



AUSTRALIANCAREERS
Business College



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'Empowerment Through Education and Training'





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About Australian Careers Business College (ACBC)

ACBC is a Registered Training Organisation (RTO) registered by the Australian Skills Quality Authority (ASQA). Our national provider code is #90271. ACBC is authorised to issue a range of nationally recognised qualifications as detailed on the college's scope of registration at www.training.gov.au. ACBC complies with the Standards for Registered Training Organisations (RTOs) 2015.

About this handbook

This handbook has been specially prepared for secondary students completing vocational courses as part of their HSC (EVET). This handbook sets out students' rights, obligations and responsibilities. Students enrolling in an online course at ACBC are joining one of Australia's leading private providers of Vocational Education and Training. We pride ourselves on producing graduates who are highly skilled in their area of employment, and professional in their attitude and abilities.

1. Mission Statement

At the Australian Careers Business College, we believe that the key to success is to

- Empower our students through education and training
- Provide progressive and innovative qualifications to enable our students to strive for excellence
- Help our students achieve their personal best in gaining a Business Education
- Ensure small class numbers so as to give students individual attention
- Guarantee job placement assistance
- Provide students with qualified, experienced and committed trainers who have the knowledge and expertise in their field

2. Code of Practice

The College operates within a clear Code of Conduct and we ask all students enrolled with ACBC to co-operate in adhering to the guidelines so we can all work and study in a harmonious and productive environment.

ACBC is committed to providing high standards of vocational education and training and other client services. The following Code of Practice describes the standards of our vocational education and training and other client services. The Code of Practice addresses the requirements of the RTO Standards 2015.

The policies as set out in the Code of Practice underpin the operations of the organisation.



2.1 Delivery of Training

Students will receive all the training for which they have enrolled. To be awarded a qualification, all assessments must be completed to a satisfactory level and submitted in accordance with instructions and within timeframes prescribed. Students are advised of the specific requirements to receive a qualification in their area of study as part of enrolment and when training delivery commences. ACBC takes responsibility for the quality of the training and assessment being provided to students and for the issuance of AQF certificates.

2.2 Steps for Student Recruitment, Selection and Enrolment

EVET

- Students consult with careers advisors and teachers at their school and select a course/program.
- Students are registered by schools with ACBC.
- Students are enrolled into a course with ACBC using online type-in forms in accordance with ACBC policies and procedures
- Students are provided with a copy of the EVET Online Student Handbook
- Students are linked with a trainer/coach for the program

Applicants are provided with all relevant information to enable the applicant to make an informed decision about the course they wish to enroll in.

The enrollment process and all operational procedures incorporate access and equity policies. The organisation prohibits discrimination towards any group or individuals in any form, inclusive of:

- Gender
- Pregnancy
- Race, colour, nationality, ethnic or ethno-religious background
- Marital status
- Homosexuality (male or female, actual or presumed)
- Age (in relation to compulsory retirement)
- Physical or intellectual or psychiatric disability or individuals who have any organism capable of causing disease.

Unique Student Identifier (USI)

As part of the enrolment process, ACBC staff shall collect details of students USI and/or facilitate the creation and recording of the USI. This process addresses in general the requirements of RTO Standard 3.6



Orientation

An orientation session is arranged for all online students. This is usually conducted by email, telephone and Zoom. During orientation, students are provided with information on the Learning Management System (LMS), Assessment Submission Portal (CloudAssess), assessment schedule, electronic textbooks information, and important links.

2.3 Equity and Privacy

Your equity

ACBC is committed to ensuring that the training and assessment environment is free from discrimination and harassment, and that decisions related to assessment are equitable and fair. All ACBC staff members (including contractors) are aware that discrimination and harassment will not be tolerated under any circumstances. In the event that discrimination and harassment is found to have occurred, disciplinary action will be taken against any staff member who breaches this policy. Suspected criminal behaviour will be reported to police authorities immediately.

Students should expect fair and friendly behaviour from ACBC staff members and we apply complaint-handling procedures advocated by the Australian Human Rights and Equal Opportunity Commission (HREOC).

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

Your privacy

Australian Careers Business College takes the privacy of students very seriously and complies with all legislative requirements and obligations related to privacy. ACBC has in place a Privacy Policy which meets the requirements of the Privacy Act 1988 (as amended). This includes the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Privacy Amendment Act) and subsequent Privacy Regulation 2013, made under the Privacy Act, which commenced in March 2015.

The ACBC APP Privacy Policy (March 2015) can be found on the ACBC website. The policy sets out how ACBC collects, manages and uses information. Students should access and review the



APP Privacy Policy and seek clarification or further information regarding privacy from an ACBC Careers Advisor as required.

Access to your records

Students are entitled to have timely access to current and accurate records of their participation and progress on request. You may require these to monitor your progress with training or simply to go back and confirm something in a previous training module. Whilst these records will be retained by Australian Careers Business College, you are welcome to have access anytime and request a copy. If you require access to your records, please make a request to the Campus Manager and it will be organised.

2.4 Continuous Improvement

Our continuous improvement of services

ACBC is committed to the continuous improvement of our training and assessment services, Student services and management systems. Central to this commitment is our approach to Continuous improvement and the procedures we apply to achieve systematic and sustained improvement.

Learner Satisfaction Survey

At the completion of your training program, you will be issued with a Learner Satisfaction Survey. This is a nationally consistent survey tool, which is designed to collect feedback from students about their experience with an RTO and in undertaking nationally recognised training. Your completion and return of this survey is important to ACBC for our ongoing improvement of services and to enable us to report this information to our registering authority. Your assistance in gathering this survey data is greatly appreciated.

2.5 Marketing and Advertising

ACBC is committed to integrity and accuracy in its marketing activities. The information provided to clients avoids vague or ambiguous statements and false or misleading comparisons with other providers or qualifications.

2.6 Assessment

Assessment is competency based. This means that training is delivered based on units of competency developed by industry to national standards. Students' knowledge and skills are assessed against these units of competency based on what they 'can do' and know.

When students can demonstrate competency or show that they can demonstrate their understanding or skill, they can be assessed as competent. If a student is not successful on the



first attempt, he/she is provided with feedback and given further opportunities to demonstrate competency.

Assessment at the College incorporates the requirements of the RTO Standards 2015, and in particular, Standard 1. All assessments meet the assessment criteria of a training package on which the qualification is based.

Trainers/Assessors employed by ACBC are required to have:

- Relevant vocational competencies at least to the level being delivered or assessed;
- Current industry skills directly relevant to the training and assessment being provided;
- Current knowledge and skills in vocational training and learning that informs their training and assessment; and
- Must hold the TAE40116 Certificate IV in Training and Assessment or TAE40110 Certificate IV in Training and Assessment qualification plus the following units:
 - either and the unit TAELLN411 AELLN411 or TAELLN401A, and
 - either TAEASS502 or TAEASS502A or TAEASS502B
- In addition, trainers and assessors must undertake professional development in the fields of knowledge and practice of vocational training, learning and assessment, including competency-based training and assessment.

It is important to note that to be eligible for assessment, students must complete all Units of Competency requirements.

Trial exams and exams that form part of HSC requirements will be managed in accordance with requirements of the NSW Department of Education.

2.6.1 Retention of Students' Work

ACBC is required by the VET regulator to retain and securely store completed student assessments for verification and review purposes for a minimum of 26 weeks after the date of assessment. Students may request the return of their work by writing to the Campus Manager after this period has passed. ACBC reserves the right to dispose of materials not claimed after the retention period has elapsed.

2.7 Assessment Appeal Process Steps for Online Students

What is an appeal?

An appeal is an application by a student for reconsideration of an unfavourable decision or finding during training and/or assessment. An appeal must be made in writing and specify



the particulars of the decision or finding in dispute. Appeals must be submitted to ACBC within 14 days of the student being informed of the assessment decision or finding.

Students are provided with a copy of the unit of competency requirements prior to being assessed.

The steps are:

- 1) Assessment events are arranged by trainers and assessments are conducted using standard assessment tools (workplace projects, written assignments, tests, practical exercises, role-play) which have been developed to meet the requirements of the qualification.
- 2) Assessors provide feedback to students on performance on areas where further learning/practice may be required. Where a student is assessed as competent, he/she is advised of the results and results are posted in their student records.
- 3) Where a student assessment is assessed as not yet satisfactory, the student is allowed the opportunity to resubmit the assessment.
- 4) Students may appeal assessment decisions. This involves the student completing an Application for Assessment Appeal form and submitting it to the Campus Manager.
- 5) The appeal will be reviewed by the Education Manager/Director of Studies.
- 6) Students will be notified by email of the outcome of their appeal by the Campus Manager.
- 7) Where the appeal is not resolved through this process, students may request an independent assessment or choose to redo the unit. A fee may be payable.

2.8 Certification of Completion

The College issues students who are assessed as competent a VET qualification for full completion of the qualification or a VET Statement of Attainment for partial completion, within the RTO Standards 2015, that meet the Australian Qualifications Framework AQF. These are:

- a. **FULL QUALIFICATION:** The Qualification levels are Certificate II, Certificate III, Certificate IV, Diploma or Advance Diploma. The qualification is only issued when the student demonstrates all the required competencies for the qualification
- b. **PARTIAL QUALIFICATION:** A Nationally recognised Statement of Attainment is issued for partial completion of a qualification for the units in which competency is achieved.

In accordance with RTO Standard 3.3 AQF certification documentation is issued to a learner within 30 calendar days of the learner being assessed as meeting the requirements of the



training product if the training program in which the learner is enrolled is complete, and providing all agreed fees the learner owes to the RTO have been paid.

Credit Transfer (CT)

As a condition of registration, the College is required to recognise and grant Credit Transfer for Nationally Recognised unit of competency from other RTOs. This is called national recognition.

Steps to apply for CT

- 1) Students to review the unit descriptions in the qualification outline and make an initial self-assessment of the units for which they wish to apply for Credit Transfer.
- 2) Complete an *Application for Credit Transfer* form which is available from Student Administration at the College and lodge the application along with evidence to support the application. Qualifications and Statements of Attainment issued by other RTOs must be originals or appropriately certified copies.
- 3) The Director of Studies will review the CT application form and note on the form whether the units applied for are approved or not.
- 4) The granting of CT will result in a reduction in student tuition fees for fee-paying students. The amount of fee reduction is dependent on the number of units for which CT has been granted and the qualification which the student is enrolling in.
- 5) Applicants are advised of the decision in a CT letter within 5 working days. Where Credit has been approved, students will be informed of the amount of reduction in tuition fees and the commencement date of their qualification the letter will also inform applicants of their ability to appeal the decision if not satisfied, by writing to the Director of Studies.
- 6) Appeals to the Director of Studies shall be accepted in cases where the applicant is not satisfied with the decision.
- 7) Appeals must be made within 14 days of the original decision.
- 8) A copy of the Credit Transfer Application and the Letter are placed in the Credit Transfer folder and stored in Student Administration.

2.9 Student Complaints Handling

Australian Careers Business College is committed to providing a fair and transparent complaint handling process.



What is a complaint?

A complaint is generally negative feedback about services or people which has not been resolved locally.

Who does this policy apply to?

This policy applies to and may involve issues concerning the conduct of:

- Australian Careers Business College as an organisation, its trainers, assessors or other staff;
- Third party's services provided on the behalf of ACBC, its trainers, assessors or other staff; or
- a learner of ACBC.

This is an important point to note in understanding that this policy has a broad application and is not simply relevant to complaints that may be made by learners. A complaint may be made by an employer about ACBC or by the trainer about the conduct of the learner. Throughout this policy we refer to the person making a complaint as simply the complainant.

Early resolution of complaints

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time they occur between the persons involved. It is often the case that complaints can be avoided by proper communication and respect between persons involved.

Relationship to continuous improvement

Frequently, the complaints handling process will expose weaknesses in the training and assessment or administrative system that can flow into the continuous improvement system as opportunities for improvement. This outcome of complaints handling is very positive and should be actively applied by all persons involved. It is for this reason that complaints received from stakeholders should be seen in a positive light and as opportunities for improvement.

Making a complaint

A complaint may be received by ACBC in any form and does not need to be formally documented by the complainant in order to be acted on. Complaints may be made by any person.

To make a complaint, the person is recommended to complete the Australian Careers Business College - Complaint Form. This form is available via our website. The completed



complaint form is to be submitted to the Campus Manager either in hard copy or electronically via the following contact details: info@acbc.nsw.edu.au

If a complainant has any difficulty accessing the required form or submitting the complaint to ACBC, they are advised to contact site train immediately at the following phone number:
02982 40000

Complaint handling procedure

Australian Careers Business College will apply the following procedure to its complaints handling:

- A complaint may be received in any form (written, verbal) although persons seeking to make a complaint are recommended to complete the complaint form which is available to them on the website. There is no time limitation on a person who is seeking to make a complaint. A person who makes a complaint must be **provided a written acknowledgement** as soon as possible and **not later than two working days** from the time the complaint is received. This acknowledgement is intended to provide the complainant assurance that ACBC had received the complaint and will review the relevant issues and provide a response. The acknowledgement must inform the complainant that they will receive a written response within 14 days.
- A written record of all complaints is to be kept by ACBC including all details of lodgement, response and resolution. The complaints register within RTO Data is to be used to record the details of the complaint and to maintain a chronological journal of events during the complaint handling process. Records relating to complaint handling must be stored securely to prevent access to unauthorised personnel.
- A complainant is to be provided an opportunity to formally present his or her case at no cost.
- Each complainant may be accompanied and/or assisted by a support person at any relevant meeting.
- Where a complaint is made about or involves allegations about another person, ACBC is obliged to inform this person about this complaint or allegation and provide them the opportunity to respond and present information in response to the issues raised. This may be achieved through direct meetings or meeting via an electronic means. ACBC must maintain a detailed record of these meetings in the form of a record of conversation. At all times information must be handled sensitively and treated in confidence. Persons involved in a dispute or complaint should be reminded to treat each other with respect and conduct themselves in a professional and courteous manner.



- Where a complaint is received by ACBC which involve allegations about alleged criminal conduct, ACBC are to recommend the person making the complaint refer the matter to the relevant State or Territory Police Service.
- The complaints policy must be publicly available. This means that the complaints policy and procedure must be published on the ACBC website.
- The handling of a complaint is to commence within **seven (7) working days** of the lodgement of the complaint and all reasonable measures are taken to finalise the process as soon as practicable.
- The complainant is to be provided a written response to the complaint, including details of the reasons for the outcome. A written response must be provided to the complainant within **fourteen (14) working days** of the lodgement of the complaint.
- Complaints must be resolved to a final outcome within **sixty (60) calendar days** of the complaint being initially received. Where ACBC Chief Executive Officer considers that more than 60 calendar days are required to process and finalise the complaint, the CEO must inform the complainant in writing, including reasons why more than 60 calendar days are required. As a benchmark, ACBC should attempt to resolve complaints as soon as possible.

A timeframe to resolve a complaint within thirty (30) calendar days is considered acceptable and in the best interest of ACBC and the complainant. A complainant should also be provided with regular updates to inform them of the progress of the complaint handling. Updates should be provided to the complainant at a minimum of **two (2) weekly intervals**.

- Australian Careers Business College shall maintain the enrolment of the complainant during the complaint handling process.
- Decisions or outcomes of the complaint handling process that find in the favour of the learner shall be implemented immediately.
- Complaints are to be handled in the strictest of confidence. No ACBC representative is to disclose information to any person without the permission of ACBC Chief Executive Officer. A decision to release information to third parties can only to be made after the complainant has given permission for this to occur. This permission should be given using the Information Release Form.
- Complaints are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the complaint handling process. This means that the complainant is entitled to be heard with access to all relevant information



and with the right of reply. The complainant is entitled to have their complaint heard by a person who is without bias and may not be affected by the decision. Finally, the decision must be made based on logical evidence and the decision-maker must take account of relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations. Further guidance on principles of natural justice and procedural fairness can be accessed at the following link: [Principles of Natural Justice and Procedural Fairness](#)

- Complaint handling procedures should conclude with an analysis of the circumstances to identify any opportunities for improvement.

Informing Persons and Responding to Allegations

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

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

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

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

Third Party Review

Where the person making a complaint is not satisfied with the handling of the matter by ACBC, they have the opportunity for a body or person that is independent of ACBC to review

his or her complaint following the internal completion of complaint handling process. Before a person seeks a review by an independent person, they are requested to first allow ACBC to fully consider the nature of the complaint to fully respond to the person in writing. If after this has occurred, the person is not satisfied with the outcome, they can then seek a review by an independent person. To request a review by an independent person, the complainant should inform the Campus Manager of their request who will initiate the process with the Chief Executive Officer.

In these circumstances the ACBC Chief Executive Officer will advise of an appropriate party independent of ACBC to review the complaint outcome (and its subsequent handling) and provide advice to ACBC in regards to the recommended outcomes. The independent third-party is required to respond with their recommendations within **fourteen (14) working days** of their review being requested. This advice is to be accepted by ACBC as final, advised to the person making a complaint in writing and implemented without prejudice.

Where the ACBC appoints or engages an appropriate independent person to review a complaint, the ACBC will meet the full cost to facilitate the independent review. Where the person seeking an appeal objects to this appointment and requests to engage a person or organisation they nominate to undertake the review, the ACBC may seek the person making a complaint to contribute to the cost of engaging this person to undertake the review. This is advised to the person making a complaint within the Learner Handbook.

Where a complaint is received by ACBC and the Chief Executive Officer feels that they may be biased or there is a perception of bias, then the complaint is to be referred directly to an independent third-party for consideration and response as outlined above.

Unresolved Complaints

At full conclusion of the complaint handling process where the person making a complaint remains not satisfied with the outcome of the complaint handling procedure, the person making a complaint is to be directed to the following external agencies:

- In relation to consumer related issue, the person may refer their complaint to the **Office of Fair Trading**.
- In relation to the delivery of training and assessment services, the person may refer their complaint to the **National Training Complaints Service** via the following phone number: 13 38 73.



ACBC is to cooperate fully with agencies such as the National Training Complaints Service, the Office of Fair Trading or ASQA that may investigate the handling of a complaint. ACBC considers that it would be extremely unlikely that a complaint is not able to be resolved quickly within ACBC internal arrangements.

Record Management of Complaint Records

Records relating to complaints will present in two formats. There will be electronic records in the form of email correspondence and other documents which are communicated electronically and hard copy records which are submitted by the complainant or generated by ACBC. There is also a record of the complaint maintained within the ACBC student management system RTO Data. This includes the details about the complaint and a diary log which records the progress of the complaint handling and closure. This record also records identified opportunities for improvement that result from complaints handling.

All records regardless of their format (excluding RTO Data) will be saved in a digital format into a secure folder located on the ACBC file storage. Each file is to be clearly labelled with the document title or subject and the date of which the document was received or generated. This folder must only be accessible to persons authorised by the Chief Executive Officer. Records stored on RTO Data are to be accessible only to RTO data administrators and managers.

To ensure records are maintained in a safe and suitable condition, the following is to apply:

- Records must be kept securely to prevent them being accessed by any non-authorised personnel.
- Records must be kept confidential to safeguard information and to protect the privacy of complainants.
- Records must be kept to avoid damage by fire, flood, termites or any other pests.
- Electronic data storage must be safe from destruction by fire or flood and should take account of the risk of component failure of a single storage device. Electronic data is also to be backed-up off site.

Period of retention of Complaints Records

ACBC is to retain records relating to complaints handling for a minimum of five (5) years.

Destruction of Complaints Records

Australian Careers Business College CEO is the only person who can authorise (in writing) the destruction of complaint handling records. Records are only to be authorised for destruction



after the retention period has lapsed. Documents identified for destruction are to be shredded before being recycled.

2.10 Fees, Charges, Payments

Course fees for EVET are managed by communication with schools and The NSW Department of Education.

This agreement, and the availability of complaints and appeals processes, does not remove the student's right to take action under Australia's consumer protection laws. Students seeking to make an external complaint about any administrative decision should do so after following the college's appeals processes by contacting:

NSW Fair Trading

Telephone 13 32 20

www.fairtrading.nsw.gov.au

2.11 Student Welfare, Counselling and Support Services

Academic and Vocational Counselling

Academic or vocational counselling and support is available at no charge to enrolled students.

Support Services

ACBC has designated qualified Careers Advisors to support online students. Students are offered advice and referral in the following:

- Language Literacy and Numeracy support (LLN)
- Health
- Legal matters
- Domestic violence
- Sexual assault
- Housing

2.12 Completion Requirements

Courses offered online by ACBC require students to complete work at their own pace in-line with a schedule of assessments provided to students. If a student's completion rate is determined to be unsatisfactory, a Campus Manager or Careers Advisor will contact the student to discuss the matter and try to resolve the situation in the best way possible. Online students who demonstrate an inability to continue with study may have their enrolment status reviewed and deferred or cancelled.



3. Conduct

3.1 Academic Misconduct

Plagiarism

Plagiarism is the act of misrepresenting as one's own original work the ideas, interpretations, words or creative works of another. These include published and unpublished documents, designs, music, sounds, images, photographs, computer codes and ideas gained through working in a group. These ideas, interpretations, words or works may be found in print and/or electronic media.

All assessments must be the students own work. If quoting a passage from a book, appropriate referencing must be used. If a student is found to have plagiarised they will receive a warning and have to submit their assessment using their own work. If a student plagiarises a second time in any other assessment, they will be deemed NYC for the unit where the second plagiarism takes place. A third offence may be subject to instant termination of enrolment

Plagiarism includes the following:

- Copying from another person
- Submitting another person's work with or without the author's knowledge
- Copying an entire source and presenting as your own work
- Copying sections from a source without appropriate acknowledgement
- Paraphrasing material from a source without appropriate acknowledgement

Cheating

Cheating of all forms either during assessments or copying of assignments will not be tolerated. A person found cheating in a particular unit of competency will be excluded from that unit and will have to repeat that unit when next offered. A second offence may be subject to instant termination of enrolment.

Cheating includes the following:

- Providing or receiving information from other students
- Copying from another student

3.2 Non-Academic Misconduct

Non-academic misconduct includes but is not limited to the following:

- Behave in a manner that tarnishes the College's reputation and name
- Threaten, bully, harass, abuse, discriminate or vilify College staff members or students
- Falsify documents



- Provide College with false documents e.g. Qualifications, Statements of Attainment, References.

Forging Documents

If a student forges any documents, e.g. work placement timesheets, logbooks, supervisor report signatures, dates, medical certificates etc. they will be subject to instant dismissal from the course.

Academic and non-academic misconduct offences may result in the termination of a student's enrolment.

3.3 Student Behavior

ACBC reserves the right to instantly terminate enrolment of any student who participates in unlawful activity and will report any such behaviour to the legal authorities.

4. Submission of Assessments

Completed assessments are due to be submitted electronically via CloudAssess on the date advised by your assessment schedule. You are entitled to THREE (3) attempts for each assessment.

In order to gain your full qualification, you must demonstrate competency in each Unit of Competency in your course. If you fail to do so, you will be provided with only a Statement of Attainment for the units you have successfully completed.

5. Termination of Enrolment

ACBC reserves the right to terminate the enrolment of any student whose conduct or performance is not of a standard acceptable to the College.

6. Important Legislation, which affects a NSW RTO

Vocational Education and Training (VET) is a term used to describe education and training arrangements designed to prepare people for work or to improve the knowledge and skills of people already working in Australia. The National Vocational Education and Training Regulator Act 2011, governs the registration of RTO's in NSW.

Workplace Health and Safety

Workplace Health and Safety in NSW is governed by the Workplace Health and Safety Act 2011. This legislation describes the general requirements necessary to ensure a safe and



healthy workplace, and is designed to reduce the number of injuries in the workplace by imposing responsibilities on individuals and organisations.

Under this legislation, a duty of care is imposed to detect unsafe conditions and behaviours and to fix them, or when a person does not have the authority, reporting them to the appropriate authority together with suggestions for control. The objects of this legislation are:

- to secure and promote the health, safety and welfare of people at work;
- to protect people at a place of work against risks to health or safety arising out of the activities of persons at work;
- to promote a safe and healthy work environment for people at work that protects them from injury and illness that is adapted to their physiological and psychological needs;
- to provide for consultation and co-operation between employers and employees in achieving the objects of the legislation;
- to ensure that risks to health and safety at a place of work are identified, assessed and eliminated or controlled;
- to develop and promote community awareness of occupational health and safety issues;
- to provide a legislative framework that allows for progressively higher standards of Occupational Health and Safety to take account of changes in technology and work practices;
- to deal with the impact of particular classes or types of dangerous goods and beyond, place of work.

Compensation

The Workers Compensation Act 1987 and Workplace Injury Management and Workers Compensation Act 1998 deal with the process for compensating individuals who are injured in the workplace and facilitating their effective return to work.

Discrimination & Equal Employment Opportunity

The Anti-Discrimination Board was set up under the NSW Anti-Discrimination Act 1977. Its role is to promote anti-discrimination and equal opportunity principles and policies throughout NSW.

Discrimination means treating someone unfairly because they happen to belong to a particular group of people. For example, it is illegal to discriminate against someone because of their sex, race, age, marital status, sexual preference, disability, transgender or



transsexuality, responsibility as a carer or because of their relationship or association with someone else.

Many people are often unsure of the difference between discrimination and equal employment opportunity (often called EEO). EEO is about making sure that workplaces are free from all forms of unlawful discrimination and harassment and providing programs to assist members of EEO groups to overcome past or present disadvantage. This means having workplace rules, policies, practices and behaviours that are fair and do not disadvantage people because they belong to particular groups.

In addition, organisations should aim to create an environment where all workers are valued and respected and have opportunities to develop their full potential and pursue a career path of their choice.

Educational institutions should be harassment free and this applies equally to staff as well as students. Harassment may include:

- deliberate physical contact displaying sexually graphic or offensive materials;
- victimisation, bullying or destruction of personal belongings;
- intimidation, abuse or indecent exposure;
- persistent staring or rude gestures, obscene or threatening phone calls and letters.

Under the Racial Discrimination Act 1975 (Commonwealth) it is against the law to treat someone unfairly or harass them because of their race, colour, descent or national or ethnic background in relation to:

- access to public places and facilities;
- advertising;
- education;
- employment;
- land, housing and accommodation;
- provision of goods and services;
- membership of trade unions and professional bodies.

Educational institutions must ensure that training takes place in an environment free of discrimination, harassment, victimisation and bullying.

Disability Standards

The Disability Standards for Education (2005) ('the Standards') are formulated under the Disability Discrimination Act 1992 (Commonwealth). The Standards require education providers (including RTOs) to take reasonable steps to ensure that students with disabilities are provided with opportunities to realise their individual potential through their



participation in education and training on the same basis as students without disabilities, and that they are not subject to discrimination.

The standards set out a process whereby educational institutions can meet their obligation, which includes a requirement to make reasonable adjustments where necessary.

The process includes:

- consultation with the student;
- consideration of whether an adjustment is necessary;
- if an adjustment is necessary, identification of a reasonable adjustment;
- making the reasonable adjustment.

If an educational institution complies with this process, then they have complied with the standards, and they cannot be said to have discriminated. Even though educational

institutions are required to make reasonable adjustments, they are exempted from making adjustments that would impose unjustifiable hardship on them.

Privacy

Educational institutions must acknowledge and respect the privacy of individuals as required by the Privacy Act 1988 (Commonwealth) and the Privacy Principles espoused under the Act. ACBC has in place a Privacy Policy, which meets the requirements of the Privacy Act 1988 (as amended). This includes the Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Privacy Amendment Act) and subsequent Privacy Regulation 2013, made under the Privacy Act, which commenced in March 2015.

Educational institutions will usually collect information from students (or prospective students) to provide them with information about study opportunities, course administration, academic information and to maintain proper academic records. Provision of personal information is voluntary but if this information is not provided by a prospective student, an educational institution may be unable to enrol them in a qualification or supply them with appropriate support.

Information provided to an educational institution must not be disclosed to any third party unless the institution has informed consent to do so, or unless required or authorised by law.

An educational institution must take all reasonable security measures to protect personal information from unauthorised access, misuse or disclosure. Educational institutions must also take all reasonable steps to ensure that personal information, which is collected, used or



disclosed is accurate, complete and up-to-date. Students have the right to access their personal information and can request that incorrect information is corrected or deleted. Access to this information is usually made available by applying to the institution in writing.

Young People

In relation to students under 18 years of age, educational institutions must comply with the Commission for Children and Young People Act 1998. Under this legislation, prohibited persons (people who have committed serious sex offences against children or adults, or serious physical assault, kidnap or murder offences against children) are prevented from working in child-related employment. Educational institutions are required to undertake "Working With Children" background checks on all staff that are recruited to a position that works directly with children to determine whether they indicate any risk to children.



7. Contacts and Links

College Contacts

Australian Careers Business College (ACBC)

ABN 81 075 367 896

National Provider No. 90271

info@acbc.nsw.edu.au

www.acbc.nsw.edu.au

Liverpool Campus

28 Memorial Avenue, Liverpool NSW 2170

Ph.: (02) 9824 0000

Useful Links

Facebook

www.facebook.com-Australian Careers Business College

Important Note

ACBC reserves the right to change policies, procedures, timetables, and rules associated with the delivery of programs. ACBC also reserves to the right to merge classes; change Trainers and change training locations as required. Where changes are made, students shall be notified by email. Any changes to the student handbook will be posted on the ACBC website.