



**Down Under *Training***

**Down Under Training & Consulting Pty Ltd**

**RTO # 30820**

**Learner Handbook**





## Contents

Introduction.....	3
About Down Under Training & Consulting.....	3
Contact Information.....	3
Our Services.....	4
Our mission.....	5
Our objectives .....	5
Finding Us .....	6
Lunch Options.....	6
Our Trainers .....	6
Our expectation of you .....	6
Unique Student Identifier .....	7
Your safety .....	8
Your equity.....	9
Your privacy .....	10
National VET Data Policy.....	11
Fees payable .....	12
Refunds.....	13
Statutory cooling off period.....	15
Our Guarantee to Clients.....	15
Changes to terms and conditions .....	16
Protection under Australian Consumer Law .....	16
Accessing your records.....	16
Continuous improvement .....	17



Assessment.....	18
Re-assessment .....	19
Issuing Qualifications and Statements of Attainment .....	19
Learner support services.....	20
Language, Literacy, Numeracy and Digital.....	21
Making complaints and appeals.....	22
Withdrawing from a course .....	28
Learner who are not contactable or not responding .....	28
Recognition of Prior Learning .....	29
Legislative and Regulatory Responsibilities .....	32



## Introduction

This information booklet is designed to provide you with information about the services provided by Down Under Training & Consulting and our approach to providing you a safe, fair and supported environment to participate in training and assessment. This handbook does not provide you with specific information about a course offered by Down Under Training. This information is contained in the Course Brochure which is supplied separately.

## About Down Under Training & Consulting

Down Under Training & Consulting is a Registered Training Organisation (Code: 30820) providing high-quality training to learners in Australia. Down Under Training has modern, up to date facilities, and boasts a team of qualified and dedicated Trainers. You can find out more about Down Under Training & Consulting at the following websites:

<https://www.downundertraining.com.au>

[training.gov.au](http://training.gov.au) - 30820 - Down Under Training and Consulting Pty Ltd

Down Under Training is responsible under its registration with the Australian Skills Quality Authority (ASQA) for the quality of the training and assessment being delivered on your chosen course and is also

responsible for the issuance of any AQF certificate that may result based on your achievement of the course requirements.

## Contact Information

Office Hours:

Monday – Thursday 7.30 am – 4.00 pm

Friday: 7.30 am – 2.00 pm

Address: 12/16 Transport Ave.

Paget. 4740

Phone: 07 4998 5353

Email:

[bookings@downundertraining.com.au](mailto:bookings@downundertraining.com.au)

## Learner Contact

07 4998 5353

## Emergency Telephone Numbers

Police, Fire, Ambulance – 000

## Our Services

Down Under Training provides training and assessment services in support of the following nationally endorsed training products:

- RII20220 - Certificate II in Surface Extraction Operations.
- RII20320 - Certificate II in Underground Coal Mining.
- RII30120 - Certificate III in Surface Extraction Operations.
- RII30220 - Certificate III in Underground Coal Operations.
- RII40220 - Certificate IV in Surface Coal Mining (Open Cut Examiner).
- RII40420 - Certificate IV in Underground Coal Operations.
- TAE40122 - Certificate IV in Training and Assessment.
- CPCWHS1001 - Prepare to work safely in the construction industry.
- HLTAID009 - Provide cardiopulmonary resuscitation.
- HLTAID010 - Provide basic emergency life support.
- HLTAID016 - Manage first aid services and resources.
- MSMWHS217 - Gas test atmospheres.
- RIIDES301D - Inspect, test and maintain diesel engine systems and their ancillary systems.
- RIIDES302D - Inspect, test and maintain joints on diesel engine systems.
- RIIDES303D - Inspect, test and maintain cooling systems on diesel engine systems.
- RIIDES304D - Inspect, test and maintain inlet systems on diesel engine systems.
- RIIDES305D - Inspect, test and maintain exhaust systems on diesel engine systems.
- RIIDES306D - Inspect, test and maintain safety shutdown systems on diesel engine systems.
- RIIDES307D - Test, determine the cause and rectify excessive emission levels on diesel engine systems.
- TLIF0020 - Safely access the rail corridor.
- TLILIC0005 - Licence to operate a boom-type elevating work platform (boom length 11 metres or more).

- UETDREL006 - Work safely in the vicinity of live electrical apparatus as a non-electrical worker.
- UETDRMP007 - Perform rescue from a live low voltage panel.
- UETDRRF004 - Perform rescue from a live LV panel.
- 10898NAT - Course in Field-based Training and Assessment.
- 11029NAT - Course in Firearms and Weapons Safety (Approved for Firearms Licensing in Queensland).

### Our mission

Down Under Training' mission is to deliver quality training and assessment that meets the needs of learners and industry.

### Our objectives

In recognition of this mission, our objectives are:

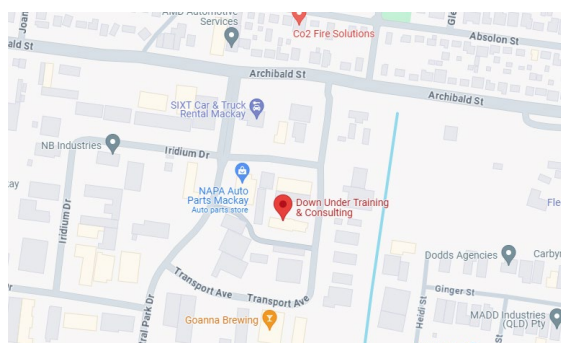
- **People.** We strive to attract, recruit and retain talented, competent and committed trainers. We promote excellent performance through leadership and professional development.
- **Safety & equality.** We are committed to providing an environment which is safe, equitable and which promotes a confident and productive

training and assessment environment.

- **Integrity & ethics.** We conduct ourselves in accordance with shared and agreed standards of behaviour which holds ethical conduct and integrity as our highest priorities.
- **Quality committed.** We aspire to deliver consistent, high quality services and apply quality systems which support training and assessment excellence.
- **Learner Focused.** We thrive on providing training and assessment that is learner focused and which supports lifelong learning. We respect our learners and strive to attract them time after time through high quality training and assessment experiences.
- **Industry engagement.** We recognise the value of industry engagement as the driving force in shaping our training and assessment strategies. We deliver training and assessment services which are founded on industry needs and expectations.

## Finding Us

We are located at:



## Parking

Whilst you are attending our site by vehicle, you will need to park in the designated areas. Please avoid parking in front of adjacent business' areas.

## Lunch Options

If you are looking to buy lunch whilst you are at our premises, there are local takeaways within a short drive of our premises. We do, however recommend you plan ahead and bring your lunch/food with you and place in the provided fridge on-premises.

## Our Trainers

Our Trainer Assessors are qualified, dedicated professionals who have current industry experience and qualifications in a range of industries. Their industry experience is continually up to date by participating in professional development activities, therefore

giving our learners the best practical industry experience.

At Down Under Training, we deliver nationally accredited qualifications via training face-to-face and in the workplace. When you study with Down Under Training, your Trainer Assessor will always be there to assist you throughout your learning. You can either attend a classroom training environment or receive job visits and even phone or email your Trainer Assessor for advice (relevant to course enrolment and structure) which means you get the support you need when you need it.

Down Under Training trainers are all professionally qualified trainers and have personal industry and job role experience. Our trainers deliver their training in a way that learners will understand enjoy.

## Our expectation of you

Down Under Training expects you:

- To contribute to learning in a harmonious and positive manner irrespective of gender, race, sexual preference, political affiliation, marital status, disability or religious belief.
- To comply with the rules and regulations of Down Under Training.



- To be honest and respectful, which includes, not falsifying work or information.
- Conducting yourself in a way that will not cause injury or offence to others?
- To be responsible for your own learning and development by participating actively and positively and by ensuring that you maintain progress with learning modules.
- To monitor your own progress by ensuring that assessment deadlines are observed.
- To utilise facilities and Down Under Training publications with respect and to honour our copyrights and prevent our publications from being distributed to unauthorised persons.
- To respect other learners and Down Under Training staff members and their right to privacy and confidentiality.

### **Unique Student Identifier**

If you're studying nationally recognised training in Australia from 1 January 2015, you will be required to have a Unique Student Identifier (USI). Your USI links to an online account that contains all of your training records and results (transcript) that you have

completed from 1 January 2015 onwards.

When applying for a job or enrolling in further study, you will often need to provide your training records and results (transcript). One of the main benefits of the USI is the ability to provide learners with easy access to their training records and results (transcript) throughout their life. You can access your USI account online from your computer, tablet or smart phone anytime. Fact sheets – available to download [Learner Information for the USI](#)

It's free and easy to [create your own USI](#) and will only take a few minutes of your time. Alternatively, we can create your USI on your behalf. To do this we will need some additional identification information from you such as your driver's licence number.

Learners are advised that there are a number of unique circumstances where a person may be exempt from requiring a USI. These do not apply to the vast majority of learners in Australia. The USI Exemption Table is available from the USI website which explains these circumstances [Click Here](#). Learners who exercise an exemption from submitting a USI should be aware 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 USI Registrar. Further details about the implications of being exempt can be obtained from the USI website: [Click Here](#).

### **Your safety**

Down Under Training is committed to providing you a safe environment in which to participate in training and assessment. We are aware under the Work Health and Safety Act 2011 of our responsibilities to maintain a safe environment.

The following guidelines are provided as a basis for safe practice in the training environment:

- Know and observe details of emergency response and evacuation plans;
- Do not undertake activities which may cause injury to self or others;
- Be responsible for your own actions;
- No smoking in the training and assessment facilities or offices;
- Report all potential hazards, accidents and near misses to the RTO staff;
- No consumption of alcohol within training and assessment facilities or during the conduct of training and assessment;

- Keep training and assessment areas neat and tidy at all times; and
- Seek assistance if you volunteer to lift items e.g. move furniture in a training area; and
- Observe hygiene standards particularly in eating and bathroom areas.

### **Electrical equipment**

- Electrical equipment that is not working should be reported to Down Under Training staff.
- Electrical work should only be performed by appropriately licensed or trained personnel. Learners, trainers and assessors should not undertake any task related to fixing electrical equipment such as lighting or electrical training aids.

### **Fire safety**

- Down Under Training will undertake to communicate the procedures involved in evacuation and the location of fire equipment to learners at each facility for each training and assessment event, and to users of the office at least twice each year.
- All users of a training and assessment facility need to be familiar with the location of all EXITS and fire extinguishers. Users

will consult available maps to determine location.

- It is the user's responsibility to understand fire drill procedures displayed around the premises.
- Users are asked to attend any sessions on fire safety procedures and the use of fire safety devices.

### **First aid**

- Provision for first aid facilities are available where training is delivered.
- All accidents must be reported to staff.
- The accident and any aid administered must be recorded by staff involved, in the injury register.

### **Lifting**

- Learners, trainers and assessors and staff are encouraged not to lift anything related to the training and assessment provided by Down Under Training unless, they do so voluntarily and are taking all responsibility for any injury caused.
- Never attempt to lift anything that is beyond your capacity.
- Always bend the knees and maintain the natural curve of

your back when picking up items.

- If you have experienced back problems in the past do not attempt to lift heavy objects at all. Ask someone else to do it for you.

### **Work & study areas**

- Always ensure that all work areas are clean and clear of clutter so as to avoid the danger of accident by tripping or falling over.
- Place all rubbish in the bins provided.
- Ensure that bench spaces are left clean and tidy.
- Do not sit or climb on any desks or tables.

### **Your equity**

Down Under Training is committed to ensuring that the training and assessment environment is free from discrimination and harassment. All staff members (including contractors) are aware that discrimination and harassment will not be tolerated under any circumstances. In the event that discrimination and harassment is found to have occurred, disciplinary action will be taken against any staff member who breaches this policy. Suspected criminal

behaviour will be reported to police authorities immediately. Learners should expect fair and friendly behaviour from Down Under Training staff members and we apply complaint handling procedures advocated by the Australian Human Rights and Equal Opportunity Commission (HREOC).

Learners who feel that they have been discriminated against or harassed should report this information to a staff member of Down Under Training. This will initiate a complaints handling procedure which will be fair and transparent and will protect your rights as a complainant. Alternatively, if a learner wishes to report an instance of discrimination or harassment to an agency external to Down Under Training, they are advised to contact the HREOC Complaints Info-line on 1300 656 419.

### **Your privacy**

Down Under Training takes the privacy of learners very seriously and complies with all legislative requirements. These include the Privacy Act 1988 and Australian Privacy Principles (effective from 12<sup>th</sup> March 2014).

Here's what you need to know:

- Down Under Training will retain personal information about you relating to your enrolment with

us. This includes your personal details, your ethnicity and individual needs, your education background. We will also retain records of your training activity and are required to do this in accordance with the National Vocational Education and Training Regulator Act 2011.

- Your personal information is retained within our hard copy filing system and our computer systems. Your information is collected via the enrolment form and through your completion of administrative related forms and based on your training outcomes. Hard copy files are secured in lockable filing cabinets which are monitored throughout the day and secured in the evening. Electronic data retained on our computer systems are protected via virus protection software and firewall protection. Our data is backed up continuously to our cloud storage which is secure.
- Down Under Training is required by the National Vocational Education and Training Regulator Act 2011 to securely retain your personal details for a period of 30 years from the date your enrolment has completed. The purpose of this is to enable your participation in accredited training to be recorded for future reference and to allow you to

obtain a record of your outcome if required.

- In some cases, we are required by law to make learner information available to Government agencies such as the National Centre for Vocational Education and Research (NCVER) or the Australian Skills Quality Authority (ASQA). In all other cases Down Under Training will seek the written permission of the learner for such disclosure and will not disclose your information to any person or organisation unless we have your written instructions to do so. If you require your records to be accessed by persons such as your parents, you need to authorise this access otherwise this access will be denied.
- You have the right to access information that Down Under Training is retaining that relates to you. Further instructions are provided on how to access records within the section titled “Access to your records”.
- If you have concerns about how Down Under Training is managing your personal information, we encourage you to inform our staff and discuss your concerns. You are also encouraged to make a complaint directly to us using our internal complaint handling

arrangements outlined in this handbook. Under the Privacy Act 1988 (Privacy Act) you also have the right to make a complaint to the Office of the Australian Information Commissioner (OAIC) about the handling of your personal information. You can find more information about making a privacy complaint at the website of the OAIC located at: <http://www.oaic.gov.au/privacy/privacy-complaints>.

### **National VET Data Policy**

As part of your enrolment, you will be asked to declare your acceptance of the terms of the service contract and the refund conditions and confirm that you have been fully advised of the fees, refund conditions and conditions of enrolment and agree to be a learner at Down Under Training.

You agree that under the Data Provision Requirements 2012, Down Under 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 the enrolment form and your training activity data) may be used or disclosed by Down Under Training

for statistical, regulatory and research purposes, and may disclose your personal information for these purposes to third parties, including:

- School – if you are a secondary learner undertaking VET, including a school-based apprenticeship or traineeship;
- Employer – if you are enrolled in training paid by your employer;
- Commonwealth and State or Territory government departments and authorised agencies;
- NCVET;
- Organisations conducting learner surveys; and
- Researchers.

Personal information disclosed to NCVET may be used or disclosed for the following purposes:

- issuing a VET Statement of Attainment or VET Qualification, and populating Authenticated VET Transcripts;
- facilitating statistics and research relating to education, including surveys;
- 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 also receive an NCVET learner survey which may be administered by an NCVET employee, agent or third-party contractor. You may opt out of the survey at the time of being contacted.

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

### **Fees payable**

Fees are payable when a learner has received a confirmation of enrolment. The initial fee payment must be paid prior to commencing training or within 10 days of receiving an invoice from Down Under Training, and may discontinue training if fees are not paid as required. For a full list of current fees and charges please request a copy of scheduled fees and charges.

### **Learner cancellation**

Learners who cancel their enrolment part way through a training program must notify Down Under Training in writing via email or letter at the soonest opportunity. Learners who cancel their enrolment after a training program

has commenced will not be entitled to a refund of fees. Learners are advised to consider alternative options such as requesting to suspend their enrolment and re-commencing in another scheduled training program.

### **Replacement of text & training workbooks**

Learners who require replacement of issued text or training workbooks will be liable for additional charges to cover the cost of replacement. For a full list of replacement charges please refer to Down Under Training & Consulting schedule of fees and charges.

### **Refunds**

Learners, who give notice to cancel their enrolment **10 business days** or more prior to the commencement of a program, will be entitled to a full refund of fees paid.

Learners who give notice to cancel their enrolment **9 business days** or less prior to the commencement of a program will be entitled to a 75% refund of fees paid. The amount retained (25%) by Down Under Training & Consulting is required to cover the costs of staff and resources which will have already been committed based on the learners' initial intention to undertake the training.

Learners who give notice to cancel their enrolment **3 business days** or less prior to the commencement of a program will be liable for the full course cost.

Learners who cancel their enrolment after a training program has commenced will not be entitled to a refund of fees.

Where a learner has purchased a text or training workbooks and subsequently cancels, Down Under Training will not refund monies for the resources.

Discretion may be exercised by the CEO in all situations, if the learner can demonstrate that extenuating or significant personal circumstance led to their withdrawal. In these cases, the learner should be offered a full credit toward the tuition fee in another scheduled program in-lieu of a refund. The CEO may also authorise a refund of tuition fees if the circumstances require it.

Where refunds are approved, the refund payment must be paid to the learner within 14 days from the time the learner gave written notice to cancel their enrolment. Tuition refunds are to be paid via electronic funds transfer using the authorised bank account nominated by the learner on the Refund Request Form.

All requests for refund of fees must be made in writing using the Refund Request Form which may be obtained from Down Under Training reception or from the website. The form must be signed by the learner.

Down Under Training enrolment fees are non-refundable in all circumstances where an enrolment fee applies.

When Down Under Training train for an organisation under contract, there are no charges to the individual participants therefore no refunds will be provided to the Individual participants.

Down Under Training refunds are not transferable to another person.

No refunds will be made for classes missed due to exams, excursions, or other obligations that fall outside the normal schedule of classes.

In the case of learner suspension or expulsion there will be no refund of fees.

Down Under Training reserves the right to cancel a course if intake numbers are insufficient. In the unlikely event that Down Under Training is unable to deliver a learner's course in full, a refund will be offered for all the unused course money paid to date. The refund will be paid to the learner within 2 weeks of the day on which the course ceased being

provided. Alternatively, enrolment may be offered in a different course by Down Under Training.

Down Under Training reserves the right to change its fees and conditions in accordance with the Changes to Terms and Conditions policy.

Changes of tuition fees will not apply to learners who have paid and or have already commenced their course. If a learner believes that these changes are unreasonable, they have the right to access Down Under Training & Consulting's complaints and appeals processes and to also take further action under Australia's consumer protection laws.

Down Under Training reserves the right to deny a learner access to Down Under Training premises and to withdraw its other services if their conduct disrupts the delivery of training and assessment.

### **Payment method**

Down Under Training accepts payment for fees using:

- EFTPOS
- Credit Card
- Electronic Funds Transfer (account details available on request)
- Payment in cash is discouraged.

## **Substitutions**

Requests for substitutions are to be made in writing and can be made at any time up to 2 working days before the program commencement date.

## **Transfers**

Requests for transfers to alternate programs can be arranged if Down Under Training & Consulting is advised in writing more than 10 working days prior to the program commencement date and there is availability on the selected program.

## **Statutory cooling off period**

The Standards for Registered Training Organisations require Down Under Training & Consulting to inform persons considering enrolment of their right to a statutory cooling off period. A statutory cooling off period (which is 10 days) is a period of time provided to a consumer to allow them to withdraw from a consumer agreement, where that agreement was established through unsolicited marketing or sales tactics. These include tactic such as door-to-door sales and telemarketing. A statutory cooling off period allows a consumer to withdraw from a sales agreement within 10 days of having received a sale contract without penalty.

It must be noted that Down Under Training do not engage in unsolicited marketing or sales tactics and therefore a statutory cooling off period is not applicable to our learners who have enrolled into a program. For refund option in other circumstances, learners must refer to the above refund policy.

## **Our Guarantee to Clients**

If Down Under Training cancels or ceases to provide training, Down Under Training must issue a full refund for any services not yet provided. The basis for determining "services not yet provided" is to be based on the units of competency completed by the learner and which can be issued in a statement of attainment at the time the service is ceased.

As an example: A learner enrolled in a course of 2 units of competency and paid \$600.00 up front as the total course fee. The course was cancelled due to the trainer falling ill and the learner at that time had completed 1 of the 2 units. The learner's enrolment would be finalised, and the learner would receive a Statement of Attainment for the 1 completed units. The learner would also receive a refund of \$300.00 which represents that value of the training not delivered.



## Changes to terms and conditions

Down Under Training reserves the right to amend the terms and conditions of the learner's enrolment at any time. If changes are made that effect the learner's enrolment the learner will be informed 28 days prior to changes taking effect. Learners are provided this advance notice to submit an appeal from the date they were informed of the decision. Further information about appealing a decision is contained in the section relating to complaints and appeals handling.

## Protection under Australian Consumer Law

As a learner undertaking a vocational education and training course, you are protected under Australian Consumer Law and under State and Territory consumer protection laws. These protections include areas such as unfair contract terms, the consumer guarantees, to a statutory cooling-off period, and unscrupulous sales practices. You can find out more information about your rights as a consumer from the Australian Consumer Law website which includes a range of helpful guides relating to specific areas of protection. Please visit the following site for more information: [Australian Consumer Law](#).

## Accessing your records

You are entitled to have access to your records. These records include your:

- learner file,
- learning and assessment record,
- administrative records,
- AQF certificates including a reissuance of a statement of attainment or qualification which has been previously issued.

You may require these records to monitor your progress with training or simply to go back and confirm something in a previous training module. Whilst these records will be retained by Down Under Training, you are welcome to have access anytime just ask your trainer and it will be organised immediately.

You can access hard copy records and reports from our learner management system, but only relating to you personally. You can request this access using the Learner Records Request Form. Access to requested records during a workday will be arranged as soon as possible and where possible, within 24 hours. Learners should note that these records cannot be taken away unless a copy is requested. Where photocopies are requested, Down Under Training reserves the

right to charge a one-off photocopy fee of \$10.00. There is no cost to simply view records at our office.

In the case of accessing a reissuance of a previously issued Statement of Attainment or Qualification certificate, if you have lost or misplaced your AQF certificate you may obtain a reissued certificate from Down Under Training. To obtain this you must complete the Learner Records Request Form and return this to the Office Manager. The cost of \$50.00 will apply for each reissued AQF certificate. These monies must be paid in advance. Reissued AQF certificates will be an exact duplicate of the original with the exception of small wording at the bottom of the document which identifies the certificate as reissued. AQF certificates may only be collected in person or can be posted via registered post. A learner may also nominate another person to collect the certificate, however these persons must be notified to Down Under Training beforehand and the person must provide photo ID to validate their identity.

### **Continuous improvement**

Down Under Training is committed to the continuous improvement of our training and assessment services, learner services and management systems. Central to

this commitment is our approach to continuous improvement and the procedures we apply to achieve systematic and sustained improvement.

### **Suggesting improvements**

The primary method of reporting opportunities for improvement by learners is via the continuous improvement reporting procedure. This procedure allows any person to raise a Continuous Improvement Report for consideration by the CEO. Often these reports will be generated after an opportunity for improvement has been identified by a staff member or learner. The Continuous Improvement Report template is available on request. Learners are encouraged to provide feedback to Down Under Training so we can improve our services in the future.

### **Learner satisfaction survey**

At the completion of your training program, you will be issued or emailed a Learner Satisfaction Survey. This is a nationally consistent survey tool which is designed to collect feedback from learners about their experience with an RTO and in undertaking nationally recognised training. Your completion and return of this survey is important to Down Under Training for our ongoing improvement of services and to enable us to report

this information to our registering authority. Your assistance in gathering this survey data is greatly appreciated.

## Assessment

Down Under Training assessment is conducted using a combination of Written Knowledge Assessment, Research Tasks, Case Studies, Work Logbook, Supervisor Feedback and Workplace Observation.

The following provides a brief explanation of the primary assessment methods:

- **Written Knowledge Assessment:** The learner is required to provide a written response to a range of questions relating to required knowledge of the units of competency. These would generally be short answer response activities and may include other questioning methods including multiple-choice.
- **Research Tasks:** The learner is required to undertake research within their own workplace and the available reference material and provide a written response to each question. These assessment activities are usually short to medium answer response activities. The responses provided by the learner will largely be specific to their workplace.
- **Case Study Response:** The learner is required to provide a written response to a situation presented in a case study scenario. This will usually require the learner to consider carefully the situation presented, undertake some research to inform their response and then to propose their recommended actions.
- **Workplace Logbook:** The learner is required to record details of their work activity completed during the work placement. These details are recorded against specified tasks which are predesigned for the learner to complete. This forms an important part of the assessment evidence as it often includes critical evidence that is otherwise difficult for the assessor to observe.
- **Supervisor Feedback:** The assessor will periodically engage with workplace supervisors to seek their feedback about the learner's performance. This is generally undertaken with a Third Party Report or an interview with a duration of approximately 15 to 20 minutes. This interview can be undertaken over the phone or face to face. Feedback from a supervisor is recorded into the assessment record.
- **Workplace Observation:** The learner will be observed performing specific tasks in their day-to-day work activities. The assessor will

attend the workplace and observe the learner performing tasks relevant to the units of competency being assessed. The learner will be briefed on these observation activities in events and is required to make arrangements to undertake these activities when the assessor is in attendance at the workplace.

### **Re-assessment**

Learners who are assessed as not yet competent are to be provided with detailed verbal and written feedback to assist them to identify the gaps in their knowledge and skills to be addressed through further training. These learners are to be provided with additional training and learning support to target their specific gaps in knowledge and/or skills and prepare them for additional assessment.

It is the policy of Down Under Training to provide one opportunity for additional training and re-assessment at no additional cost to the learner or employer. Learners who require additional training and re-assessment after they have exhausted their additional opportunity, will be required to pay a fee for additional training and re-assessment. Please refer to the current fee schedule to identify the re-assessment fee.

Learner's requiring additional learning support are to be brought to the attention of Down Under Training management so the progress of the learner can be monitored closely and additional support services can be applied well before it becomes necessary to impose an additional fee for re-assessment. Where learners repeatedly do not demonstrate competence following significant learning and assessment support, a learner's enrolment can be determined through mutual agreement.

### **Issuing Qualifications and Statements of Attainment**

Down Under Training will issue all Australian Qualification Framework certification documentation (Qualifications or Statements of Attainment) to a learner within 30 calendar days of the learner being assessed as meeting the requirements of the training product if the training program in which the learner is enrolled is complete. Please note however that Down Under Training is not obliged to issue a certificate to a completed learner if:

- All agreed fees the learner owes to Down Under Training have not been paid.
- The learner hasn't provided a valid Unique Student Identifier.

Learners should be aware that a:

- Qualification is the result of a learner achieving the units of competency for a qualification outcome as specified in an endorsed training package or an accredited course. A qualification is a formal certification that a learner has achieved learning outcomes as described in the AQF. Technically within the AQF a qualification is comprised of a testamur and a record of results. A testamur is the actual official certification document that confirms that a qualification has been awarded to an individual.
- Statement of Attainment is issued when the learner has achieved one or more units of competency as a result of completing a course which included units of competency only or where the learner achieved one or more units of competency as part of an enrolment in a qualification-based course but the learner did not achieve all of the units of competency to receive the full qualification.

### **Learner support services**

During your enrolment, Down Under Training will engage with you on a number of occasions to identify if you require any support. We do this

through requesting you to complete enrolment documentation which includes an initial core skills assessment, discussions over the phone, enrolment interview and finally during your orientation.

One of the important objectives of these engagements is to understand what support services you may need to fully participate in your study. You will be asked various questions about your support needs or your “individual needs”. This is simply the term we use to define what your needs are, and this enables us to organise the appropriate support services. Make sure you make the most of this opportunity and let us know if you need support.

### **WHAT SUPPORT IS AVAILABLE?**

Down Under Training will use a combination of our own services and the services of referral agencies to either provide or refer you to the following support services:

- Language, Literacy, Numeracy and Digital Support.
- Studying and Learning Coaching.
- English as Second Language Tuition.
- Alternative Payment Plan.
- Counselling Support.

- Disability Access.

Where specialist support services are recommended by Down Under Training (such as Counselling Support for example), learners are advised that these services may incur additional cost by the service provider that is separate from the services provided by Down Under Training. Learners should verify the cost of these services with the provider before proceeding with these specialist support services. Learners are also welcome and encouraged to use a services provider of your choosing. Services recommended by Down Under Training & Consulting are recommended only for your convenience and this recommendation; by no means that we give any warranty of these services. You should make your own enquiries and satisfy yourself that the service is suitable for your needs.

If you need support during your course, please approach and inform reception and you will be connected with the best person who can assist you. If the matter is sensitive and you do not feel comfortable discussing it with reception, simply inform reception that you would like to meet with the RTO Manager. It is our absolute priority to provide you the support needed to enable you to progress in your study and complete your chosen course. Down Under

Training is committed to our learner's welfare both during and after hours of study.

### **Language, Literacy, Numeracy and Digital**

Language, Literacy, Numeracy and Digital skills are critical to almost all areas of work. This is particularly true in many vocations where Language, Literacy, Numeracy and Digital skills influence the performance of workplace tasks such as measuring, weighing and comprehending written work instructions.

### **Who requires LLND Assessment**

The following guidelines are provided in determining which learners making an enrolment must complete a mandatory LLND assessment:

- If the learner has completed their Higher School Certificate (Y12 / HSC), LLND Assessment is not required.
- If the learner has completed a prior nationally recognised qualification in Australia at least to the AQF level one below the qualification they are seeking to enter, LLND Assessment is not required.
- All other learners that have not completed their Higher School Certificate or do not hold a qualification at least to the AQF level one below the qualification they are seeking to enter, must

complete the LLND assessment as part of their enrolment.

To support this approach, Down Under Training & Consulting will:

- Assess a learner's Language, Literacy, Numeracy and Digital skills during their enrolment to ensure they have adequate skills to complete the training.
- Support learners during their study with training and assessment materials and strategies that are easily understood and suitable to the level of the workplace skills being delivered;
- Provide clear information to learners about the details of the Language, Literacy, Numeracy and Digital assistance available. Down Under Training generally recommend the LLND training courses provided by TAFE or Community Colleges. These institutes have specialist teachers to support the learner's development.
- Refer learners to external Language, Literacy, Numeracy and Digital support services that are beyond the support available within Down Under Training and where this level of support is assessed as necessary; and

- Negotiate an extension of time to complete training programs if necessary.

### **Making complaints and appeals**

Down Under Training is committed to providing a fair and transparent complaints and appeals process that includes access to an independent external body if required. To make a complaint or an appeal, you are requested to complete one of the following forms:

- Complaint Handling Form
- Request for Appeal of a Decision

These forms are available via our website at the following address:

- [www.downundertraining.com.au](http://www.downundertraining.com.au)

Once you have completed the required form you are requested to submit this to the RTO either in hard copy or electronically via the following contact details:

- [12/16 Transport Ave. Paget](mailto:manager@downundertraining.com.au)
- [manager@downundertraining.com.au](mailto:manager@downundertraining.com.au)

If you are having any difficulty accessing the required form or submitting to us, please contact us at the following number:

- [07 4998 5353](tel:0749985353)

### **What is a complaint?**

A complaint is negative feedback about services or staff which has not

been resolved locally. A complaint may be received by Down Under Training in any form and does not need to be formally documented by the complainant in order to be acted on. Complaints may be made by any person but are generally made by learners and/or employers.

### **What is an appeal?**

An appeal is an application by a learner for reconsideration of an unfavourable decision or finding during training and/or assessment. An appeal must be made in writing and specify the particulars of the decision or finding in dispute. Appeals must be submitted to Down Under Training within **28 days** of the learner being informed of the decision or finding.

### **Early resolution of complaints & appeals**

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time, as they occur between the persons involved, where possible. Sometimes, it will not be possible and in these cases, you are encouraged to come forward and inform us of your concerns with the confidence that you will be treated fairly.

### **Complaint and appeals handling**

Down Under Training applies the following principles to its complaints and appeals handling:

- A complaint or appeal may be received in any form (written, verbal) although persons seeking to make a complaint are recommended to complete the complaint form or request for an appeal of a decision which are available on the Down Under Training website.
- A person who makes a complaint or an appeal must be **provided a written acknowledgement** as soon as possible and **not later than 24 hours** from the time the complaint or the appeal is received. The acknowledgement must inform the person that they will receive a written response within 14 days and explain the complaint/appeal handling process and the persons rights and obligations.
- There is no time limitation on a person who is seeking to make a complaint. An appeal however must be made within 28 days of the person being informed of the decision or finding of which they intend to appeal.
- Written records of all complaints / appeals are to be kept by Down Under Training including all



details of lodgement, response and resolution. Down Under Training will maintain a complaints / appeals register to be used to record the details of the complaint / appeal and to maintain a chronological journal of events during the handling process. Records relating to complaint / appeal handling are stored securely to prevent access to unauthorised personnel.

- A person making a complaint or seeking an appeal is to be provided an opportunity to formally present his or her case at no cost.
- Each person may be accompanied and/or assisted by a support person at any relevant meeting.
- Where a complaint or appeal is made about or involves allegations about another person, Down Under Training & Consulting is obliged to inform this person about this complaint/appeal or allegation and provide them the opportunity to respond and present information in response to the issues raised. This may be achieved through direct meetings or meetings via an electronic means. Down Under Training will maintain a detailed record of these meetings in the

form of a record of conversation. At all times information must be handled sensitively and treated in confidence. Persons involved in a dispute or complaint should be reminded to treat each other with respect and conduct themselves in a professional and courteous manner.

- The handling of a complaint / appeal is to commence within **seven (7) working days** of the lodgement of the complaint / appeal and all reasonable measures are taken to finalise the process as soon as practicable.
- The person making a complaint or seeking an appeal is to be provided a written response to the complaint / appeal, including details of the reasons for the outcome. A written response must be provided to the person within **fourteen (14) days** of the lodgement of the complaint / appeal.
- Complaints / appeals must be resolved to a final outcome **within sixty (60) days** of the complaint / appeal being initially received. Where Down Under Training CEO considers that more than 60 calendar days are required to process and finalise the complaint / appeal, the CEO must inform the person making a complaint or seeking an appeal

in writing, including reasons why more than 60 calendar days are required. As a benchmark, Down Under Training will attempt to resolve complaints / appeals as soon as possible. A timeframe to resolve a complaint / appeal within thirty (30) days is considered acceptable and in the best interest of Down Under Training and the person making a complaint or seeking an appeal. A person making a complaint or seeking an appeal should also be provided with regular updates to inform them of the progress of the complaint / appeal handling. Updates should be provided to the person making a complaint or seeking an appeal at a minimum of two (2) weekly intervals.

- Down Under Training shall maintain the enrolment of the person making a complaint or seeking an appeal during the handling process.
- Decisions or outcomes of the complaint / appeal handling process that find in the favour of the person making a complaint or seeking an appeal shall be implemented immediately.
- Complaints / appeals are to be handled in the strictest of confidence. No Down Under Training representative will disclose information to any

person without the permission of Down Under Training CEO. A decision to release information to third parties can only be made after the person making a complaint or seeking an appeal has given permission for this to occur. This permission should be given using the Information Release Form.

- Complaints / appeals are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the handling process. This means that the person making a complaint or seeking an appeal is entitled to be heard with access to all relevant information and with the right of reply. The person making a complaint or seeking an appeal is entitled to have their complaint heard by a person that is without bias and may not be affected by the decision. Finally, the decision must be made based on logical evidence and the decision-maker must take account of relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations.

### **Informing Persons and Responding to Allegations**

Where a complaint involves one person making allegations about

another person, it is a requirement for Down Under Training to hear both sides of the matter before making any judgements about how the complaint should be settled. A person who will be affected by a decision made by Down Under Training because of a complaint has the right to be fully informed of any allegations and to be provided adequate opportunity to be heard and respond. The person has the right to:

- put forward arguments in their favour,
- show cause why a proposed action should not be taken,
- deny allegations,
- call for evidence to disprove allegations and claims,
- explain allegations or present an innocent explanation, and
- provide mitigating circumstances (information aimed at reducing the severity, seriousness, of something).

Down Under Training also has an obligation to fully consider the substance of allegations and the response provided by parties before making a decision. Decisions must be communicated to the complainant and relevant persons subject of allegations in writing. This is to include advising these persons of their right to seek a third-party

review of decisions made by Down Under Training.

Where an allegation is made that involve alleged criminal or illegal activity and it is considered outside the scope and expertise of Down Under Training to investigate the matter, then in these circumstances Down Under Training reserve the right to report these allegations to the relevant authorities. Persons related to the matter involving alleged criminal or illegal activity will be advised in writing if this course of action is being taken.

### **Review by an independent third party**

Down Under Training provides the opportunity for the person making a complaint or seeking an appeal who is not satisfied with the outcomes of the complaints and appeals handling process to seek a review by an independent person. Before a person seeks a review by an independent person, they are requested to first allow Down Under Training to full consider the nature of the complaint or appeal and to fully respond to the person in writing. If after this has occurred, the person is not satisfied with the outcome, they can then seek a review by an independent person. To request a review by an independent person, the complainant or the person making an appeal should inform Office Administrator of their request

who will initiate the process with the CEO.

In these circumstances the Down Under Training CEO will advise of an appropriate party independent of Down Under Training to review the complaint (and its subsequent handling) and provide advice to Down Under Training in regard to the recommended outcomes. The independent third-party is required to respond with their recommendations within fourteen (14) working days of their review being requested.

Where Down Under Training appoints or engages an appropriate independent person to review a complaint / appeal, Down Under Training will meet the full cost to facilitate the independent review.

Following an independent review, advice received from the independent person is to be accepted by Down Under Training as final, advised to the person making a complaint or seeking an appeal in writing and implemented without prejudice.

Where a complaint is received by Down Under Training and the Chief Executive Officer feels that they may be bias or there is a perception of bias, then the complaint is to be referred directly to an independent

third-party for consideration and response as outlined above.

### **Unresolved Complaints and Appeals**

Where the person making a complaint or seeking an appeal is not satisfied with the handling of the matter by Down Under Training, they have the opportunity for a body that is external to Down Under Training to review his or her complaint or appeal following the internal completion of complaint or appeals process.

Learners who are not satisfied with the process applied by Down Under Training may refer their matter to the following external agencies:

- In relation to consumer related issues, you may refer their complaint to the **Office of Fair Trading**.
- In relation to the delivery of training and assessment services, you may refer their complaint to the **National Training Complaints Service** via the following phone number: 1300 566 046 or visit the website <https://www.education.gov.au> at
- In relation to matters relating to privacy, you may refer their complaint to the **Office of the Australian Information Commissioner** via the following

details: <https://www.oaic.gov.au>  
or call on 1300 363 992

### **Withdrawing from a course**

There are circumstances where a learner may finalise their enrolment early for personal or academic reasons. Where this is the case, the learner is requested to complete the form Application for Course Deferment / Transfer / Withdrawal. This provides the learner the opportunity to specify their reasons and select to indicate their preference to defer their enrolment, to transfer their enrolment to another course or to terminate their enrolment altogether. Where the enrolment is being deferred or terminated, learners will be issued a statement of attainment to recognise the outcomes they have achieved during their enrolment. A learner who defers and returns to complete a course will be eligible to recommence their training and receive a credit transfer for any completed units of competency. The CEO will review these applications and, where possible is to interview the learner to understand their circumstances and is to record their decision using the section provided on the application. Learners are to be informed of this decision in writing.

### **Learner who are not contactable or not responding**

Where a learner is not contactable or fails to respond to requests by the Down Under Training, the learner's enrolment may be terminated in absentia. This action may only be taken where Down Under Training has made every reasonable attempt to engage with the learner or contact the learner to seek their instructions about their intentions to continue with or complete the applicable course. Advice received from a learner via email or phone conversation communicating their request is to be accepted where the learner is not willing to complete an Application for Course Deferment / Transfer / Withdrawal. Email records and written records of phone conversations are to be retained on the learner's file as evidence of these expressed instructions from the learner.

Before a learner's enrolment can be terminated without their written or expressed consent the following protocol is to be followed:

- A minimum of three attempts (four weeks apart) must be made using the last known contact details (email, phone and mail) to contact the learner and issue the learner with a warning letter notifying them of the intent to terminate the enrolment.

- Where the learner fails to respond, the learner's enrolment is to be terminated and the learner's record within the learner management system is to update with the outcome of "withdrawn" entered into each unit of competency that has not been completed at the time.
- Any final AQF certificate to which the learner is entitled is to be sent registered mail to the learner's last known mailing address. This should also be noted in the learner's enrolment record and a copy of the certificate retained on the learner's record.
- The learner's record is to be archived in accordance with the Records Retention and Management Policy.

Applicable trainers are to be informed of the learner's enrolment termination and advised to inform the CEO if the learner makes contact.

### **Recognition of Prior Learning**

In accordance with the requirements of the Standards for Registered Training Organisations, Down Under Training provides the opportunity for learners to apply to have prior learning recognised toward a qualification or units of

competence for which they are enrolled.

### **What is recognition?**

Recognition involves the assessment of previously unrecognised skills and knowledge that an individual has achieved outside the formal education and training system. Recognition assesses this unrecognised learning against the requirements of a unit of competence, in respect of both entry requirements and outcomes to be achieved. By removing the need for duplication of learning, recognition encourages an individual to continue upgrading their skills and knowledge through structured education and training towards formal qualifications and improved employment outcomes. This has benefits for the individual and industry. Most importantly, it should be noted that recognition is just another form of assessment.

### **Recognition guidelines**

The following guidelines are to be followed when an application for recognition is received:

- Any learner is entitled to apply for recognition in a course or qualification in which they are currently enrolled.
- Learners may not apply for recognition for units of competence or a qualification

which are not included in Down Under Training scope of registration.

- Whilst learners may apply for recognition at any time, they are encouraged to apply before commencing a training program. This will reduce unnecessary training and guide the learner down a more efficient path to competence.
- Learners who are currently enrolled in a training program are eligible to apply for recognition in that program at no additional charge.
- Assessment via recognition is to apply the principles of assessment and the rules of evidence.
- Recognition may only be awarded for whole units of competence.

### **Forms of evidence for recognition**

Recognition acknowledges that workplace skills and knowledge may be gained through a variety of ways including both formal and informal learning or through work-based or life experience.

Like assessment, recognition is a process whereby evidence is collected, and a judgement is made by an assessor or assessment team. The judgement is made on

evidence provided by candidates of the skills and knowledge that they have previously learnt through work, study, life and other experiences, and that they are currently using. It also includes evidence to confirm a candidate's ability to adapt prior learning or current competence to the context of the intended workplace or industry.

Forms of evidence toward recognition may include:

- Work records;
- Records of workplace training;
- Assessments of current skills;
- Assessments of current knowledge;
- Third party reports from current and previous supervisors or managers;
- Evidence of relevant unpaid or volunteer experience;
- Examples of work products;
- Observation by an assessor in the workplace;
- Performance appraisal; or
- Duty statements.

Many of these forms of evidence would not be sufficient on their own. When combined, with a number of evidence items, the candidate will start to provide a strong case for

competence. Down Under Training reserves the right to require candidates to undertake practical assessment activities of skills and knowledge to satisfy itself of a candidate's current competence.

### **Credit Transfer**

Credit Transfer is the recognition of learning achieved through formal education and training. Under the Standards for Registered Training Organisations, units of competency issued by any RTO are to be accepted and recognised by all other RTOs. Credit Transfer allows a learner to be issued a unit of competency based on successful completion of the unit which has been previously awarded.

### **Evidence requirements**

If you are seeking credit transfer you are required to complete the recognition of current competency, credit transfer application with all required information to Down Under Training. Application form available from:

[bookings@downundertraining.com.au](mailto:bookings@downundertraining.com.au)

These documents will provide the detail of what units of competence you have been previously issued. You must provide satisfactory evidence that the statement of attainment or qualification is authentic, is yours and that it has been issued by an Australian RTO. Statements of attainment or

qualifications should be in the correct format as outlined in the Australian Qualifications Framework. You are required to submit copies only which are certified as a true copy of the original.

### **Credit transfer guidelines**

The following guidelines are to be followed in relation to credit transfer:

- Any learner is entitled to apply for credit transfer in a course or qualification in which they are currently enrolled.
- Learners may not apply for credit transfer for units of competence or qualification which are not included in Down Under Training scope of registration.
- Whilst learners may apply for credit transfer at any time, they are encouraged to apply before commencing a training program. This will reduce unnecessary training and guide the learner down a more efficient path to competence.
- Credit transfer may only be awarded for whole units of competence. Where a mapping guide identifies a partial credit, this will not be considered for credit transfer and applicants will be advised to seek recognition.



## **Legislative and Regulatory Responsibilities**

Down Under Training & Consulting is required to operate in accordance with the law. This means we comply with the requirements of legislative and regulatory requirements. The following legislation is a list of the Acts that Down Under Training has recognised it has compliance responsibilities to. They also represent obligations to you as a learner whilst training with Down Under Training.

During your day-to-day work and when participating in training, you will need to be aware of the relevant legislation that may impact on your conduct and behaviour.

Copies of State and Federal legislation can be found on the Internet at <http://www.australia.gov.au/information-and-services/public-safety-and-law/legislation/states-and-territories> (State) and [www.comlaw.gov.au](http://www.comlaw.gov.au) (Federal).

The following is a summary of the legislation that will generally apply to your day-to-day work and training.

### **Work Health and Safety Act 2011**

The main object of this Act is to provide for a balanced and nationally consistent framework to secure the health and safety of

workers and workplaces. The WHS Act protects workers and other persons against harm to their health, safety and welfare through the elimination or minimisation of risks arising from work or from types of substances or plant.

The WHS Act covers workers by providing a nationally uniform work health and safety laws. This includes employees, contractors, sub-contractors, outworkers, trainees, work experience learners, volunteers and employers who perform work.

The WHS Act also provides protection for the general public so that their health and safety is not placed at risk by work activities.

Section 29 of the WHS Act requires that any person at a workplace, including customers and visitors, must take reasonable care of their own health and safety and that of others who may be affected by their actions or omissions.

They must also cooperate with any actions taken by the person conducting business or undertaking to comply with the WHS Act and WHS Regulation.

### **Privacy Act 1988**

The Privacy Act is supported by the Australian Privacy Principles which came into effect on 12<sup>th</sup> March 2014. The object of Australian

Privacy Principles is to ensure businesses and government agencies manage personal information in an open and transparent way.

Review the section within this handbook that relates to privacy protection. It provides you with information about:

- the kinds of personal information that the entity collects and holds;
- how the entity collects and holds personal information;
- the purposes for which the entity collects, holds, uses and discloses personal information;
- how an individual may access personal information about the individual that is held by the entity and seek the correction of such information;
- how an individual may complain about a breach of the Australian Privacy Principles and how the entity will deal with such a complaint; and
- whether the entity is likely to disclose personal information to overseas recipients.

### **Disability Discrimination Act 1992**

#### Sect 5 - Disability Discrimination

(1) For the purposes of this Act, a person (discriminator) discriminates

against another person (aggrieved person) on the grounds of a disability of the aggrieved person if, because of the aggrieved person's disability, the discriminator treats or proposes to treat the aggrieved person less favourably than, in circumstances that are the same or are not materially different, the discriminator treats or would treat a person without the disability.

For the purposes of subsection (1), circumstances in which a person treats or would treat another person with a disability are not materially different because of the fact that different accommodation or services may be required by the person with a disability.

### **Sex Discrimination Act 1984**

Objects The objects of this Act are:

- to give effect to certain provisions of the Convention on the Elimination of All Forms of Discrimination Against Women; and
- to eliminate, so far as is possible, discrimination against persons on the ground of sex, marital status, pregnancy or potential pregnancy in the areas of work, accommodation, education, the provision of goods, facilities and services, the disposal of land, the activities of clubs and the administration of

Commonwealth laws and programs; and

- to eliminate, so far as possible, discrimination involving dismissal of employees on the ground of family responsibilities; and
- to eliminate, so far as is possible, discrimination involving sexual harassment in the workplace, in educational institutions and in other areas of public activity; and
- to promote recognition and acceptance within the community of the principle of the equality of men and women.

#### **Age Discrimination Act 2004**

The objects of this Act are:

- to eliminate, as far as possible, discrimination against persons on the ground of age in the areas of work, education, access to premises, the provision of goods, services and facilities, accommodation, the disposal of land, the administration of Commonwealth laws and programs and requests for information; and
- to ensure, as far as practicable, that everyone has the same rights to equality before the law, regardless of age, as the rest of the community; and

- to allow appropriate benefits and other assistance to be given to people of a certain age, particularly younger and older persons, in recognition of their particular circumstances; and
- to promote recognition and acceptance within the community of the principle that people of all ages have the same fundamental rights; and
- to respond to demographic change by:
  - removing barriers to older people participating in society, particularly in the workforce; and
  - changing negative stereotypes about older people.

#### **Racial Discrimination Act 1975**

This Act gives effect to Australia's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination. Its major objectives are to:

- promote equality before the law for all persons, regardless of their race, colour or national or ethnic origin, and
- make discrimination against people on the basis of their race, colour, descent or national or ethnic origin unlawful.

## **Copyright Act 1968**

Copyright is a type of property that is founded on a person's creative skill and labour. It is designed to prevent the unauthorised use by others of a work, that is, the original form in which an idea or information has been expressed by the creator.

Copyright is not a tangible thing. It is made up of a bundle of exclusive economic rights to do certain acts with an original work or other copyright subject-matter. These rights include the right to copy, publish, communicate (e.g. broadcast, make available online) and publicly perform the copyright material.

There is no general exception that allows a work to be reproduced without infringing copyright. Where a part of a work is copied, the issue is whether a substantial part of that work has been reproduced and thus an infringement has occurred. However, there is a 10% rule which applies in relation to fair dealing copying for the purposes of research or study. A reasonable portion of a work may be copied for that purpose, and a reasonable portion is deemed to be 10% of a book of more than 10 pages or 10% of the words of a work in electronic form.

## **Fair Work Act 2009**

The main objectives of this Act are to provide a balanced framework for cooperative and productive workplace relations that promote national economic prosperity and social inclusion for all Australians by:

Providing workplace relations laws that are fair to working Australians, are flexible for businesses, promote productivity and economic growth for Australia's future economic prosperity and take into account Australia's international labour obligations;

Ensuring a guaranteed safety net of fair, relevant and enforceable minimum terms and conditions through the National Employment Standards, modern awards and national minimum wage orders;

Enabling fairness and representation at work and the prevention of discrimination by recognising the right to freedom of association and the right to be represented, protecting against unfair treatment and discrimination, providing accessible and effective procedures to resolve grievances and disputes and providing effective compliance mechanisms.

## **National Vocational Education and Training Regulator Act 2011**

This legislation provides that basis for the regulation of Registered Training Organisations in Australia. The legislation provides the basis for

the establishment of the National VET Regulator who are the registration authority for RTOs. A core component of this legislation is that it defines the condition for the registration of an RTO which include:

- compliance with the VET Quality Framework
- satisfying Fit and Proper Person Requirements
- satisfying the Financial Viability Risk Assessment Requirements
- notifying National VET Regulator of important changes
- cooperating with National VET Regulator
- compliance with directions given by the National VET Regulator

### **Coal Mining Safety and Health Act 1999**

At times Down Under Training are required to facilitate learning on Qld Coal Mines. During these sessions Down Under Training trainers are required to adhere to the Qld Coal Mining Safety and Health Act 1999.

The objects of this Act are —

- to protect the safety and health of persons at coal mines and persons who may be affected by coal mining operations.
- to require that the risk of injury or illness to any person resulting from coal mining operations be at an acceptable level.
- to provide a way of monitoring the effectiveness and administration of provisions relating to safety and health under this Act and other mining legislation.