



**FORMATION**  
TRAINING



# Student Handbook

March 2016

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## Welcome to Formation Training!

We look forward to working with you through your course program.

This Student Handbook covers a wide variety of policies and information important for all students as they undertake their course programs with Formation Training.

### Quality

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

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

### VET Quality Framework

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

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

### Australian Qualifications Framework

The *Australian Qualifications Framework (AQF)* is the national policy for qualifications in the Australian education and training system. Formation Training complies with the AQF as a condition of its registration.

The AQF recognises Formation Training's as an 'authorised issuing organisation', able to issue AQF qualifications and statements of attainment to students that have satisfied the relevant competency requirements.

### Unique Student Identifier

Formation Training ensures that it handles individual's personal information in accordance with the requirements of the *Privacy Act 1988* and the *student Identifiers Act 2014*. Please refer to the *Privacy* section of this manual for further information.

Formation Training applies has published on its website information for clients on how to obtain a student Identifier.

Where Formation Training applies for a USI on behalf of an individual it ensures it has the authorisation of that individual. Formation Training provides the required *USI Privacy Notice* to all individuals, on whose behalf it is applying for a USI.

### Quality Indicators

The national Quality Indicators have been designed to help RTOs conduct evidence-based and outcomes-focused continuous quality improvement, and assist ASQA and other government authorities to assess the risk of a RTOs' operations.

Under the VET Quality Framework, Formation Training collects and uses data on the Quality Indicators.

### Legislative Compliance

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

This includes, but is not limited to, compliance with:

- The *National Vocational Education and Training Regulator Act 2011*, and the legislative instruments it enables;
- Workplace health and safety legislation and regulations;
- Anti-discrimination legislation and regulations; and
- Consumer protection requirements.

All Formation Training personnel hold an awareness and understanding of the legislation relevant to their position. If uncertain as to the application of any piece of legislation to a specific action or transaction, relevant personnel must seek clarification from their relevant Formation Training manager.

All Australian legislation is accessible through the following website:

[www.austlii.edu.au](http://www.austlii.edu.au)

## Work Health & Safety

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

All personnel of Formation Training have specific responsibilities for ensuring the health and safety of personnel and students within the workplace at all times. These responsibilities are based on relevant state jurisdiction legislation and reinforced in this document.

### Responsibilities

All individuals:

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

All personnel have the responsibility to:

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

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

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

### Information & Awareness

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

Formation Training personnel and students are:

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

## Incident Reporting

If an incident, accident or near miss occurs it must be documented as soon as practical after the event using the *Formation Training Internal Incident / Accident Report form*. All forms are reviewed by the Chief Executive Officer to ensure appropriate and preventative actions occur as required.

## Critical Incident Policy

Formation Training recognises that in some cases students do not have close family available to care and provide support to them. It is imperative that responses occur in a practised and timely way with any critical incident involving any student, that timely and regular information is relayed to families, that ongoing support is provided to a student in need, and comprehensive records are maintained.

*Critical incident* is defined as a traumatic event, or the threat of such (within or outside Australia), which causes extreme stress, fear or injury.

Critical incidents are not limited to, but could include:

- Missing students;
- Severe verbal or psychological aggression;
- Death, serious injury or any threat of these;
- Natural disaster; and
- Issues such as domestic violence, sexual assault, drug or alcohol abuse.

## Risk mitigation

Formation Training ensures that critical incidents are minimised through:

- Dissemination of this policy and critical incident procedures to all students and personnel;
- Use of the ISANA Critical Incidents Kit to provide information to personnel (<http://www.isana.org.au/policiesandprocedures/>);
- Providing regular training and/or information to staff and students to ensure they are aware of safety, prevention of risk and able to respond promptly to any perceived threats to safety; and
- Regular emergency management training and information including critical incident responses.

## Critical Incident Response Process

Students and personnel are required to notify any critical incident involving a student immediately to the Student Support team.

The Student Support team will consider the details and severity of the incident and determine what action needs to be taken.

If the incident is not severe and can be resolved with resources available, the Student Support team will initiate the action to ensure the appropriate level of support is provided.

If the incident is severe and warrants a level of support/assistance from external resources the Student Support team will initiate action to arrange that support. Personal details may be provided to the relevant emergency service/s if the student involved is incapacitated and unable to provide these particulars themselves.

External resources accessible include:

<b>Police, Fire, Ambulance</b> Phone: 000	<b>Lifeline</b> Phone: 13 11 14
<b>1800Respect</b> Phone: 1800 737 732	

The incident must be reported as soon as possible after the initial support has been provided, using the *Formation Training Internal Incident / Accident Report form*. All forms are reviewed by the Chief Executive Officer to ensure appropriate and preventative actions occur as required.

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## Designated Personnel

The Formation Training Student Support team are designated officers for student information and student welfare support services. The Student Support team is contactable via:

[info@formationtraining.com.au](mailto:info@formationtraining.com.au)

1300 889 134

## Follow Up Action

The Student Support team:

- Monitor the condition of and provide appropriate support to the student/s through any period of treatment/convalescence;
- In conjunction with the Chief Executive Officer, ensure where appropriate that family members and other relevant individuals are kept informed of the condition of the student;
- Coordinate the provision of any Formation Training based resources required during any period of treatment/convalescence;
- Liaise with the police and other emergency services personnel;
- Advise and assist any family members who decide to travel to support the student/s with travel and accommodation requirements; and
- Ensure that detailed records are maintained of the incident.

## Concluding Steps

In the event of the death of a student, the Student Support team ensure the following is undertaken:

- Contact the family to determine their wishes regarding repatriation of the body, personal effects, religious observances etc.;
- Coordinate the repatriation of the body and personal effects in line with the family's wishes and in accordance with Australian regulations;
- Organise the sending of a letter of condolence to the family;
- Ensure all administrative actions are taken e.g. adjust the student records database etc

## Child Safety

All students under eighteen (18) years of age who are supported by Formation Training have a right to feel and be safe. Formation Training is committed to the safety and well-being of young Individuals accessing our services.

Formation Training undertakes to comply with relevant child safety legislation across jurisdictions of operations and commits to establishing and maintaining child safe environments following the *Keep Them Safe: A Shared Approach to Child Wellbeing* framework.

Formation Training:

- Ensures all personnel have participated in an initial child protection induction and an update during the past year;
- Ensure all personnel are aware of the indicators of abuse and neglect of children and young Individuals;
- Ensure all personnel are aware of their obligation to advise the Formation Training Chief Executive Officer of concerns about the safety, welfare and wellbeing of children and young Individuals that arise during the course of their work; and
- Ensure that all personnel are aware of their mandatory obligation to report suspected risk of significant harm and of the procedures for doing so.

All Formation Training personnel undergo child safe training as a component of their induction.

Formation Training actively encourages all students/clients to provide feedback in the form of verbal and/or written format. All complaints are taken seriously and responded to according to Formation Training Complaints Policy and procedures.

Formation Training takes all reasonable steps to ensure it engages appropriate personnel to work with minors. Formation Training employs a range of screening measures and applies best practice standards in the screening and recruitment of its employees. Formation Training provides ongoing support for its employees to ensure the establishment and maintenance of a child safe environment is promoted.

## Privacy

Formation Training is committed to maintaining the privacy and confidentiality of its personnel and student records. Formation Training complies with the *Privacy Act 1988 including the 13 Australian Privacy Principles (APPs)* as outlined in the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*. Providing an overall framework for our privacy practices, Formation Training has developed and implemented this APP Privacy Policy.

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

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

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

## Australian Privacy Principles

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

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

#### *Purposes for information collection, retention, use and disclosure*

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

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

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

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

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

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

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

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

#### *Kinds of personal information collected and held*

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

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

The following types of sensitive information may also be collected and held:

- Identity details;
- Employee details & HR information;
- Complaint or issue information;
- Disability status & other individual needs;
- Indigenous status; and
- Background checks (such as National Criminal Checks or Working with Children checks).

Where Formation Training collects personal information of more vulnerable segment of the community (such as children), additional practices and procedures are also followed. Please refer to Formation Training's *Working with Children Policy and Procedures* for further information.

#### *How personal information is collected*

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

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

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

#### *How personal information is held*

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

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

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

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

#### *Retention and Destruction of Information*

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

#### *Accessing and seeking correction of personal information*

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

#### **Formation Training Privacy Officer**

Mrs Nosheen Khan

Chief Executive Officer

[nosheen@formationtraining.edu.au](mailto:nosheen@formationtraining.edu.au)

1300 889 134

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

In all cases where access is requested, Formation Training ensures that:

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

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

If an individual feels that Formation Training may have breached one of the APPs or a binding registered APP code, please refer to the *Privacy Complaints Procedure* below for further information on what actions may be taken.

#### *Likely overseas disclosures*

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

#### *Making our APP Privacy Policy available*

Formation Training provides our APP Privacy Policy available free of charge, with all information being publicly available from the Privacy link on our website at [www.formationtraining.edu.au/students](http://www.formationtraining.edu.au/students). This website information is designed to be accessible as per web publishing accessibility guidelines, to ensure access is available to individuals with special needs (such as individuals with a vision impairment). In addition, this APP Privacy Policy is:

- Prominently displayed at each Formation Training's premises;
- Included within our *Student Handbook*;
- Noted within the text or instructions at all information collection points (such as informing individuals during a telephone call of how the policy may be accessed, in cases where information collection is occurring); and

- Available for distribution free of charge on request, as soon as possible after the request is received, including in any particular format requested by the individual as is reasonably practical.

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

#### *Review and Update of this APP Privacy Policy*

Formation Training reviews this APP Privacy Policy:

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

Where this policy is updated, changes to the policy are widely communicated to stakeholders through internal personnel communications, meetings, training and documentation, and externally through publishing of the policy on Formation Training's website and other relevant documentation (such as our *student Handbook*) for clients.

### **Australian Privacy Principle 2 – Anonymity and pseudonymity**

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

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

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

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

#### *Requiring identification*

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

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

### **Australian Privacy Principle 3 — Collection of solicited personal information**

Formation Training only collects personal information that is reasonably necessary for our business activities.

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

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

#### **Australian Privacy Principle 4 – Dealing with unsolicited personal information**

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

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

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

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

Our notifications to individuals on data collection include:

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

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

#### *Collection from third parties*

Where Formation Training collects personal information from another organisation, we:

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

#### **Australian Privacy Principle 6 – Use or disclosure of personal information**

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

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

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

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

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

### **Australian Privacy Principle 7 – Direct marketing**

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

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

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

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

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

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

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

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

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

### **Australian Privacy Principle 10 – Quality of personal information**

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

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

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

Quality measures in place supporting these requirements include:

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

### **Australian Privacy Principle 11 — Security of personal information**

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

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

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

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

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

### **Australian Privacy Principle 12 — Access to personal information**

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

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

### **Australian Privacy Principle 13 – Correction of personal information**

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

#### *Individual Requests*

On an individual's request, we:

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

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

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

#### *Correcting at Formation Training's initiative*

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

### **Request for Records Access**

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

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

#### *Confirming identity*

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

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

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

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

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

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

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## Request for Records Update

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

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

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

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

### *Assessing Update*

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

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

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

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

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

## Privacy Complaints

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

The complaints handling process is as follows:

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

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## Formation Training Privacy Officer

Mrs Nosheen Khan

Chief Executive Officer

[nosheen@formationtraining.edu.au](mailto:nosheen@formationtraining.edu.au)

1300 889 134

2. Formation Training will investigate the circumstances included in the complaint and respond to the individual as soon as possible (and within 30 calendar days) regarding its findings and actions following this investigation.
3. After considering this response, if the individual is still not satisfied they may escalate their complaint directly to the Information Commissioner for investigation:

Office of the Australian Information Commissioner

[www.oaic.gov.au](http://www.oaic.gov.au)

Phone: 1300 363 992

When investigating a complaint, the OAIC will initially attempt to conciliate the complaint, before considering the exercise of other complaint resolution powers.

4. Alternatively, if the complaint relates to a non-privacy matter, or should individuals choose to do so, a complaint may also be lodged with the ASQA complaints handling service for complaints against RTOs:

Australian Skills Quality Authority

[www.asqa.gov.au](http://www.asqa.gov.au)

Phone: 1300 701 801

## Access and Equity

In line with obligations under Commonwealth legislation, Formation Training is committed to promoting a fair and equitable environment for personnel and clients that is free from discrimination, harassment and vilification.

*Access and equity* means policies and approaches aimed at ensuring that VET is responsive to the individual needs of clients whose age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or remote location may present a barrier to access, participation and the achievement of suitable outcomes.

*Access and Equity principles* include:

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

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

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

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

Formation Training also maintains compliance with the *Disability Standards for Education (2005)* including processes relating to:

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

Formation Training strives to maximise opportunities for access, participation and outcomes for all students within the vocational education, training and employment system.

## Integrity and Fairness

Formation Training promotes public confidence by:

- Committing to the highest ethical standards:
  - Ensuring its behaviour and decision making is ethical.
  - Observing procedural fairness in their decision making processes.
  - Engaging with students, clients and the community in a manner that is consultative, respectful and fair.
  - Meeting obligations to act on suspected wrongdoing, including conduct not consistent with this Statement.

Formation Training respects the rights and dignity of students and clients by:

- Having processes in place to ensure students and clients are adequately informed of their rights.
- Being sensitive to the specific cultural and social needs of all students and clients.
- Ensuring students receive adequate orientation, appropriate information and advice on student services available when difficulties arise.
- Having processes in place to ensure training staff act with integrity in all dealings with students and clients.
- Committing to the principles of access and equity in the delivery of services.

Formation Training is committed to honest, fair and respectful engagement with students, business, industry and the community by:

- Engaging in open communication with all students, including assisting those with disabilities, non-English speaking backgrounds and Low Socio economic Background to contribute to, and provide feedback on, the progress of their training.
- Listening and responding to issues and concerns raised by students, business, industry and the community about training courses and provider performance.
- Consulting with students, business, industry and the community in the development of training courses, improvement of training quality and system responsiveness.
- Engaging with government stakeholders in consultation processes to improve training quality and system responsiveness.

Formation Training avoids conflicts between private interests and professional responsibilities by:

- Identifying, declaring and avoiding any apparent conflict of interest.
- Having processes in place to manage potential conflicts of interest.
- Ensuring that any conflict of interest is resolved in the public interest.

## Equal benefits & opportunity

Formation Training treats all students and all individuals seeking to enrol equally and fairly. Formation Training has implemented open, fair and transparent procedures that are based on merit for making decisions about:

- The selection of individuals who seek to enrol; and
- The treatment of individuals undertaking courses.

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

## On the same basis

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

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

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

- In relation to an admission or enrolment — to apply for the admission or enrolment;
- In relation to a course or program — to participate in the course or program; and
- In relation to facilities or services — to use the facilities or services;

On the same basis as a student without a disability, and includes an aid, a facility, or a service that the student requires because of his or her disability.

### Reasonable adjustments

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

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

### Student Rights and Formation Training Responsibilities

Enrolment	
Students' Rights	Formation Training Responsibilities
<ul style="list-style-type: none"> <li>• Right to seek admission and enrol on the same basis as prospective students without disability or disadvantage including the right to reasonable adjustments.</li> </ul>	<ul style="list-style-type: none"> <li>• Take reasonable steps to ensure that the enrolment process is accessible.</li> <li>• Consider students with a disability or disadvantage in the same way as students without disability or disadvantage when deciding to offer a place.</li> <li>• Consult with the prospective students or their associates about the effect of the disability or disadvantage on their ability to seek enrolment; and any reasonable adjustments necessary.</li> </ul>

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

## Process for Considering Adjustments

Formation Training provides equitable access to all required educational and support services, so that no student is disadvantaged regardless of their mode of study or location. Where there may be limitations

regarding access to these resources, Formation Training provides clear advice in pre-enrolment information so all clients can make an informed choice about which RTO and course of study best meets their needs.

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

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

Formation Training personnel have access to a range of access and equity materials designed to assist students in undertaking and completing courses and qualifications.

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

### **Consulting the student**

Before Formation Training makes an adjustment for the student, the student or their associate is consulted about:

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

### **Deciding on an adjustment to be made**

In deciding whether to make a particular reasonable adjustment for a student, Formation Training:

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

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

### **Assessing reasonable adjustments**

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

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

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

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

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

## Unjustifiable Hardship

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

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

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

In determining whether unjustifiable hardship applies, Formation Training:

- Takes into account information about the nature of the student's disability, his or her preferred adjustment, any adjustments that have been provided previously and any recommended or alternative adjustments. This information may be provided by the student, an associate of the student or independent experts (or a combination of those persons);
- Ensures that timely information is available to the student, or an associate of the student about the processes for determining whether the proposed adjustment would cause unjustifiable hardship; and
- Ensures that these processes maintain the dignity, respect, privacy and confidentiality of the student and the associates of the student, consistent with the rights of the rest of the community.

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

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

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

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

## Implementing Reasonable Adjustments

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

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

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

Key training and assessment strategies for supporting individual needs include:

- Knowing and respecting students: Understanding students are time poor; communicate with them, embrace and integrate their diversity and enable contributions of their knowledge to everyone's learning;
- Offering flexibility, variety and choice: While upholding academic standards, offer students flexibility, choice in assessment and variety in teaching and learning strategies;
- Making expectations clear, using accessible language: Speak and write in plain language to ensure students understand the concepts being taught, your expectations of them and what is required to be a successful student;
- Scaffolding students' learning: Take a step-by-step approach to training to ensure students build on what they bring to the course and are taught the particular discourses necessary to succeed;
- Being available and approachable to guide student learning: In addition to being available, be approachable so that students may make use of RTO personnel expertise and guidance to improve their learning and performance; and
- Supporting reflective practice: Reflect and seek to act on reflections, those from peers and feedback from students, to continuously improve training practice and students' learning.

<b>Reasonable Adjustments</b>	
Type of disability or disadvantage	Example reasonable adjustments
Mobility impairment	Provision of wheelchair accessibility; access to aids such as for holding documents, adjustable tables, note taking support, oral rather than written presentations or exams; use of a personal computer; lifting limits.
Vision impairment	Use of audio recordings, enlarged text and images, enlarged computer screen images; use of voice synthesisers on computers; good lighting or reading lamps; braille translations; provision for guide dogs; avoid moving furniture without informing the person; provision of additional writing time for assignments/tests.
Hearing impairment	Use of teletext; audio loops for individuals using hearing aids; use of Plain English documents; sign language interpreters for training and assessment.
Intellectual disability	Practical learning sessions; repetition of learning exercises; use of Plain English; use of mentors; assessment that is appropriate to the skill, i.e. avoiding written test for practical tasks; provision of additional time.
Psychiatric disability	Use of reflective listening skills; identification and avoidance of stresses; use of ongoing rather than formal assessments; providing 'time-out' breaks in assessment.
Individuals with acquired brain injury	Provision of time and patience during training and assessment; use of reflective listening skills; provision of memory aids, e.g. posters, notes; minimisation of stress.
Speech impairment	Provision of time and patience; paraphrasing; get individuals to put things in writing; minimise stress.

<b>Reasonable Adjustments</b>	
Type of disability or disadvantage	Example reasonable adjustments
Non-English speaking background	Provision of learning materials, texts and handouts ahead of the class; modify the presentation medium for example, visual, oral, print, demonstration; provision of practice opportunities; use of generic, inclusive terms when constructing learning activities; substitution of alternative tasks where existing ones pose a problem; extend or modify timeframes for assessment; ensure the language of assessment instruments does not create barriers; provision of customised delivery schedule, provision of one on one coaching sessions.
Mature age	Provision of customised delivery schedule, provision of one on one coaching sessions; extend or modify timeframes for assessment; use of paper based resources; use of phone communication as preferred method.
Aboriginal & Torres Strait Islander	Provision of customised delivery schedule, provision of one on one coaching sessions; extend or modify timeframes for assessment; use of paper based resources; use of phone communication as preferred method; provision of learning materials, texts and handouts ahead of the class; modify the presentation medium for example, visual, oral, print, demonstration; provide practice opportunities; use of generic, inclusive terms when constructing learning activities.
Low socio - economic background	Provision of customised delivery schedule, provision of one on one coaching sessions; extend or modify timeframes for assessment; use of paper based resources; use of phone communication as preferred method; provision of learning materials, texts and handouts ahead of the class; modify the presentation medium for example, visual, oral, print, demonstration; provide practice opportunities; use of generic, inclusive terms when constructing learning activities

## Support Services

The following support services are available and accessible for all students studying with Formation Training. Formation Training will provide students with contact details to refer any matters that require further follow up with relevant professionals.

Referral Service Available	Contact Details
<b>Lifeline</b> Lifeline provides all Australians experiencing a personal crisis with access to online, phone and face-to-face crisis support and suicide prevention services. Find out how these services can help you, a friend or loved one.	<b>Phone:</b> 13 11 14
<b>Kids Helpline</b> If you're between 5 and 25 and you're feeling depressed, worried, sad, angry or confused about things like your studies personal relationships, Kids Helpline offers free 24 hour, 7 day telephone counselling support (anonymous if you prefer).	<b>Phone:</b> 1800 551 800

Referral Service Available	Contact Details
<b>Drug Info</b> DrugInfo is a service provided by the Australian Drug Foundation that offers information about alcohol and other drugs and prevention of related harms	<b>Phone:</b> 1300 85 85 84 <a href="http://www.druginfo.adf.org.au/contact-numbers/help-and-support">www.druginfo.adf.org.au/contact-numbers/help-and-support</a>
<b>Reading and Writing Hotline</b> For the price of a local call anywhere in Australia, the Hotline can provide you with advice and a referral to one of 1200 providers of courses in adult literacy and numeracy.	<b>Phone:</b> 1300 655 506 <a href="http://www.readingwritinghotline.edu.au">www.readingwritinghotline.edu.au</a>
<b>Centrelink</b>	<b>Phone:</b> 1800 057 111 <a href="http://www.humanservices.gov.au/customer/dhs/centrelink">www.humanservices.gov.au/customer/dhs/centrelink</a>
<b>Australian Apprenticeship Centres (AASN)</b> Australian Apprenticeship Support Network services handle all matters related to traineeships and apprenticeships. If you are a trainee or apprentice, some language, literacy and numeracy courses attract government subsidies.	<b>Phone :</b> 13 38 73 <a href="http://australianapprenticeships.gov.au">australianapprenticeships.gov.au</a>
<b>QLD Subsidised students</b> Formation Training can also access adaptive technologies and support services for QLD student's learners with a disability through QLD DET's Skills Disability Support service.	<a href="http://www.training.qld.gov.au/training-organisations/inclusive-practices/disability-support/skills-disability-support.html">http://www.training.qld.gov.au/training-organisations/inclusive-practices/disability-support/skills-disability-support.html</a>

## Discrimination

Discrimination can be direct, indirect or systemic.

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

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

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

## Bullying & Harassment

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

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

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

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

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

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

Formation Training expectations relate to, but are not limited by the following types of communication:

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

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

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

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

All individuals are expected to adhere to the standards of behaviour contained herein at all times. Any individual who is found to have breached these expectations will be disciplined accordingly, which may lead up to, and

include termination of employment. If a contractor of Formation Training is found to have breached these expectations, their contract stands to be terminated, or may not be renewed in the future.

## Equity & Bullying Complaints

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

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

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

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

### Informal Complaint Procedure

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

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

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

### Formal Complaint Procedure

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

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

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

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

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

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

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

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

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

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

## Outcomes

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

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

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

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

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

## Appeals Procedure

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

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

The following external bodies can also provide further information:

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

## Industry Engagement

Formation Training's training and assessment practices are developed and maintained as relevant to the needs of industry and informed by industry engagement.

*Industry* means the bodies that have a stake in the services provided by RTOs. These can include, but are not limited to:

- Enterprise/industry clients, e.g. employers;
- Group training organisations;
- Industry organisations;
- Industry regulators;

- Industry skills councils or similar bodies;
- Industry training advisory bodies; and
- Unions.

Engaging with industry stakeholders (such as employers) is critical to ensuring Formation Training's training and assessment is aligned to current methods, technology, products and performance expectations for the workplace tasks specified in the training package or VET accredited course.

## Consumer Protection

### Australian Consumer Law

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

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

Mrs Nosheen Khan  
Chief Executive Officer  
[nosheen@formationtraining.edu.au](mailto:nosheen@formationtraining.edu.au)  
1300 889 134

### Guarantee

As a course services provider, Formation Training supplies services and guarantees that these services will be:

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

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

### Consumer Protection Strategy

#### Formation Training Obligations

Formation Training ensures it:

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

#### Clients Rights and Obligations

Formation Training clients have the right to:

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

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### Cessation of Delivery

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

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

Clients' obligations include:

- Providing accurate information to Formation Training; and
- Behaving in a responsible and ethical manner.

### Unsolicited Consumer Agreements

Formation Training or its contracted third party representatives may, from time to time, engage in marketing promotions that result in *unsolicited consumer agreements*. Such promotions may include telephoning prospective students for course service offerings or approaching prospective students in public areas outside of Formation Training premises.

Formation Training representatives who make unsolicited contact with potential students in order to sell them course services comply with:

- Limited hours for contact;
- Disclosure requirements when making an agreement;
- Criteria for the agreement, including that it must be in writing; and
- Restrictions on supplying services above a certain value, and on requesting payment during the cooling-off period.

### Permitted Contact Hours

Formation Training representatives maintain compliance with the permitted hours for telemarketing, regulated under the *Do Not Call Register Act 2006* and associated telemarketing standards. Formation Training representatives do not undertake telephone or fax marketing to clients:

- On a Sunday or a public holiday;
- Before 9am or after 8pm on a weekday; or
- Before 9am or after 5pm on a Saturday.

### Cooling Off Period

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

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

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

### Course Fees Agreement

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

- The client's cooling-off and termination rights;
- The full terms of the agreement;
- The total fees payable, including fees for all additional items;
- Formation Training's:

- Business address (not a post box number);
- Australian Business Number (ABN) or Australian Company Number (ACN); and
- Fax number and email address, where they have these.

## Provision of the Written Agreement

When a Formation Training representative negotiates an unsolicited consumer agreement:

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

Information about termination rights is provided to clients by Formation Training in writing and is:

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

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

If negotiated by telephone, the written copy is provided to the client:

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

## Consumer Protection Complaints

If an individual feels that Formation Training or one of its third party representatives has breached its obligations in the undertaking of marketing and sales activities, they may raise a complaint. We encourage individuals to discuss the situation with their Formation Training representative in the first instance, before making a complaint.

The complaints handling process is as follows:

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

### Formation Training Consumer Protection Officer

Mrs Nosheen Khan

Chief Executive Officer

[nosheen@formationtraining.edu.au](mailto:nosheen@formationtraining.edu.au)

1300 889 134

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

Jurisdiction	Contact Details
Australian Capital Territory	ACT Office of Regulatory Services 02 62073000 <a href="mailto:fair.trading@act.gov.au">fair.trading@act.gov.au</a>
New South Wales	NSW Office of Fair Trading 13 32 20 <a href="http://www.fairtrading.nsw.gov.au">www.fairtrading.nsw.gov.au</a>

Jurisdiction	Contact Details
Northern Territory	NT Consumer Affairs 1800 01 93 19 <a href="mailto:consumer@nt.gov.au">consumer@nt.gov.au</a>
Queensland	QLD Office of Fair Trading 13 74 68 <a href="http://www.fairtrading.qld.gov.au/lodge-your-complaint">www.fairtrading.qld.gov.au/lodge-your-complaint</a>
South Australia	SA Office of Business and Consumer Services 13 18 82 <a href="http://www.cbs.sa.gov.au">www.cbs.sa.gov.au</a>
Tasmania	TAS Consumer Affairs & Fair Trading 1300 65 44 99 <a href="http://www.consumer.tas.gov.au/fair_trading">www.consumer.tas.gov.au/fair_trading</a>
Victoria	Consumer Affairs Victoria 1300 55 81 81 <a href="http://www.consumer.vic.gov.au">www.consumer.vic.gov.au</a>
Western Australia	WA Department of Commerce 1300 30 40 54 <a href="http://www.commerce.wa.gov.au">www.commerce.wa.gov.au</a>

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

Australian Skills Quality Authority

[www.asqa.gov.au](http://www.asqa.gov.au)

Phone: 1300 701 801

## Marketing & Advertising

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

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

Formation Training's marketing or advertising material is consistent with its training and assessment strategies. Formation Training ensures its marketing of AQF qualifications to prospective students is ethical, factual and accurately represents the services it provides and the training products on its scope of registration.

## Pre-Enrolment Information

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

- Formation Training itself;
- student rights & responsibilities;

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

A range of compliance and operating information is also publicly published on the Formation Training website.

### Course Services Information

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

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

Prior to enrolment, Formation Training provides clear information to prospective clients via the *Program Outline* including the following:

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

### Fee Information

Formation Training provides fee information to clients prior to enrolment, via the *Course Fees Agreement*. Please refer to the *Fees, Charges and Refunds* section of this manual for further information.

### Third Party Arrangements

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

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

## Consumer Rights

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

Formation Training informs prospective clients about its complaints and appeals processes that may be relevant for course services and other business activities. These processes include provisions for the lodgement of a complaint or appeal against any relevant third party engaged by Formation Training.

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

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

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

## Student Advice & Selection

### Student Entry Procedure

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

Formation Training provides high quality course services, including training and assessment that is suitable and appropriate for each student.

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

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

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

Jurisdiction	Course Gateways
New South Wales	Smart & Skilled <a href="https://smartandskilled.nsw.gov.au">https://smartandskilled.nsw.gov.au</a>
Queensland	QLD Skills Gateway <a href="http://www.skillsgateway.training.qld.gov.au">http://www.skillsgateway.training.qld.gov.au</a>
South Australia	Skills for All Gateway <a href="http://www.skills.sa.gov.au">http://www.skills.sa.gov.au</a>
Victoria	Victorian Skills Gateway <a href="http://www.education.vic.gov.au/victorianskillsgateway">http://www.education.vic.gov.au/victorianskillsgateway</a>

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## Academically Suited

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

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

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

## Pre-Enrolment Review

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

The Pre-Enrolment Review is designed to:

- Identify any competencies previously acquired - Recognition of Prior Learning (RPL) or Credit Transfer;
- Ascertain the most suitable qualification for that student to enrol in, based on the individual's existing educational attainment, capabilities, aspirations and interests and with due consideration of the likely job outcomes from the development of new competencies and skills; and
- Ascertain that the proposed learning strategies and materials are appropriate for that individual.

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

Formation Training does not enrol a student in a course or qualification that is at an inappropriate level for that student. The Pre-Enrolment Review is completed, and the outcomes known and documented, prior to acceptance of the student's enrolment application.

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

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

The Pre-Enrolment Review process encompasses:

- Student identification confirmation;
- Course information & requirements;
- Identifying students' individual needs;
- Academic suitability & Language, Literacy & Numeracy assessment;
- Credit Transfer application (if relevant);
- Recognition of Prior Learning application (if relevant);
- Employer engagement (if relevant);
- Government subsidy support eligibility (if relevant); and
- Final planning, course confirmation and enrolment decision.

Each of these components is outlined below.

## Student Identification Requirements

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

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

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

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## Course Information

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

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

## Identifying Individual Student's Needs

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

As a part of this process, Formation Training ascertains and consider the individual's existing educational and vocational attainment, other demonstrated capabilities, career aspirations and general interests.

To maximise the chance of students successfully completing their training, Formation Training:

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

## Student Enrolment Information Collection

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

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

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

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

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

## Students' Needs

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

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

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

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

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

Formation Training's individual needs process includes:

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

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

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

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

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

#### **General VET Courses – Academic Suitability**

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

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

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

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

#### **Credit Transfer**

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

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

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

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

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

### **Verification of Documentation**

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

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

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

### **Student Request for Credit Transfer**

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

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

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

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

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

### **Recognition of Prior Learning**

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

- *Formal learning* refers to learning that takes place through a structured program of instruction and is linked to the attainment of an AQF qualification or statement of attainment (for example, a certificate, diploma or university degree);
- *Non-formal learning* refers to learning that takes place through a structured program of instruction, but does not lead to the attainment of an AQF qualification or statement of attainment (for example, in-house professional development programs conducted by a business); and

- *Informal learning* refers to learning that results through experience of work-related, social, family, hobby or leisure activities (for example the acquisition of interpersonal skills developed through several years as a sales representative).

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

In order to recognise prior learning it is necessary to:

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

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

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

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

### **RPL Process**

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

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

### **RPL Requirements**

To achieve RPL, students must:

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

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

### **RPL Applications**

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

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

### **Start Dates**

The official start date for a Unit of Competency through RPL is determined (by NCVET) as the date that the student submitted their evidence portfolio for assessment. This is the start date that all Formation Training personnel are to record on the student's training and assessment plan (actual start date section for each unit). This date is critical for compliance in cases where financial subsidies are being received for the student's course.

The RPL result date is the final date that the student provided all evidence required and was deemed to have achieved the unit 'RPL-Granted' result.

### **Financial / Regulatory Implications**

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

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

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

### **Employer Engagement**

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

- All employers involved in Formation Training course services receive the *Employer Handbook* that provides a range of important information for employer involvement including:
  - Employer and RTO responsibilities;
  - student attendance and behaviour expectations;
  - Equity commitment;
  - Work health and safety requirements;
  - Privacy arrangements;
  - Language, literacy and numeracy arrangements;
  - student support services;
  - Recognition of Prior Learning (RPL) and Credit Transfer;
  - Competency-based training and assessment process;
  - Complaints and appeals processes;
  - Evaluation and feedback arrangements;
  - Further information contact details; and
  - Any relevant required release from work or study.

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

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

- Regular contact with the employer to confirm the student's progress; and
- Formal evaluation processes to gain further feedback on the training and assessment processes provided.

### **Government Subsidy / Support Eligibility Assessment**

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

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

### **Finalising the Pre-Enrolment Review**

As a Pre-Enrolment Review is conducted, Formation Training representatives complete the *Pre-Enrolment Review Checklist* to confirm that all components of the process are completed effectively.

The Pre-Enrolment Review process encompasses:

- Student identification confirmation;
- Course Information & requirements;
- Identifying students' individual needs;
- Course entry requirements & admission requirements;
- Academic Suitability including Language, Literacy & Numeracy assessment;
- Credit Transfer application (if relevant);
- Recognition of prior learning application (if relevant);
- Employer engagement (if relevant);
- Government subsidy support eligibility (if relevant); and
- Final planning, course confirmation and enrolment decision.

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

- The overall Pre-Enrolment Review discussion;
- The final decision on which course the student will be enrolled in; and
- Reasons why this was the most suitable training option for that student.

On conclusion of this process, a *Course Fees Agreement* including *Course Fees Agreement* is then prepared by Formation Training in order to make a formal enrolment offer to the prospective student and/or relevant supporting client.

### **Non-Acceptance of Enrolment Application**

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

- In writing;
- With reasons provided for this non-acceptance;
- With any alternate options or actions recommended by Formation Training; and
- With relevant information on how the prospective student may raise a complaint or seek to have the decision reviewed.

## **Fees, Charges and Refunds**

Formation Training undertakes to provide course services as outlined in client *Course Fees Agreement*.

### **Fees and Charges**

Prior to enrolment, Formation Training notifies clients of a range of fee information in a *Course Fees Agreement*. This fee information includes:

- All fees payable to Formation Training, clearly describing all costs involved with the course;
- How and when fees must be paid;
- How to request a refund;
- The conditions under which a refund would be provided; and

- The student's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies.

This information forms part of the *Course Fees Agreement*. Information provided to clients is consistent with Formation Training course services arrangements.

Where a student is being enrolled under any loan or delayed payment arrangement (including VET FEE-HELP), the terms of the arrangement are clearly stated, including:

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

## Fee Arrangements

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

### Course Services Fees

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

### Student Support Services Fees

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

Clear and accurate information on these items is included in the Formation Training's relevant handbook for each stakeholder group.

### Incidental Expenses

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

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

For each qualification, Formation Training publishes on its website any additional costs that a student will or may incur and ensure that students are aware of these costs prior to enrolment.

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

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## Embedded qualifications

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

In this case the student has paid the fee for the higher level qualification. Formation Training charges an administrative fee to produce the additional testamur (set at \$385 including GST) but the student is required to pay additional student fees for the lower level qualification.

## Repeated Assessment

Students are able to attempt assessment to complete a unit of competency on three (3) occasions within their initial student course fee. Formation Training does not levy additional fees for these attempts.

## Withdrawal without penalty

Formation Training advises prospective students, prior to any fees being paid, of the 'withdrawal with no penalty' cut-off date. That is, the date by which the student can withdraw and be refunded any fees paid on enrolment. This date is generally before 20% of the scheduled unit of competency hours have been delivered.

## Government Loan, Funding, Subsidy and Support Entitlements

In cases where students are accessing any government funding entitlement that may reduce their ability to access such funding in the future (such as arrangements that limit funding to one qualification for a person), Formation Training also provides advice on these arrangements prior to enrolment, via the *Course Fees Agreement*.

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

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

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

## Third Party Fee Arrangements

Formation Training third party representatives do not collect fees on behalf of Formation Training.

## Notifications and Guarantee

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

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

Formation Training guarantees that no additional charges will be imposed during the period covered by the *Course Fees Agreement*.

## Recovery of Outstanding Student Fees

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

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

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

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## Fee Protection

Formation Training does not collect more than \$1,500 in prepaid fees (fees in advance) from students for the majority of course services, with the exception of the VET FEE-HELP loan scheme, and CRICOS International students. The requirements that apply to prepaid fees include all fees that a student is required to pay, including enrolment fees, tuition fees, materials fees and any other fee component that is a mandatory payment for the course.

Formation Training is only required to protect prepaid fees from individual students and prospective students. These requirements do not apply for other clients - for example, where an employer engages Formation Training to provide training and/or assessment to its personnel.

## Refunds

Formation Training does not collect more than \$1500 in prepaid fees (fees in advance) from students for the majority of students, with exception of Higher Education, VET FEE-HELP and International students, where tuition assurance arrangements apply. From time to time however a refund may be required for specific student cases. Refund information and arrangements are made available to clients prior to enrolment through:

- Formation Training's student Handbook;
- Formation Training website; and
- As a part of the *Course Fees Agreement* completed with the client prior to enrolment.

Refunds may be paid automatically, or sought and negotiated on an individual basis with Formation Training, on a case by case basis.

Formation Training has publicly published on its website, and makes students aware of this *Refund* policy before enrolment.

## Enrolment Fees

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

### *Co-enrolments*

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

## Refunds Prior to Course Services Commencement or Services Termination

Formation Training's general refund arrangements for all clients and all course services are as follows:

Refund Arrangements	
Course Services	
<p>Withdrawal Census Date / Withdrawal with No Penalty Cut-off Date</p> <p>Formation Training's withdrawal date is set at a minimum of 20% of the duration of the unit, and is the last day which students can withdraw from a unit and be eligible for a full refund of their unit fee.</p> <p>The withdrawal date applies to each individual unit and not to the course as a whole.</p>	<p>Full refund of course services fees paid.</p> <p><i>Note: In all cases of a mandatory government enrolment fee in relevant jurisdictions, these fees are non-refundable once the course service has commenced.</i></p>
<p>Withdrawal after Withdrawal Date / Withdrawal with No Penalty Cut-off Date</p>	<p>Refund of pro rata course services fees paid.</p> <p><i>Note: In all cases of a mandatory government enrolment fee in relevant jurisdictions, these fees are non-refundable once the course service has commenced.</i></p>

### Refunds Due to Non-Provision of Services

Course fees are to be refunded in full if Formation Training is unable to commence the course service as agreed due to a lack of minimum student numbers or unforeseen circumstances.

Where Formation Training or a third party representative is unable to complete the course services due to unforeseen circumstances or closure, any course services fees are refunded on a pro-rata basis, with comparison of the course fees paid against the units of competency where services have been delivered.

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

Refund Arrangements	
<p>Recognition of Prior Learning and/or Credit Transfer has been granted.</p>	<p>Pro-rata refund paid based on a calculation of the number of units that have received RPL or CT results and the fees paid to date.</p>
<p>Formation Training is unable to commence the course for which the original enrolment and payment has been made.</p>	<p>Full refund or alternative placement in a course, as per the clients' preference.</p>
<p>Formation Training is unable to continue to deliver the course as agreed.</p>	<p>Partial refund or alternative placement in a course, as per the clients' preference.</p>

### Refunds Due to Client Request / Hardship Application

Students may have extenuating circumstances that prevent them from attending scheduled course dates that may include but are not limited to illness, family or personal matters, or other reasons that are out of the ordinary. Where evidence can be successfully provided to support the student's circumstances, course service fees may either be transferred to the next available course where applicable, or a refund of unused course fees will be issued.

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

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Where delivery has commenced, course fees have been paid and a client believes a special circumstance refund is warranted, the client may apply for a refund in writing to:

Mrs Nosheen Khan  
Chief Executive Officer  
[nosheen@formationtraining.edu.au](mailto:nosheen@formationtraining.edu.au)  
1300 889 134

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

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

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

### **Third Party Refunds**

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

### **Course Fees Agreement**

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

### **Fee Records**

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

## **Enrolment and Induction**

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

### **Enrolment**

Formation Training assesses all potential student enrolment applications to ensure they meet the enrolment requirements of the course and to confirm their ability to complete the requested training product.

Where the enrolment of the student would require unreasonable adjustments to the course program, the student's admission for enrolment will not be processed. Decisions on the acceptance or otherwise of student enrolment applications are free from bias and discrimination.

### **Confirmation of Enrolment**

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

- All pre-enrolment information has been provided and discussed;
- student identity has been confirmed;
- student individual needs assessment has been completed;
- Enrolment information collection has been completed and confirmed;
- Course entry requirements and admission requirements have been reviewed and confirmed;

- Any government subsidy or support eligibility process has been undertaken and concluded;
- Any final Pre Training Review processes are conducted; and
- A *Course Fees Agreement* has been completed and signed by all parties.

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

## Induction

Formation Training induction sessions with students may be individual or in groups, and include:

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

Formation Training personnel conducting the induction process are responsible to ensure all paperwork is completed.

## Training Plans

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

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

## Training Services

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

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

The *dimensions of competency* encompass:

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

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

## Volume of Learning

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

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

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

Volume of Learning							
Certificate I	Certificate II	Certificate III*	Certificate IV**	Diploma	Advanced Diploma	Graduate Certificate	Graduate Diploma
0.5 – 1 year	0.5 – 1 year	1 – 2 years	0.5 – 2 years	1 – 2 years	1.5 – 2 years	0.5 – 1 year	1 – 2 years
600 – 1200 hours	600 – 1200 hours	1200 – 2400 hours	600 – 2400 hours	1200 – 2400 hours	1800 – 2400 hours	600 – 1200 hours	1200 – 2400 hours

\* Certificate III qualifications are often the basis for trade outcomes and undertaken as part of a traineeship or apprenticeship. In these cases, up to four years may be required to achieve the learning outcomes.

\*\* Certificate IV qualifications are often either:

- Shorter duration specialist qualifications that build on existing skills and knowledge; or
- Longer duration qualifications that are designed as entry level requirements for specific work roles.

Formation Training complies with the AQF in applying the volume of learning to its programs. In a competency-based training environment, students aren't required to study for a specified number of weeks or months; however, Formation Training must still be able to identify and explain any significant variations from the time periods described in the AQF.

Formation Training has developed and implemented strategies for training and assessment that are consistent with the AQF. If a course is structured so as to be completed in a shorter time period than that described in the AQF, Formation Training clearly describes, using a rationale based on the previous skills and knowledge and the needs of students, how a specific student cohort:

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

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

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

Where the student cohort consists of new entrants or inexperienced workers, before assessment Formation Training ensures students have been provided with the opportunity to fully absorb the required knowledge,

and to develop skills over time in the different contexts they would experience in the workplace. This may require a longer timeframe than for those students with significant industry experience.

## Training & Assessment Strategies

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

### Guarantee

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

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

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

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

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

### Contextualisation

Formation Training may contextualise units of competency to reflect local skill needs. Contextualisation could involve additions or amendments to the unit of competency to suit particular delivery methods, learner profiles, or specific enterprise requirements. Any contextualisation must ensure the integrity of the outcome of the unit of competency is maintained.

Industry requirements, as described in training or job specifications, may be used to contextualise a unit of competency.

### Attendance

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

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

Attendance recording applies to:

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

## Non-attendance

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

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

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

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

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

## Workplace Delivery

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

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

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

## Providing Student Support

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

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

## Work Placements

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

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

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

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

## Work Placement Guidelines

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

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

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

### **Insurance**

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

### **Written Agreement**

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

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

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

### *Student Responsibilities*

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

- Attend the work placement on the agreed dates;
- Notify both the workplace supervisor and their Formation Training work placement coordinator if unable to attend;
- Perform duties as requested and comply with all reasonable directions given by their work placement employer;
- Ensure dress and behaviour are in keeping with the accepted standards of the workplace; and

- Promptly tell the workplace supervisor and Formation Training work placement coordinator of any personal injury or damage to property that has involved the student.

#### *Employer Responsibilities*

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

- Understand the obligation of care for the student under relevant Workplace, Health and Safety Acts;
- Inform the student of safety requirements in the workplace;
- Provide meaningful activities and appropriate direction and supervision;
- Notify Formation Training immediately of any incident involving the student, any actions undertaken and damages to property involving the student;
- Ensure that the student is not paid for the work placement; and
- Notify Formation Training of any absences by the student.

#### *Formation Training Responsibilities*

Formation Training responsibilities for a work placement are as follows:

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

### **Relevant National Criminal Checks or Working with Children Checks**

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

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

## **Students Transferring, Deferring or Withdrawing**

### **Withdrawals**

If a current student is thinking of withdrawing from study, the student should contact the Formation Training Student Support Centre for specific support and advice on their individual situation

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

Notification of withdrawal can occur in any written form, including but not limited to email, fax, letter or form. Key contact details for withdrawal include:

Student Support Team

1300 889 134

[info@formationtraining.edu.au](mailto:info@formationtraining.edu.au)

Formation Training ensures there are no financial, administrative or other barriers that would result in a student not being able to withdraw from a course.

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

### **Student Transfer Out Process**

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

Where the enrolled student elects to transfer out, Formation Training:

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

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

### **Student Transfer In Process**

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

### **Students Deferring Training**

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

If a student proceeds with the deferral of their studies, Formation Training only permit a deferral of no more than twelve (12) months from the date of receipt of notice from the student.

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

Students who do not recommence studies within a twelve (12) month period of deferral are considered to have discontinued their studies with all records and reports processed as per the discontinuance process below.

Formation Training keeps records of all requests for/notices of deferral or keep a file note or log of such requests/notices together with evidence of all deferrals made.

### **Discontinuing Students**

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

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

If a student proceeds to discontinue their studies, Formation Training

- Attempts to obtain formal notification from the student of the date their studies will end;
- Provides any refund of any applicable fee;
- Gives the exiting student a Course Fees Agreement that includes all fees applied and any fees refunded, if applicable;
- Issues the student with a Statement of Attainment and associated transcript for completed units of competency;
- Updates the *Training Plan* listing all units of competency where an outcome has been achieved, commenced but not completed and/or not commenced;
- Provides the updated *Training Plan* to the student;

- Returns results of any outstanding completed training activities and/or assessments to the student;
- For Apprentices or Trainees, notifies the relevant AAC and government authorities within 14 days of notification of the discontinuation of training; and
- Finalises any other government reporting requirements.

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

## Apprenticeships & Traineeships

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

### Employee & Employer Agreement

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

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

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

The employer will:

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

- Ensuring that the trainee/apprentice is aware that help and assistance is also available from the relevant State/Territory Training Authority; and.
- Providing comprehensive induction processes for commencing trainees/apprentices to ensure that they are aware, from the time of commencement, of the proposed training program, workplace safety requirements and their rights and responsibilities.

The trainee/apprentice will:

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

## Structured training

Formation Training may deliver structured training within one or a combination of both of the following modes:

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

For every Apprentice/Trainee who is undertaking some workplace based training, Formation Training:

- Conducts a workplace induction with the Apprentice/Trainee and supervisor and sign off the Training Plan with the supervisor/employer;
- Makes a minimum of four contacts per year (at least one in each calendar quarter) with the employer in person, in writing or electronically to discuss the Apprentice/Trainee's progress against the Training Plan and obtain employer confirmation in writing of the Apprentice/Trainee's competence in the workplace;
- Obtains verification of the face to face visits by acquiring the dated signature of the employer/workplace supervisor and Apprentice/Trainee;
- During the course of the visit:
  - Meets with the Apprentice/Trainee to discuss progress in relation to the Training Plan;
  - Delivers training and/or assessment in accordance with the Training Plan; and
  - Documents the training and/or assessment provided in reference to the competencies;
- Ensures withdrawal time from routine work duties for Structured Training activities, as follows:
  - At Certificates III and above, a minimum of three hours per week, averaged over a four week cycle (pro rata for part time Trainees and only for the duration of competencies delivered and assessed in the workplace if the training program combines Off-the-job Structured Training and Workplace based Structured Training);
  - At Certificates I and II a minimum of one and half hours per week, averaged over an eight week cycle (pro rata for part time Trainees and only for the duration of competencies delivered and assessed in the workplace if the training program combines Off-the-job Structured Training and Workplace based Structured Training); and
  - A maximum of 40 hours of the annual withdrawal time may be delivered as block training within the first 3 months of training for all certificates. This training should focus on compliance and regulatory units and generic skills.

- Where an employer/supervisor is not allowing the Apprentice/Trainee to be withdrawn from routine work duties for the applicable minimum specified time, report the non-compliance if initial consultation with the employer/supervisor does not resolve the issue.
- Make monthly contact by either e-mail, phone with both the Apprentice/Trainee and the workplace supervisor to:
  - Monitor and document the progress of training against the Training Plan;
  - Monitor and document the training/learning activities undertaken during the withdrawal time for the previous month; and
  - Document the dates and time periods logged as withdrawal time in the previous month.

## Progress

Formation Training keeps employers, and their trainees and apprentices, informed of an apprentice's progress toward completing their apprenticeship qualification.

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

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

## Competency Based Training and Completion requirements

For all Trainees, and Apprentices, Formation Training may issue the qualification only when:

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

## Assessment Services

Formation Training has implemented an assessment system that ensures that assessment (including recognition of prior learning):

- Complies with the assessment requirements of the relevant training package or VET accredited course; and
- Is conducted in accordance with the Principles of Assessment and the Rules of Evidence.

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

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

*Assessors* are persons who assess a student's competence.

Formation Training has developed and implemented a rigorous assessment system to ensure:

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

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

For a student to be assessed as competent, Formation Training ensures the student demonstrates their:

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

All students:

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

## General Assessment Requirements

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

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

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

## Assessment Requirements

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

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

Performance and knowledge evidence describe what a student must demonstrate in order to be considered competent. Assessment conditions describe the conditions under which a student must demonstrate this, including any specific requirements for resources, trainers and assessors and the context for assessment.

Note that some training packages and courses may not have been updated to this format. In these cases, 'required skills and knowledge' and 'evidence guide' or similar terms are used.

## Simulated Work Environments

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

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

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

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

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

- Transferring competencies to new contexts.

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

## Principles of Assessment

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

### Fairness

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

### Flexibility

Assessment is flexible to the individual student by:

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

### Validity

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

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

### Reliability

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

## Rules of Evidence

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

### Validity

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

### Sufficiency

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

### Authenticity

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

## Currency

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

## Assessment Methods

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

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

## Conducting Assessments

Formation Training is committed to quality student centred course services provision that meets each individual student's needs. Formation Training personnel strive to ensure that assessments conducted meet this commitment with *a range of assessment options provided that meet assessment requirements*.

## Unit Result Codes

The following Unit of Competency result codes and definitions are the common codes used by Formation Training personnel as relevant to record results:

Code	Description
C = Competent	The unit has been completed by the student through learning & assessment.
RPL = Recognition of Prior Learning Granted	The unit has been completed by the student through recognition of prior informal learning assessment.
CT = Credit Transfer	The student has been given credit for the unit as the student has completed the exact same unit code previously and presented a certified testamur for credit, or the unit has been deemed 'equivalent' in a training package mapping advisory document.
Not Yet Available	The student has commenced work in the unit and Formation Training has evidence on file of this commencement, and the planned end date of that unit is in the current year and no other unit result has occurred.
RPL NG = Recognition of Prior Learning Not Granted	The student attempted full assessment in the unit through RPL application and was deemed not yet competent as a final unit result.
WD = Withdrawn / Discontinued	The student withdrew their enrolment from the unit after commencing the unit, and Formation Training has evidence on file of this commencement.
WD NS = Withdrawn Not Started	The student withdrew their enrolment from the unit before commencing the unit, and/or Formation Training has no evidence on file of student commencement.

Code	Description
NC = Not Competent	The student attempted full assessment in the unit and was deemed not yet competent as a final unit result.

## Evidence

Retention of student evidence on file through delivery services is a key requirement of Formation Training operations. All personnel must keep evidence on file for various purposes throughout the course program, and on completion and archiving of the student file.

## Discipline

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

## Student Responsibilities

Each Formation Training student is expected to:

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

Formation Training student must not at any time:

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

## Cheating & Plagiarism

*Cheating* is the act of attempting to circumvent the assessment practices in an unethical or illegal manner.

*Plagiarism* is a form of cheating. Plagiarism is the practice of claiming or implying original authorship of (or incorporating material from) someone else's written or creative work, in whole or in part, into one's own without adequate acknowledgement.

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

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

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

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

## Breaches

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

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

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

## Addressing Breaches

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

1. All cases of breach of discipline committed by a Formation Training representative must be reported to the *Chief Executive Officer*.
2. In the case of a student breach, the breach must be reported to Formation Training's *Chief Executive Officer* in writing with the following information:
  - student name and program;
  - Description of the breach of discipline;
  - Damage or inconvenience caused by the breach;
  - Level of cooperation given by the student;
  - Witnesses to the breach; and
  - Evidence available to support the claim of a breach.
3. If appropriate, the student can be ordered off the Formation Training's premises for the remainder of the day on which the breach takes place. Circumstances where it may be appropriate to exclude the student from the Formation Training's premises include serious cases of breach of discipline such as violence, abusive behaviour, discrimination, vandalism or wilful disobedience of a personnel direction.

In situations of greater urgency, such as cheating or violence, an oral report may be made to Formation Training's *Chief Executive Officer* in the first instance, followed by the written report as soon as practicable thereafter.

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

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

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

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

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

## Validation

*Validation* is the quality review of the assessment process. Validation involves checking that the assessment tool/s produce/s valid, reliable, sufficient, current and authentic evidence to enable reasonable judgements to be made as to whether the requirements of the training package or VET accredited courses are met. It includes reviewing a statistically valid sample of the assessments and making recommendations for future improvements to the assessment tool, process and/or outcomes and acting upon such recommendations.

### Validation Plan

Formation Training has implemented a *Validation Plan* for ongoing systematic validation of assessment practices and judgements that includes for each training product on Formation Training's scope of registration:

- When assessment validation will occur;
- Which training products will be the focus of the validation;
- Who will lead and participate in validation activities; and
- How the outcomes of these activities will be documented and acted upon.

Each training product is validated at least once every five years, with at least 50% of products validated within the first three years of each five year cycle, taking into account the relative risks of all of the training products on Formation Training's scope of registration, including those risks identified by ASQA.

## Complaints

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

Formation Training complaints process is available to manage and respond to allegations involving the conduct of:

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

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

Formation Training will maintain a student complainant's enrolment during any appeal process.

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

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

## Complaint & Grievance Procedure

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

- Academic matters from students;
  - Non-academic matters from students; and
  - Non-academic matters from persons seeking to enrol with the Formation Training in a VET course or unit of study.
1. In the first instance a student should discuss the matter with the personnel member or responsible person concerned. Where this is not considered appropriate then the complainant is encouraged to discuss the matter with Formation Training management.

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

2. Any client may submit a formal complaint to Formation Training in writing. Complaints are to include the following information:
  - Submission date of complaint;
  - Name of complainant;
  - Nature of complaint;
  - Date of the event which lead to the complaint; and
  - Any other relevant information or attachments (if applicable).
3. The Formation Training Chief Executive Officer will acknowledge receipt of the complaint in writing within five working days and arrange a suitable time if needed to discuss the complaint.
4. The Chief Executive Officer will investigate the complaint, or refer the matter to appropriate Formation Training personnel to investigate. In either case, the investigation will be resolved and decisions made on the complaint within 20 working days of the complaint being received in writing.

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

5. The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcomes. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.
6. If the complainant is not satisfied with the outcome, they may escalate the complaint in writing to the Formation Training Chief Executive Officer.
7. Escalated complaints are to include the following information:
  - Submission date of complaint;
  - Name of complainant;
  - Nature of complaint;
  - Reasons why the complainant is not satisfied with the outcome of the original complaint; and

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- Any other relevant information or attachments (if applicable).
8. The Formation Training Chief Executive Officer will acknowledge receipt of the escalated complaint in writing within five working days and arrange a suitable time if needed to discuss the complaint.
9. The Chief Executive Officer will investigate the complaint, or refer the matter to an external dispute resolution process by a body appointed for this purpose by Formation Training. The *default* external body available is:
- Resolution Institute - Student Mediation Scheme  
1800 651 650  
[infoaus@resolution.institute](mailto:infoaus@resolution.institute)
- In either case, the investigation will be resolved and decisions made on the escalated complaint within twenty working days of the complaint being received in writing.
10. The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcomes. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.
11. If the complainant is not satisfied with the outcome, and the complaint is yet to be mediated by an external dispute resolution process, they may escalate the complaint in writing to the Formation Training *Chief Executive Officer*. In this situation, the *Chief Executive Officer* will:
- Acknowledge receipt of the escalated complaint in writing within five working days; and
  - Refer the matter to an external dispute resolution process by a body appointed for this purpose by Formation Training.
  - Formation Training will give due consideration to any recommendations arising from the external review within ten working days of the receipt of the recommendations.
  - The investigation will be resolved and decisions made on the complaint within thirty working days of the escalated complaint being received in writing.
12. The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcomes. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.

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

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

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

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

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

## Complaints Key Contacts

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

Organisation	Details
Vocational Education & Training Programs Australia Skills & Quality Authority (ASQA)	1300 701 801 <a href="mailto:enquiries@asqa.gov.au">enquiries@asqa.gov.au</a>
ACT Department of Education & Communities	<a href="http://www.det.act.gov.au">www.det.act.gov.au</a>
NSW Department of Education & Training	<a href="http://www.training.nsw.gov.au">www.training.nsw.gov.au</a>
NT Department of Education and Training	<a href="http://www.det.nt.gov.au">www.det.nt.gov.au</a>
QLD Department of Education, Training & Employment	<a href="http://www.training.qld.gov.au">www.training.qld.gov.au</a>
SA Department of Further Education, Employment, Science and Technology	<a href="http://www.training.sa.gov.au">www.training.sa.gov.au</a>
Skills Tasmania	<a href="http://www.skills.tas.gov.au">www.skills.tas.gov.au</a>
Victorian Department of Education & Training	<a href="http://www.skills.vic.gov.au">www.skills.vic.gov.au</a>
WA Department of Training and Workforce Development	<a href="http://www.dtwd.wa.gov.au">www.dtwd.wa.gov.au</a>

## Assessment Appeals

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

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

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

Formation Training will maintain a student appellant's enrolment during any appeal process.

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

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

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

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## Appeals Process

Formation Training's appeals process is publicly available on the Formation Training's website.

1. Before making a formal appeal, students are required to discuss the matter with the relevant Formation Training personnel in an effort to reach an agreement. Formation Training personnel will undertake to reassess the decision that has been made.
2. If a student is still unhappy, they must lodge a formal appeal in writing to Formation Training Chief Executive Officer.
3. Upon receiving a formal appeal, Formation Training Chief Executive Officer will:
  - Acknowledge receipt of the appeal in writing within five working days; and
  - Appoint an independent member of personnel as a third party to try to resolve the issue. Any decision recommended by the third party is not binding to either party.

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

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

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

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

All stages of the appeals process are documented and notes provided to all parties involved, including the outcomes of the appeal and reasons for the decisions made.

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

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

## Evaluation

Formation Training systematically evaluates and uses the outcomes of the evaluations to continually improve its training and assessment strategies and practices. Evaluation information includes but is not limited to quality/performance indicator data, validation outcomes, client, trainer and assessor feedback and complaints and appeals.

Formation Training is committed to ensuring quality delivery and assessment of all training. The formal evaluation process is a major strategy in the continual improvement of all service provision.

## Qualifications Issuance

Formation Training issue AQF certification documentation only to a student whom it has assessed as meeting the requirements of the training product as specified in the relevant training package or VET accredited course.

Formation Training has robust controls in place to ensure qualifications, statements of attainment and records of results are not issued unless the student has completed all requirements. While Formation Training delivers at multiple locations and through third party arrangements, it has centralised issuance of certification to strengthen these controls. Certification is only issued to students after they have fully demonstrated competence.

## Unique Student Identifier (USI)

Formation Training ensures that it meets the requirements of the Student Identifier scheme at all times, including:

- Verifying with the Registrar, a USI provided to it by an individual before using that USI for any purpose;
- Ensuring that Formation Training do not issue AQF certification documentation to an individual without being in receipt of a verified USI for that individual, unless an exemption applies under the *student Identifiers Act 2014*;
- Ensuring that where an exemption applies, it will inform the student prior to either the completion of the enrolment or commencement of training and assessment, whichever occurs first, that the results of the training will not be accessible through the Commonwealth and will not appear on any authenticated VET transcript prepared by the Registrar; and
- Ensuring the security of USIs and all related documentation under its control, including information stored in its student management systems.

To avoid possible delays in issuing certification, Formation Training has processes in place to verify a student's USI on enrolment or as soon as possible thereafter - well in advance of when certification is expected to be issued.

Formation Training does not include the student's USI on any testamur documentation, consistent with the *Student Identifiers Act 2014*.

## Fraud Prevention

Formation Training confirms its responsibility for authentication and verification of a student's certification and statement of attainment documentation.

Formation Training has mechanisms in place to reduce fraudulent reproduction of its certification. All Formation Training documentation includes the Formation Training seal, logo and unique watermark. Additional fraud prevention measures implemented include:

- Printing documentation on commercially printed shells that make it clear when a document is not the original;
- Using an embossed seal;
- Using document numbers for verification purposes; and
- Including information about what security measures are used on Formation Training's website (with references to this information on the documents).

## Issuance Timelines

Formation Training ensures AQF certification documentation is issued to a student within thirty (30) calendar days of the student being assessed as meeting the requirements of the training product if the training program in which the student is enrolled is complete, and providing all agreed fees the student owes to Formation Training have been paid.

Formation Training issues AQF certification documentation directly to the student, not to another party, such as an employer.

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## Reissue of Testamur Documentation

Formation Training ensures that current and past students are able to access records of their achievements.

All Formation Training students who hold a verified USI, and whose results have been reported into the USI system, will be able to access their records through the USI system.

Where a student's achievements have not been recorded through the USI system, Formation Training has processes in place to ensure that this student can access re-issues of their testamur documentation via request.

A fee of \$66.00 including GST per request applies to all re-issue of documentation requests. All documentation re-issues occurs within twenty-one (21) calendar days of receipt of request.

## Records Management

The Australian Vocational Education and Training Management Information Statistical Standard (AVETMISS) is the national data standard that ensures consistent and accurate capture and reporting of VET information about students.

Formation Training cooperates with ASQA in the retention, archiving, retrieval and transfer of records.



### Contact Info

Formation Training  
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1300 889 134

**Email:**  
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