviour continue, you will be provided with a final warning in writing and a time frame in which to rectify the issue. A copy of this letter will be included on your personal file.
- Should the issue or behaviour still continue, assessment services will be withdrawn and you will be notified in writing that your enrolment has been terminated.

While we hope that these situations do not happen, we are committed to a very transparent process to ensure that all parties are satisfied with the final resolution.

## 6. DISCIPLINARY REGULATIONS AND EXPECTATIONS OF CANDIDATES

If you are undertaking assessment under the auspices of your employer, you remain subject to the disciplinary policies and procedures of your employer. In addition, we require you to comply with all lawful directions issued by your assessor.

You are required to observe the highest ethical standards in all aspects of academic work. Academic dishonesty and all forms of cheating will be penalised and may result in your enrolment being cancelled. Academic misconduct is defined as

- Copying or attempting to copy someone else's work, or knowingly allowing someone else to copy your work
- Using information prohibited from use in an assessment (copyright material, IP, business restricted material, etc, except where permitted for study purposes and the source of the information fully disclosed.)
- Submitting work of another candidate or person as your own work
- Plagiarism - using language or ideas from other people without acknowledging the source and claiming it as your own.

### PLAGIARISM

While co-operative effort and the sharing of information are encouraged, you must ensure your assignments and assessments are representative of your own effort, knowledge and skills. You must not take the work of others and present it as your own. Plagiarism may result in the assessment being deemed to be "not yet competent" by the assessor. Candidates accused more than once of academic misconduct, including plagiarism, may be dismissed or cancelled from their program at the discretion of the Training Director.

Plagiarism can take several forms;

- Quoting from a book or an article without acknowledging the source.
- Handing in someone else's work as your own
- Stealing and passing off another person's words or ideas and claiming them as your own
- Giving incorrect information about the source of a quotation or idea
- Downloading information from the internet without acknowledging the source
- Copying a section of a book or article and submitting it as one's own work
- Presenting as a new and original idea or produce something which was derived from an existing source.

### ETHICS AND GOOD CONDUCT

Staff and candidates are expected to act responsibly, and to treat all staff and fellow candidates with courtesy and respect. It is important that candidates also act responsibly and understand acceptable social interaction and standards in all communications.

You are expected to:

- » Accept instruction given by your employer, workplace supervisor and assessor
- » Complete assignments and other assessment tasks set and within required timeframes
- » Notify us within seven days if there are changes to your personal details such as name, home address, postal address or if you have any concerns about completing your assessment.

## 7. FEE STRUCTURES

### COMPULSORY FEES

Due to the highly customised nature of the programs delivered by Industry Compliant Training to its customers, we charge our clients directly and do not charge individual Candidates.

The tuition fees for each program provided by Industry Compliant Training are summarised in the Fee Schedule. Contained in this Fee Schedule is detailed information regarding total fees, payment terms, the nature of guarantees, fees and charges for additional services, refund policy, and fees paid in advance.

Fees which may be charged to individual candidates are administration fees for services such as replacement of any lost certificates, access to records, and credit transfer.

### REFUND POLICY

Clients are provided with the refund policy prior to enrolment. Refund information is always available from the CEO.

Conditions of eligible refunds Fee refund applications are considered on a case-by-case basis

- To receive a full refund written notice to withdraw must be received by ICT Seven (7) or more business days prior to the commencement of the program.
- Notification to withdraw received within seven (7) business days of program commencement will attract a penalty of 20% of the program cost and the cost of any material not returned or rendered unusable. This will be deducted from any fees paid. The candidate is responsible for the cost of any shipment to the RTO.
- No refund will be made for withdrawal from a program once it has commenced unless under extenuating circumstances. (Extenuating circumstances include long-term illness, death in the family or unemployment and are at the discretion of ICT Management).
- Candidates who withdraw after program commencement owing to unforeseen or exceptional circumstance can apply for fee refund. If granted (by the CEO) fees will be refunded on a prorata basis (based on the number of days remaining in the program) less 20% of the total program cost.

All refunds are returned to source of payment with accompanying letter explaining how the refund was calculated. Refund Applications may take up to 5 working days to process. Refund payments will be finalised no later than 14 days after the date of receipt of the Refund Application Form. The Refund Application Form can be requested from Administration.

### NON PAYMENT OF FEES

If a fee debt remains outstanding a final notice will be issued within 2 weeks of the debt due date. Late fee payment may incur a penalty. Failure to pay the program fees within 14 days of the final notice may result in any or all of the following, until the full amount is paid:

- Suspension from attending/participating in the program.
- Loss of access to enrolment record information and academic transcripts
- Inability to graduate and receive your Certificate or Statement of Attainment
- Cancellation of the enrolment

### CHANGE TO CONDITIONS

Industry Compliant Training reserves the right to change fees, conditions, program times or commencement dates at any time without notice.

### OUR GUARANTEE TO CLIENTS

If for any reason Industry Compliant Training is unable to fulfil its service agreement with a candidate, ICT will issue a full refund for any services not provided. The basis for determining "services not provided" is to be based on the unit(s) of competency completed by the candidate and which can be issued in a statement of attainment at the time the service is terminated.

## 8. COMPLAINTS & APPEALS

Industry Compliant Training maintains a supportive and fair environment, which allows candidates, staff and stakeholders to lodge complaints. Complaints are ideally resolved as amicably as possible using this formal appeal process. We will adhere to the National Complaints Code to respond to complaints about vocational education and the organisation itself. This means that our complaints process is:

- well publicised and explained;
- accessible so you can lodge complaints and appeals by phone, electronically or in writing;
- fair and protect your rights;
- free so you can lodge a complaint without charge;
- handled in a manner that protects your privacy;
- transparent, equitable, objective and unbiased;
- comprehensive so that it effectively resolves a variety of complaints such as candidate dissatisfaction, assessment outcomes, poor service, fraud, misconduct etc.

### COMPLAINTS PROCEDURE

Industry Compliant Training adheres to the National Complaints Code to respond to complaints about the organisation itself, staff or a candidate of the RTO. We will commence the complaints process with 10 working days of a formal lodgement of the complaint and supporting information. All reasonable measures are taken to finalise the process as soon as practicable.

Candidates are encouraged to firstly discuss any matter or complaint with their assessor. Every attempt should be made to resolve the issue as quickly as possible with minimal fuss. If the candidate and/or assessor are not satisfied or if the nature of the complaint or appeal is serious it should be brought to the attention of the CEO immediately.

If the complaint is not resolved then the complaint is documented by the complainant onto the Complaints and Appeals Form. The candidate must provide details about themselves and the program, and the circumstances surrounding the concern or appeal, who was involved, any appropriate evidence and witnesses. This form is to be submitted to Head Office at: [info@industrycomplianttraining.com.au](mailto:info@industrycomplianttraining.com.au)

Industry Compliant Training will notify the complainant within 48 hours, of receipt of formal complaint, to confirm receipt. The complainant will be contacted with the result within 10 business days of receipt of formal complaint. ICT will also inform those involved of any allegation. The complainant has 5 working days to respond to formal decision. Where more than 60 calendar days are required to process and finalise the complaint or appeal the complainant or appellant will be notified in writing including reasons why more than 60 calendar days are required. Regular updates will be provided to the complainant or appellant on the progress of the matter.

Each complaint and/or appeal is investigated objectively and without bias by the RTO CEO and Assessor. Each party involved has the right to have their version of events heard in the resolution negotiation and have an independent advocate present.

Complaints are investigated fairly and objectively with details of the investigation provided in writing to the complainant or appellant and any parties involved. The details will state the outcomes and reasons for the decisions made.

The CEO will close out the matter to the satisfaction of both parties. A copy of all documentation, in particular the complaint and the outcome, is placed in the candidate's file, staff file or Continuous Improvement Register as appropriate. A copy of the documentation is forwarded to the complainant.

Complaints and appeals are to be considered on the basis of procedural fairness and lead to opportunities for improvement as a Continuous Improvement Report.



In the event that a complaint is substantiated, Industry Compliant Training will take prompt and appropriate action to resolve the circumstances.

Where a complaint, concern, or appeal cannot be resolved through discussion and conciliation, the RTO acknowledges the need for an appropriate external and independent agent to mediate between the parties. The RTO will contract such a person as and when required. Costs for an independent agent to review and make a decision on the Appeal will be little or no cost to the candidate.

Industry Compliant Training shall maintain the enrolment of the complainant or person lodging an appeal during the complaint or appeals process.

Decisions or outcomes of the complaint or appeals process that find in the favour of the candidate shall be implemented immediately.

Complaints and appeals are to be handled in the strictest of confidence. No representative of Industry Compliant Training is to disclose information to any person without the permission of the CEO. A decision to release information to third parties can only be made after the complainant has given permission for this to occur. This permission should be given using the Release of Information Form.

Candidates who are not satisfied with the complete complaint handling by Industry Compliant Training may refer their complaint to the Department of fair trading or the equivalent in the candidate's state or to the National VET Regulator Australian Skills Quality Authority on 1300 701 801. Alternatively Candidates can contact the National Training Complaints Hotline by phoning 13 38 73. Candidates are to be advised that registering bodies will require the candidate to have exhausted all avenues through Industry Compliant Training before taking this option.

#### **APPEALS FOR REASSESSMENT**

Industry Compliant Training affords candidates the opportunity of 2 repeat attempts to complete a unit of competency to achieve competency. If however on the 3rd attempt the candidate is still found Not Yet Competent in that unit of competency then that outcome will stand as the final outcome for that unit of competency.

If a candidate has been advised after the 3rd attempt at achieving competency in a unit of competency that they are Not Yet Competent, but they believe that:

- They genuinely do have the required degree of competency; and
- That they have provided reasonable proof of this to The RTO

The candidate may query or appeal the result within 7 days of their assessment result, in writing or using our Complaints and Appeals Request Form.

The process is quite simple, and is allowed by the RTO to ensure that all candidates are fully satisfied with the fairness and accuracy of our assessment processes.

An academic grievance refers to a grievance about assessment, program content, academic achievement, cancellation of enrolment, candidate results, failure or quality in academic services or materials.

1. Industry Compliant Training will commence the appeals process with 10 working days of a formal lodgement of the appeal and supporting information. Candidates may appeal their assessments within one week of being notified of the decision or within 4 weeks of the assessment date, whichever is the longer. All reasonable measures are taken to finalise the process as soon as practicable.
2. Discuss the appeal with the Assessor. If this does not resolve the matter, then the Training Director will appoint a mutually agreed assessor to reassess your assessment.
3. The Training Director will appoint a qualified and independent assessor to review the records of assessment of the candidate's competence against the training package requirements. Where insufficient records to determine competence are available, the candidate may provide additional evidence of competence. The independent assessor's determination is final.

4. If this does not resolve the matter, the candidate may refer the appeal to an independent mediator. The appellant may deliver their own version of the problem and request a support person be present.
5. The submission and the final outcome of the assessment appeal is recorded and communicated to all parties in writing. The communication must contain the outcome of the assessment appeal and the reasons for the decisions made. A copy of the communication is placed in the candidate's file.

No further appeal mechanism exists beyond this point in the process.

Please note the following:

- Where the resolution requires a documented change to policies and procedures, such changes will be made in accordance with the procedure for document change including the appropriate records made.
- At each step of the assessment appeals process Industry Compliant Training will allow candidates to make representation either orally or in writing prior to reaching a decision. We also allow candidates to employ an independent person or panel to hear the appeal.

## 10. PRIVACY, CONFIDENTIALITY & RECORDS ACCESS

Industry Compliant Training is committed to protecting the privacy of your personal information. ICT abides by the Australian Privacy Principles and takes reasonable measures to protect the privacy of individuals and staff in line with state and federal legislation. Under the Australian Privacy Principles the candidate or staff member can access his/her personal information and may correct inaccurate or outdated information about them.

These principles include:

- Non-disclosure of your personal details to any unauthorised person, and
- Non-disclosure of details of assessment conducted for any candidate to any unauthorised person.

ICT is required to provide Commonwealth and State Government Authorities with candidate and assessment activity data which may include information provided in your enrolment form. Information is required to be provided in accordance with the VET Quality Framework.

Government Authorities may use the information provided to it for planning, administration, policy development, program evaluation, resource allocation, data reporting and/or research activities. For these and other lawful purposes, Government Authorities may also disclose information to its consultants, advisers, other government agencies, professional bodies and/or other organisations.

You have the right to see and review your candidate file at any time provided you organise it with the Administration Manager with a minimum of 1 days' notice.

Under the *Data Provision Requirements 2012*, Industry Compliant Training is required to collect personal information about you and to disclose that personal information to the National Centre for Vocational Education Research Ltd (NCVER).

Your personal information (including the personal information contained on this enrolment form), may be used or disclosed by Industry Compliant Training for statistical, administrative, regulatory and research purposes. Industry Compliant Training may disclose your personal information for these purposes to:

- Commonwealth and State or Territory government departments and authorised agencies; and
- NCVER.

Personal information that has been disclosed to NCVER may be used or disclosed by NCVER for the following purposes:

- populating authenticated VET transcripts;
- facilitating statistics and research relating to education, including surveys and data linkage;
- pre-populating RTO student enrolment forms;
- understanding how the VET market operates, for policy, workforce planning and consumer information; and
- administering VET, including program administration, regulation, monitoring and evaluation.

You may receive a student survey which may be administered by a government department or NCVER employee, agent or third party contractor or other authorised agencies. Please note you may opt out of the survey at the time of being contacted.

NCVER will collect, hold, use and disclose your personal information in accordance with the *Privacy Act 1988* (Cth), the National VET Data Policy and all NCVER policies and protocols (including those published on NCVER's website at [www.ncver.edu.au](http://www.ncver.edu.au)).

### RECORD KEEPING

You have the right to see your records retained by ICT. If you want other personnel, such as your employer, to see them, they can only do so with your written approval. We do not allow others to access your records without your approval.

We retain records of certificates issued for up to 30 years.

All records are however required to be made available to any authorised agent of a government agency. They will access your data to prove that we have conducted the required assessment; to prove your education status and also in any matter of law.

### **THE UNIQUE STUDENT IDENTIFIER SCHEME**

All Candidates applying for Recognition are required to hold a Unique Student Identifier (USI). The USI allows candidates to access a single online repository of their VET achievements. This scheme is enabled by the Student Identifiers Act 2014. As per the Student Identifiers Act 2014 the candidate's Student Identifier will not appear on the Statement of Attainment. For more information please see the USI website: <https://www.usi.gov.au/students>

### **ACCESS TO RECORDS**

Candidates will have access to all information held on them whilst enrolled with Industry Compliant Training. ICT will store and use the information appropriately and limit access to only those who have a legal reason to have access to that information, or whom the candidate has given permission.

Candidates who request access to their information will be given full access to the details they want. No cost will be charged for them accessing their information whilst they are enrolled candidates. Once no longer enrolled with ICT the fee to access your records is \$20 per request. Request for records may be made to the Training Director.

For access to records, the candidate must provide identification (such as licence, passport) either in person or provide a certified copy and the completed form.

You have the right to access your current records of participation and progress and any personal information held about you. Dependant on the information being sought, we can provide:

- » Records including re-issue versions of qualifications and achievement records
- » Print-based records such as assessment results from completing a workbook or practical assessment

We aim to provide you an up-to date copy of your candidate within 2-5 working days of receiving your request or of receiving payment for the request.

### **DISCRIMINATION AND HARASSMENT**

It doesn't matter how old you are or whether you were born in Australia or overseas - the Equal Opportunity legislation and federal anti-discrimination laws protect your rights.

It is against the law for someone to treat you unfairly (discriminate) or harass you (hassle or pick on you) because of your actual or assumed:

- Age
- Carer status
- Disability/impairment
- Gender
- Lawful sexual activity
- Marital status
- Physical features
- Political belief of activity
- Pregnancy
- Race
- Religious belief of activity
- Sexual orientation

It is also against the law for someone to sexually harass you. If you make a complaint (or help someone else make a complaint), it is against the law for someone to harass or victimise you because you have done so. It is also against the law to authorise or assist another person to discriminate or harass someone.

Discrimination in education occurs if a personal characteristic is used when:

- Deciding who will be admitted as a candidate including refusing to accept a candidate's application;
- Denying or limiting access to benefits; or
- Any other unfair treatment based on a personal characteristic defined by law.

Sexual harassment is behaviour of a sexual nature that is unwelcome, unasked for and unreturned. If a reasonable person would have foreseen that the behaviour would offend, humiliate (put down) or intimidate (threaten or scare) the other person, then the law classifies this as sexual harassment. Sexual harassment can be physical, verbal or written. It can include words, statements or visuals that are transmitted by paper, phone, fax, e-mail, office intranets, videoconference or any other means of communication.

If any of these things happen to you, or you feel they might be happening to someone else, go speak to your Assessor immediately and tell them about it. If you don't want to speak with your Assessor, then you should go and see the CEO to get some assistance.

### **SAFETY**

The Work Health and Safety Act is strongly enforced Australia-wide. It means that you cannot be placed at risk through anything that you may be asked to do by ICT. Your assessors have been specially trained in ICTs safety standards.

Should you be asked to do anything you feel is unsafe:

- Stop.
- Advise the Assessor of your worries and do not proceed.
- Stop anyone else with you from doing anything unsafe.

We are an alcohol and drugs of abuse free centre: undertaking any part of your study intoxicated or affected by drugs of abuse may result in suspension or termination from the program. If you are caught selling or undertaking any other illegal activity, then you may be reported to the Police for appropriate action.

## 11. GRADUATION

Once you have successfully completed all of the units of competency required by your program, you will receive your Statement of Attainment in the mail. The Statement of Attainment lists the unit of competency gained through your program.

This is an important document and should be stored carefully. You will have to present it if you are applying for courses at any other Registered Training Organisation. It may also be required by an employer or other person.

AQF Certification documentation (Statement of Attainment) will be issued to a candidate within 30 calendar days of being assessed as meeting the requirements of the training product if the program in which the candidate is enrolled is complete, and providing all agreed fees the candidate owes to the RTO have been paid.

### **INCOMPLETE ASSESSMENT/RECOGNITION APPLICATION**

If you leave the program without actually completing the recognition application or being deemed competent in all of the assessments in full, then you are not entitled to be issued with a Statement of Attainment or unit of competency.

### **RE-ISSUING QUALIFICATIONS**

If the testamur or statement of attainment is misplaced or damaged, the candidate may contact the RTO to order a **replacement**. A request to obtain a Statement of Attainment form will be provided to the candidate to complete and return to the RTO with a form of ID such as a drivers licence.

The request to obtain a reissue of a Statement of Attainment will be reviewed by the Training Director for approval. The cost for a certified copy of the original award document is \$30.00, which is to be paid prior to the certificate being sent out. It may take up to two weeks for the copy award document to be completed.

The RTO will re-issue a testamur or statement of attainment with a statement on the qualification stating: 'reissue date.'

## 1. APENDIX 1 – FEES AND CHARGES

Industry Compliant Training delivers specialised assessment services to its clients. Due to the highly customised nature of the programs Industry Compliant Training charges its clients directly and not the individual candidates.

The fees and charges outlined below are based on the customised programs delivered to our clients.

Program Fees - CLIENT		Administration Fee
<b>Recognition of Prior Learning (non-refundable) assessment</b>	<ul style="list-style-type: none"> <li>RIIHAN301E Operate elevating work platform</li> <li>RIIHAN309F Conduct telescopic material handler operations</li> <li>BSBPMG415 Apply project risk management techniques</li> </ul>	\$50 \$50

Payment Terms		
<b>At Enrolment</b>	<ul style="list-style-type: none"> <li>RIIHAN301E Operate elevating work platform</li> <li>RIIHAN309F Conduct telescopic material handler operations</li> <li>BSBPMG415 Apply project risk management techniques</li> </ul>	\$0 \$0
<b>On Completion</b>	<ul style="list-style-type: none"> <li>RIIHAN301E Operate elevating work platform</li> <li>RIIHAN309F Conduct telescopic material handler operations</li> <li>BSBPMG415 Apply project risk management techniques</li> </ul>	\$50 \$50
<b>Withdrawal from program prior to certificate issuance</b>		\$0

Other Fees - CANDIDATE		Administration Fee
<b>Replacement or Additional Qualification Certificates or Statement of Attainment</b>		\$30 per replacement
<b>Credit Transfer</b>		\$25
<b>Access to copy of records</b>		\$20

All amounts shown are in Australian dollars. No currency other than Australian dollars is acceptable.

<b>Note: at no time will you be in credit by more than \$1,500 against any part of the program that has yet to be delivered.</b>
<b>All accounts are 7 day payable accounts and first Program Fee payable 7 days prior to commencement of the Program</b>

### OUR GUARANTEE TO CLIENTS

If for any reason Industry Compliant Training is unable to fulfil its service agreement with a client, ICT will issue a full refund for any services not provided. The basis for determining “services not provided” is to be based on the units of competency completed by the Candidate and which can be issued in a Statement of Attainment at the time the service is terminated.

**PROTECTING FEES PAID IN ADVANCED**

Industry Compliant Training acknowledges that it has a responsibility to protect the fees paid by candidates in advance of their assessment services being delivered. To meet our responsibilities, ICT will accept payment of no more than \$1500 from each individual candidate prior to the commencement of the program.

**PAYMENT OF GST**

GST is exempt under section 38-85 GSTR 2003/1 Goods and Services Tax, tax ruling. The ruling explains the supply of a program for 'professional or trade course' is a GST-free education program.

**REFUNDS**

You can find our fees and refunds policy on our website: <http://www.industrycomplianttraining.com.au/> or by calling Industry Compliant Training Head Office on: 02 9998 2222 or by email: [info@industrycomplianttraining.com.au](mailto:info@industrycomplianttraining.com.au)

**NOTE: Candidates will not be issued a Certificate or Statement of Attainment if fees or other payments are outstanding.**