



Learner Handbook

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Introduction

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

About AMS Training

AMS Training is a Registered Training Organisation AMS Training PTY LTD RTO # 45735 providing high-quality training to learners in Australia. AMS Training boasts a team of qualified and dedicated Trainers. You can find out more about AMS Training at the following websites:

<http://amstraining.com.au>

<https://training.gov.au/>

AMS Training is responsible under its registration with the Australian Skills Quality Authority for the quality of the training and assessment being delivered on your chosen course and is also responsible for the issuance of any AQF certificate that may result based on your achievement of the course requirements.

Our Services

AMS Training provides training and assessment services for organisations. **At AMS Training we deliver nationally**

accredited training via training face-to-face, please refer to specific courses for delivery locations and options.

Our mission

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

Our objectives

In recognition of this mission, our objectives are:

- **People.** We strive to attract, recruit and retain talented, competent and committed trainers. We promote excellent performance through leadership and professional development.
- **Safety & equality.** We are committed to providing an environment which is safe, equitable and which promotes a confident and productive training and assessment environment.
- **Integrity & ethics.** We conduct ourselves in accordance with shared and agreed standards of behaviour which holds ethical conduct and integrity as our highest priorities.
- **Quality committed.** We aspire to deliver consistent, high quality services and apply quality systems which support training and assessment excellence.
- **Learner Focused.** We thrive on providing training and assessment that is learner focused and which supports

lifelong learning. We respect our learners and strive to attract them time after time through high quality training and assessment experiences.

- **Industry engagement.** We recognise the value of industry engagement as the driving force in shaping our training and assessment strategies. We deliver training and assessment services which are founded on industry needs and expectations.

Finding Us

We are located at:

1/22 Beresford Rd Yarrawonga NT 0830

Parking

If you are attending our office by vehicle, we have off street parking available/ should this be full you will need to park in the street that is adjacent to our premises.

Public Transport

Palmerston bus interchange 10 minute's walk from the AMS Training office.

Our Trainers

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

At AMS Training we deliver nationally accredited training via face-to-face, please refer to specific courses for delivery locations and options.

When you study with AMS Training, your Trainer Assessor will be always there to assist you throughout your course. You can attend a classroom training environment and email your Trainer Assessor for advice which means you get the support you need when you need it.

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

Our expectation of you

AMS Training expects you:

- To contribute to learning in a harmonious and positive manner irrespective of gender, race, sexual preference, political affiliation, marital status, disability or religious belief.
- To comply with the rules and regulations of AMS Training.
- To be honest and respectful, which includes not falsifying work or information and not conducting yourself in any way that may cause injury or offence to others?
- To be responsible for your own learning and development by participating actively and positively

and by ensuring that you maintain progress with learning modules.

- To monitor your own progress by ensuring that assessment deadlines are observed.
- To utilise facilities and AMS Training publications with respect and to honour our copyrights and prevent our publication from being distributed to unauthorised persons.
- To respect other learners and AMS Training staff members and their right to privacy and confidentiality.

Unique Student Identifier

If you're studying nationally recognised training in Australia from 1 January 2015, you will be required to have a Unique Student Identifier (USI). Your USI links to an online account that contains all your training records and results (transcript) that you have completed from 1 January 2015 onwards. Your results from 2020 will be available in your USI account in 2021.

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

It's free and easy to [create your own USI](#) and will only take a few minutes of your time.

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

Your safety

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

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

- Know and observe details of emergency response and evacuation plans;
- Do not undertake activities which may cause injury to self or others;
- Be responsible for your own actions;

- No smoking at the training and assessment facilities or offices;
- Report all potential hazards, accidents and near misses to the RTO staff;
- No consumption of alcohol within training and assessment facilities or during the conduct of training and assessment;
- Keep training and assessment areas neat and tidy at all times;
- Seek assistance if you volunteer to lift items e.g. move furniture in a training area; and
- Observe hygiene standards particularly in eating and bathroom areas.

Electrical equipment

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

Fire safety

- AMS Training will undertake to communicate the procedures involved in evacuation and the location of fire equipment to learners at each facility for each training and

assessment event; and to users of the office at least twice each year.

- All users of any training and assessment facility need to be familiar with the location of all EXITS and fire extinguishers. Users will consult available maps to determine location.
- It is the user's responsibility to understand fire drill procedures displayed around the premises.
- Users are asked to attend any sessions on fire safety procedures and the use of fire safety devices.

First aid

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

Lifting

- Learners, trainers and assessors are encouraged not to lift anything related to the training and assessment provided by AMS Training unless they do so voluntarily and taking all responsibility for any injury caused.
- Never attempt to lift anything that is beyond your capacity.
- Always bend the knees and keep the back straight when picking up items.

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

Work & study areas

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

Your equity

AMS Training is committed to ensuring that the training and assessment environment is free from discrimination and harassment. All AMS Training staff members (including contractors) are aware that discrimination and harassment will not be tolerated under any circumstances. In the event that discrimination and harassment is found to have occurred disciplinary action will be taken against any staff member who breaches this policy. Suspected criminal behaviour will be reported to police authorities immediately. Learners should expect fair and friendly behaviour from AMS Training staff members and we apply complaint handling procedures advocated by the Australian Human Rights and Equal Opportunity Commission (HREOC).

Learners who feel that they have been discriminated against or harassed should report this information to a staff member of AMS Training 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 learner wishes to report an instance of discrimination or harassment to an agency external to AMS Training, they are advised to contact the HREOC Complaints Info-line on 1300 656 419.

Your privacy

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

Here's what you need to know:

- AMS Training will retain personal information about you relating to your enrolment with us. This includes your personal details, your ethnicity and individual needs, your education background. We will also retain records of your training activity and are required to do this in accordance with the National Vocational Education and Training Regulator Act 2011.
- Your personal information is retained within our hard copy filing system and our computer systems. Your information is collected via the enrolment form and through your

- completion of administrative related forms and based on your training outcomes. Hard copy files are secured in lockable filing cabinets which are monitored throughout the day and secured in the evening. Electronic data retained on our computer systems is protected via virus protection software and firewall protection. Our data is backed up continuously to our server which is secure.
- AMS Training is required by the National Vocational Education and Training Regulator Act 2011 to securely retain your personal details for a period of 30 years from the date your enrolment has completed. The purpose of this is to enable your participation in accredited training to be recorded for future reference and to allow you to obtain a record of your outcome if required.
 - In some cases, we are required by law to make learner information available to Government agencies such as the National Centre for Vocational Education and Research or the Australian Skills Quality Authority. In all other cases AMS Training will seek the written permission of the learner for such disclosure. AMS Training will not disclose your information to any person or organisation unless we have written instructions from you to do so. If you require your records to be accessed by persons such as your parents, you need to authorise this access in writing otherwise this access will be denied.
 - You have the right to access information that AMS Training is retaining that relates to you. Further instructions are provided on how to access records within the section titled “Access to your records”.
 - If you have concerns about how AMS Training is managing your personal information, we encourage you to inform our staff and discuss your concerns. You are also encouraged to make a complaint directly to us using our internal complaint handling arrangements outlined in this handbook. Under the Privacy Act 1988 (Privacy Act) you also have the right to make a complaint to the Office of the Australian Information Commissioner (OAIC) about the handling of your personal information. You can find more information about making a privacy complaint at the website of the OAIC located at: <http://www.oaic.gov.au/privacy/privacy-complaints>.

National VET Data Policy

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

You agree that it is your responsibility to retain a copy of this written agreement as supplied by AMS Training and receipts of

any payments of tuition fees or non-tuition fees.

You agree that under the Data Provision Requirements 2012, AMS Training is required to collect personal information about you and to disclose that personal information to the National Centre for Vocational Education Research Ltd (NCVER).

Your personal information (including the personal information contained on the enrolment form and your training activity data) may be used or disclosed by AMS Training for statistical, regulatory and research purposes. AMS Training may disclose your personal information for these purposes to third parties, including:

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

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

- issuing a VET Statement of Attainment or VET Qualification, and populating Authenticated VET Transcripts;

- facilitating statistics and research relating to education, including surveys;
- understanding how the VET market operates, for policy, workforce planning and consumer information; and
- administering VET, including program administration, regulation, monitoring and evaluation.

You may also receive an NCVER student survey which may be administered by an NCVER employee, agent or third-party contractor. You may opt out of the survey at the time of being contacted.

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

Fees payable

Fees are payable to complete your enrolment. The initial fee payment must be paid prior to commencing training. For a full list of current fees and charges please request a copy of AMS Training schedule of fees and charges.

Learner cancellation

Learners who cancel their enrolment part way through a training program must notify AMS Training in writing via email or letter at the soonest opportunity. Learners who cancel their enrolment after a training program has commenced will not be entitled to a refund of fees.

Learners are advised to consider alternative options such as requesting to suspend their enrolment and re-commencing in another scheduled training program.

Replacement of text & training workbooks

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

Refunds Face to Face courses.

Learners, who give notice to cancel their enrolment **7 business days** or more prior to the commencement of a program, will be entitled to a full refund of fees paid.

Learners who give notice to cancel their enrolment **6 business days** or less prior to the commencement of a program will not be entitled to a refund of fees.

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

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

Can I get a refund for an Online course?

Yes - If you give notice to cancel your online course prior to the commencement of the course, you will be entitled to a refund an administration fee will apply to recover costs and credit card merchant

fees apply, incurred by the RTO refer Schedule of Fees and Charges available on our websites.

A participant may withdraw from their online course at any time. No refund will be issued after login to the Learning Management System has occurred.

Payment method

AMS Training accepts payment for fees using:

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

Substitutions

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

Transfers

Requests for transfers to alternate programs can be arranged if AMS Training is advised in writing more than 10 working days prior to the program commencement date and there is availability on the selected program. One transfer will be accepted without charge where AMS Training has been notified in writing at least 10 working days prior to the scheduled commencement date. All subsequent transfers will attract an administration charge of \$55.00 (incl. GST).

Statutory cooling off period

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

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

Our Guarantee to Clients

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

As an example: A learner enrolled in a course of 10 units of competency and paid

\$1,500.00 up front as the total course fee. The course was cancelled due to the trainer falling ill and the learner at that time had completed 4 of the 10 units. The learner’s enrolment would be finalised and the learner would receive a Statement of Attainment for the 4 completed units. The learner would also receive a refund of \$900.00 which represents that value of the training not delivered.

Changes to terms and conditions

AMS Training reserves the right to amend the conditions of the student’s enrolment at any time. If amendments are made that effect the student’s enrolment the student will be informed 7 days prior to changes taking effect. Students then have 28 days to submit an appeal from the date they were informed of the decision. Further information about appealing a decision is contained in the section relating to complaints and appeals handling.

Protection under Australian Consumer Law

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

protection. Please visit the following site for more information: [Australian Consumer Law](#).

Accessing your records

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

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

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

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

\$10.00. There is no cost to simply view records at our office.

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

Continuous improvement

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

Suggesting improvements

The primary method of reporting opportunities for improvement by learners

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

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 learners about their experience with an RTO and in undertaking nationally recognised training. Your completion and return of this survey is important to AMS Training for our ongoing improvement of services and to enable us to report this information to our registering authority. Your assistance in gathering this survey data is greatly appreciated.

Assessment

At AMS Training assessment is conducted using a combination of Written Knowledge Assessment, Case Studies, Work Logbook, Supervisor Feedback and Workplace Observation.

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

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

- **Workplace Observation:** The learner will be observed performing specific tasks in their day-to-day work activities where applicable. The assessor will attend the workplace and observe the learner performing tasks relevant to the units of competency being assessed. The learner will be briefed on these observation activities in events and is required to make arrangements to undertake these activities when the assessor is in attendance at the workplace.

Re-assessment

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

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

Learners requiring additional learning support are to be brought to the attention of AMS Training management so the progress of the learner can be monitored

closely and additional support services can be applied well before it becomes necessary to impose an additional fee for re-assessment. Where learners repeatedly do not demonstrate competence following significant learning and assessment support, a learner's enrolment can be determined through mutual agreement.

Issuing Qualifications and Statements of Attainment

AMS Training will issue all Australian Qualification Framework certification documentation (Qualifications or Statements of Attainment) to a student within 28 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. Please note however that AMS Training is not obliged to issue a certificate to a completed student if:

- All agreed fees the student owes to AMS Training have been paid.
- The student has not provided a valid Unique Student Identifier.

Students should be aware that a:

- Qualification is the result of a student achieving the units of competency for a qualification outcome as specified in an endorsed training package or an accredited course. A qualification is a formal certification that a student has achieved learning outcomes as described in the AQF. Technically within the AQF a qualification is comprised of a testamur and a record

of results. A testamur is the actual official certification document that confirms that a qualification has been awarded to an individual.

- Statement of Attainment is issued when the student has achieved one or more units of competency as a result of completing a course which included units of competency only or where the student achieved one or more units of competency as part of an enrolment in a qualification-based course but the student did not achieve all of the units of competency to receive the full qualification.

Learner support services

During your enrolment, AMS Training will engage with you on a number of occasions to identify if you require any support. We do this through requesting you to complete enrolment documentation and declarations the process will include an enrolment interview and may include initial core skills assessment.

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

WHAT SUPPORT IS AVAILABLE?

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

- Language, Literacy and Numeracy Support.
- Studying and Learning Coaching.
- English as Second Language Tuition.
- Alternative Payment Plan.
- Counselling Support.
- Disability Access.
- Employment Services Referral.

If you need support during your course, please approach and inform AMS Training administration and you will be connected with the best person who can assist you. If the matter is sensitive and you do not feel comfortable discussing it with administration, simply inform administration that you would like to meet with the RTO Manager. It is our absolute priority to provide you the support needed to enable you to progress in your study and complete your chosen course. AMS Training is committed to our student’s welfare both during and after hours of study.

Your designated learner support officer is

Ian Cole

Operations Manager

08 89 324 220

iancole@amstraining.com.au

Language, literacy & numeracy skills

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

To support this approach, AMS Training will:

- Our High-Risk Work Licence courses all involve a closed book examination this can be a challenge as an example for individuals that may have English as a second language. We make our learning materials available in hard copy prior to the course to allow pre study. We find this approach only has a positive impact on learning outcomes.
- Assess a learner's language, literacy and numeracy skills during their enrolment process to ensure they have adequate skills to complete the training;
- Support learners during their study with training and assessment materials and strategies that are easily understood and suitable to the level of the workplace skills being delivered;
- Provide clear information to learners about the details of the language, literacy and numeracy assistance available. AMS Training generally

recommend the LLN training courses provided by TAFE or Community Colleges. These institutes have specialist teachers to support the learner's development.

- Refer learners to external language, literacy and numeracy support services that are beyond the support available within AMS Training and where this level of support is assessed as necessary; and
- Negotiate an extension of time to complete training programs if necessary.

Making complaints & appeals

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

- Complaint Form
- Request for Appeal of a Decision

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

<http://amstraining.com.au>

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

- PO Box 828 Howard Springs NT 0835
- sales@amstraining.com.au

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

08 89 324 220

What is a complaint?

A complaint is negative feedback about services or staff which has not been resolved locally. A complaint may be received by AMS Training in any form and does not need to be formally documented by the complainant in order to be acted on. Complaints may be made by any person but are generally made by learners and/or employers.

What is an appeal?

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

Early resolution of complaints & appeals

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

Complaint and appeals handling

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

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

- Records relating to complaint / appeal handling are stored securely to prevent access to unauthorised personnel.
- A person making a complaint or seeking an appeal is to be provided an opportunity to formally present his or her case at no cost.
 - Each person may be accompanied and/or assisted by a support person at any relevant meeting.
 - Where a complaint or appeal is made about or involves allegations about another person, AMS Training is obliged to inform this person about this complaint/appeal or allegation and provide them the opportunity to respond and present information in response to the issues raised. This may be achieved through direct meetings or meeting via an electronic means. AMS Training will maintain a detailed record of these meetings in the form of a record of conversation. At all times information must be handled sensitively and treated in confidence. Persons involved in a dispute or complaint should be reminded to treat each other with respect and conduct themselves in a professional and courteous manner.
 - The handling of a complaint / appeal is to commence within **seven (7) working days** of the lodgement of the complaint / appeal and all reasonable measures are taken to finalise the process as soon as practicable.
 - The person making a complaint or seeking an appeal is to be provided a written response to the complaint / appeal, including details of the reasons for the outcome. A written response must be provided to the person within **fourteen (14) days** of the lodgement of the complaint / appeal.
 - Complaints / appeals must be resolved to a final outcome **within sixty (60) days** of the complaint / appeal being initially received. Where AMS Training Chief Executive Officer considers that more than 60 calendar days are required to process and finalise the complaint / appeal, the CEO must inform the person making a complaint or seeking an appeal in writing, including reasons why more than 60 calendar days are required. As a benchmark, AMS Training will attempt to resolve complaints / appeals as soon as possible. A timeframe to resolve a complaint / appeal within thirty (30) days is considered acceptable and in the best interest of AMS Training and the person making a complaint or seeking an appeal. A person making a complaint or seeking an appeal should also be provided with regular updates to inform them of the progress of the complaint / appeal handling. Updates should be provided to the person making a complaint or seeking an appeal at a minimum of two (2) weekly intervals.
 - AMS Training shall maintain the enrolment of the person making a

complaint or seeking an appeal during the handling process.

- Decisions or outcomes of the complaint / appeal handling process that find in the favour of the person making a complaint or seeking an appeal shall be implemented immediately.
- Complaints / appeals are to be handled in the strictest of confidence. No AMS Training representative will disclose information to any person without the permission of AMS Training Chief Executive Officer. A decision to release information to third parties can only to be made after the person making a complaint or seeking an appeal has given permission for this to occur. This permission should be given using the Information Release Form.
- Complaints / appeals are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the handling process. This means that the person making a complaint or seeking an appeal is entitled to be heard with access to all relevant information and with the right of reply. The person making a complaint or seeking an appeal is entitled to have their complaint heard by a person that is without bias and may not be affected by the decision. Finally, the decision must be made based on logical evidence and the decision-maker must take account of relevant considerations, must act for a

proper purpose and must not take into account irrelevant considerations.

Informing Persons and Responding to Allegations

Where a complaint involves one person making allegations about another person, it is a requirement for AMS Training to hear both sides of the matter before making any judgements about how the complaint should be settled. A person who will be affected by a decision made by AMS Training 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).

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

persons of their right to seek a third-party review of decisions made by AMS Training.

Where an allegation is made that involve alleged criminal or illegal activity and it is considered outside the scope and expertise of AMS Training to investigate the matter, then in these circumstances AMS Training 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.

Review by an independent third party

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

In these circumstances the AMS Training Chief Executive Officer will advise of an appropriate party independent of AMS Training to review the complaint (and its subsequent handling) and provide advice

to AMS Training in regard to the recommended outcomes. The independent third-party is required to respond with their recommendations within fourteen (14) working days of their review being requested.

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

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

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

Unresolved Complaints and Appeals

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

Learners who are not satisfied with the process applied by AMS Training may refer

their matter to the following external agencies:

- In relation to consumer related issues, you may refer their complaint to the **Office of Fair Trading**.
- In relation to the delivery of training and assessment services, you may refer their complaint to the **National Training Complaints Service** via the following phone number: 13 38 73 or visit the website at <https://www.education.gov.au>
- In relation to matters relating to privacy, you may refer their complaint to the **Office of the Australian Information Commissioner** via the following details: <https://www.oaic.gov.au> or call on 1300 363 992

Withdrawing from a course

There are circumstances where a learner may finalise their enrolment early for personal or academic reasons. Where this is the case, the learner is requested to complete the form Application for Course Deferment / Transfer / Withdrawal. This provides the learner the opportunity to specify their reasons and select to indicate their preference to defer their enrolment, to transfer their enrolment to another course or to terminate their enrolment altogether. Where the enrolment is being deferred or terminated, learners will be issued a statement of attainment to recognise the outcomes they have achieved during their enrolment. A learner who defers and returns to complete a

course will be eligible to recommence their training and receive a credit transfer for any completed units of competency. The Chief Executive Officer will review these applications, where possible is to interview the learner to understand their circumstances and is to record their decision using the section provided on the application. Learners are to be informed of this decision in writing.

Learner who are not contactable or not responding

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

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

- A minimum of three attempts (four weeks apart) must be made using the

last known contact details (email, phone and mail) to contact the learner and issue the learner with a warning letter notifying them of the intent to terminate the enrolment.

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

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

Recognition of Prior Learning

In accordance with the requirements of the Standards for Registered Training Organisations, AMS Training provides the opportunity for learners to apply to have prior learning recognised toward a qualification or units of competence for which they are enrolled.

What is recognition?

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

Recognition guidelines

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

- Any learner is entitled to apply for recognition in a course or qualification prior to enrolment.
- Learners may not apply for recognition for units of competence or a qualification which are not included in AMS Training scope of registration.
- Whilst learners may apply for recognition at any time, they are encouraged to apply before

commencing a training program. This will reduce unnecessary training and guide the learner down a more efficient path to competence.

- Assessment via recognition is to apply the principles of assessment and the rules of evidence.
- Recognition may only be awarded for whole units of competence.

Forms of evidence for recognition

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

Like assessment, recognition is a process whereby evidence is collected and a judgement is made by an assessor or assessment team. The judgement is made on evidence provided by candidates of the skills and knowledge that they have previously learnt through work, study, life and other experiences, and that they are currently using. It also includes evidence to confirm a candidate's ability to adapt prior learning or current competence to the context of the intended workplace or industry.

Forms of evidence toward recognition may include:

- Work records;
- Records of workplace training;
- Assessments of current skills;

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

Many of these forms of evidence would not be sufficient on their own. When combined together, with a number of evidence items, the candidate will start to provide a strong case for competence. AMS Training reserves the right to require candidates to undertake practical assessment activities of skills and knowledge in order to satisfy itself of a candidate's current competence.

Credit Transfer

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

Evidence requirements

If you are seeking credit transfer you are required to present your statement of attainment or qualification with a record of results for examination to AMS Training.

These documents will provide the detail of what units of competence you have been previously issued. You must provide satisfactory evidence that the statement of attainment or qualification is authentic, is yours and that it has been issued by an Australian RTO. Statements of attainment or qualifications should be in the correct format as outlined in the Australian Qualifications Framework. You are required to submit copies only which are certified as a true copy of the original.

Credit transfer guidelines

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

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

Legislative and Regulatory Responsibilities

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

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

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

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

Work Health and Safety Act 2011

The main object of this Act is to provide for a balanced and nationally consistent framework to secure the health and safety of workers and workplaces. The WHS Act protects workers and other persons against harm to their health, safety and welfare through the elimination or minimisation of risks arising from work or from types of substances or plant.

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

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

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

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

Privacy Act 1988

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

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

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

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

Disability Discrimination Act 1992

Sect 5 - Disability Discrimination

(1) For the purposes of this Act, a person (discriminator) discriminates against another person (aggrieved person) on the grounds of a disability of the aggrieved person if, because of the aggrieved person's disability, the discriminator treats

or proposes to treat the aggrieved person less favourably than, in circumstances that are the same or are not materially different, the discriminator treats or would treat a person without the disability.

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

Sex Discrimination Act 1984

Objects The objects of this Act are:

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

educational institutions and in other areas of public activity; and

- to promote recognition and acceptance within the community of the principle of the equality of men and women.

Age Discrimination Act 2004

The objects of this Act are:

- to eliminate, as far as possible, discrimination against persons on the ground of age in the areas of work, education, access to premises, the provision of goods, services and facilities, accommodation, the disposal of land, the administration of Commonwealth laws and programs and requests for information; and
- to ensure, as far as practicable, that everyone has the same rights to equality before the law, regardless of age, as the rest of the community; and
- to allow appropriate benefits and other assistance to be given to people of a certain age, particularly younger and older persons, in recognition of their particular circumstances; and
- to promote recognition and acceptance within the community of the principle that people of all ages have the same fundamental rights; and
- to respond to demographic change by:

- removing barriers to older people participating in society, particularly in the workforce; and
- changing negative stereotypes about older people.

Racial Discrimination Act 1975

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

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

Copyright Act 1968

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

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

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

Fair Work Act 2009

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

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

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

Enabling fairness and representation at work and the prevention of discrimination by recognising the right to freedom of association and the right to be

represented, protecting against unfair treatment and discrimination, providing accessible and effective procedures to resolve grievances and disputes and providing effective compliance mechanisms.

National Vocational Education and Training Regulator Act 2011

This legislation provides that basis for the regulation of Registered Training Organisations in Australia. The legislation provides the basis for the establishment of the National VET Regulator who are the registration authority for RTOs. A core component of this legislation is that it defines the condition for the registration of an RTO which include:

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