

Watto Training

Trainer Induction



Introduction

This information booklet is designed to provide you with information about the services provided by the Watto Training and our approach to providing a safe, fair and supported environment for learners to participate in training and assessment.

About Watto Training

Watto Training is a Registered Training Organisation (Code: 40791) providing high-quality training to learners in Australia. Watto Training has modern, up to date facilities, and boasts a team of qualified and dedicated Trainers. Students can find out more about Watto Training at the following websites:

www.wattotraining.com.au

<https://training.gov.au/Organisation/Details/40791>

Watto 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

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

- TLI41216 - Certificate IV in Transport and Logistics (Road Transport - Car Driving Instruction)
- TLI41316 - Certificate IV in Transport and Logistics (Road Transport – Heavy Vehicle Driving Instruction)

Our mission

Watto 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

Our office is located at 28 Main Avenue, Balmoral Qld 4171. Our primary delivery locations cover a 100km radius to Brisbane. The most popular regional locations across Queensland include Sunshine Coast, Gold Coast, Cairns, Bundaberg, Mackay, Gladstone, Townsville, Airlie Beach, Hervey Bay, Toowoomba, Maryborough, and Rockhampton. We also conduct on-site training which can be worked out on a case by case basis.

Students enrolled in the Certificate IV in Transport and Logistics (Road Transport - Car Driving Instruction) complete their practical training with a trainer/assessor in our fully licenced and insured driver training vehicles. Students are met at their local transport Departments or Service Centres and training in the vehicle is commenced from there. Students enrolled in the Certificate IV in Transport and Logistics (Road Transport – Heavy Vehicle Driving Instruction) undertake their practical training at Murrumba Downs (40 minutes north of Brisbane).

Should a training venue be required for the delivery of face to face training in small groups, local community centres are sourced for hire.

Parking

On-site parking is available.

Lunch Options

If you wish to bring your own lunch, practical training is always delivered close to a large number of eateries.

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 Watto Training we deliver a nationally accredited qualification via training face-to-face and in the workplace. When you study with Watto Training, your Trainer Assessor will be always there to assist you throughout your course. Students can either attend a classroom training environment, or receive job visits and even phone or email your Trainer Assessor for advice which means you get the support you need when you need it.

Watto 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.

Trainer/Assessor

Role:

The Trainer is to prepare and deliver safe and effective training and assessment to staff enrolled with Watto Training and is to provide suitable training support services to compliment learner's individual needs.

Main duties

The following duties apply:

- Plan training and assessment sessions to ensure the required resources are available to support the delivery.
- Deliver and coordinate training in accordance with the requirements of the training strategy using training methods that progressively instil knowledge and skills into learners.
- Conduct assessment in accordance with the principles of assessment and the designated assessment strategy.
- Undertake own professional development activities to continue to develop competence and currency of skills and knowledge. Update Watto Training professional development register to provide a true record of professional development and currency.
- Contribute to Watto Training systematic approach to continuous improvement. This includes identifying opportunities for improvement and acting responsively to implement agreed improvements.
- Participate in Watto Training assessment moderation and validation activities to promote fair and reliable assessment and to maintain the alignment of assessment activities and materials with industry expectations and training package requirements.

- Contribute to the development of training and assessment materials when required.
- Liaise with Watto Training administration staff to coordinate the flow of documentation to ensure learner records and operational data is kept accurate and up to date.
- Maintain equipment and training aids to ensure they are serviceable and safe for operation.
- Monitor the safety of staff at all times. Always put the safety of staff before any other priority or activity.
- Deliver services that focus on the individual learner in relation to identifying and meeting learner's individual needs.
- Protect the privacy of learners in accordance with the Australian Privacy Principles.
- Perform duties in an ethical and professional manner that supports an inclusive learning environment that is free from discrimination and harassment.
- Respect the needs of each learner and make adjustment to training and assessment to accommodate these needs of individuals without compromising the integrity of the desired outcome.
- Create an environment that supports and encourages equitable treatment and behaviour from all learners and those contributing to learning and assessment.
- Facilitate learner access to their records on request.
- Ensure that appropriate housekeeping measures are observed, and, that training facilities are maintained in a clean and tidy state.
- Report non-compliance with legislation or Watto Training policies and procedure immediately to the Training Manager.
- Always strive to minimise waste in the planning and usage of Watto Training resources.
- Model ethical and professional behaviour to set the benchmark of these qualities for learners and others.

Requirements for all trainers and assessors

As part of the Standards, an RTO's training and assessment may only be delivered by trainers and assessors who have:

- the vocational competencies at least to the level being delivered and assessed
- current industry skills directly relevant to the training and assessment being provided, and
- current knowledge and skills in vocational training and learning that informs their training and assessment.

In addition, training and assessment may only be delivered by persons who have:

- *Certificate IV in Training and Assessment (TAE40110 or TAE40116)*, or its successor*, or
- a diploma or higher level qualification in adult education.

Watto Training must also ensure that all trainers and assessors undertake professional development in the fields of:

- knowledge and practice of vocational training, and
- learning and assessment, including competency-based training and assessment.

1. Meeting vocational competency requirements

A trainer's vocational competency means that they have the particular skills and knowledge relevant to the industry area in which they are delivering. The training product identifies the competencies that the relevant industry requires.

When considering the vocational competencies required to deliver a training product, consider the requirements listed in the training product, both at the qualification and unit of competency/module level.

Watto Training must ensure it has trainers and assessors who are vocationally competent to deliver all units you intend on offering.

1.1 How trainers and assessors demonstrate vocational competencies

Trainers and assessors can demonstrate they have vocational competencies at least to the level being delivered and assessed either by:

- holding the competency they are delivering, or
- demonstrating equivalence of competency.

How trainers and assessors demonstrate equivalence of competency is subject to the discretion of Watto Training, however, Watto Training must be able to provide evidence showing how it determined its trainer and assessors' vocational skills and knowledge are equivalent to the requirements of the training product being delivered.

Evidence of equivalence could be captured by mapping the requirements of the training product and comparing these to the trainer and assessor's actual industry skills and knowledge. If conducting a mapping exercise, Watto Training should document all skills and knowledge requirements of each unit of competency / module being delivered by the trainer and assessor. Watto Training would then collect evidence of a trainer and assessor's

vocational competencies, verify the evidence provided, and record a documented analysis between the evidence and the competency requirements.

2. Meeting current industry skills requirements

To provide training that reflects current industry practice and valid assessment, Watto Training's trainers and assessors must have current skills in their industry area.

The current industry skills held by trainers and assessors:

- need to be consistent with the requirements of the training packages/accredited courses they are delivering, and
- need to be consistent with the required skills for trainers and assessors that Watto Training has identified through industry engagement.

The implementation guide that accompanies a training package may also include advice on the maintenance of current industry-specific skills.

Currency in skills will depend on the industry area. Some industries operate in an environment where continual changes to technology or societal needs could mean that resources and processes are quickly out of date. It is only through keeping up to date with the requirements of industry, and by regularly engaging with industry, that an RTO operating in such industries will understand which industry skills a trainer and assessor needs.

2.1 How trainers and assessors demonstrate current industry skills

Your trainers/assessors need to show how they have maintained, upgraded or developed new skills relevant to the current industry needs. Evidence relating to trainers and assessors' industry skills can take many forms.

Watto Training should ideally ensure that trainers and assessors are regularly exposed to industry workplaces and that they have the ability to participate in workplace tasks. The **purpose** of a trainer/assessor visit to a workplace will determine whether the visit counts towards evidence of current industry skills. Delivering training and assessment in a workplace does not constitute the development of current industry skills. However, attending a workplace to experience the latest techniques, processes and resources could contribute to the demonstration of current industry skills.

Other activities which a trainer and assessor could participate in to contribute to the demonstration of current industry skills include:

- **Participation in relevant professional development activities:** the implementation guide may provide a list of relevant industry associations. A trainer and assessor could consult with these industry associations to identify relevant development activities they could attend.
- **Participation in networks:** this could include attendance at industry breakfasts, workplace health and safety meetings and discussions with employers.

- **Personal development:** through reading of industry journals, with subscriptions both online and in print.
- **Undertaking accredited training:** including single units of competency, skill sets and qualifications and demonstrating recent completion of a VET training product.
- **Returning to work:** that is, working in the relevant industry on a part-time or casual basis.

Watto Training must ensure that the outcome of any industry engagement confirms the relevance of your trainers and assessors' current industry skills. Consultation with industry will help identify the most appropriate activities to undertake and the frequency of participation in these activities required.

3. Meeting vocational training, learning and assessment requirements

Watto Training must ensure that:

- training and assessment is only delivered by trainers and assessors who have current knowledge and skills in vocational training and learning, and
- it has ensured all trainers and assessors undertake professional development in the fields of the knowledge and practice of vocational training, learning and assessment, including competency-based training and assessment.

Watto Training must also ensure trainers and assessors have particular training and assessment qualifications.

3.1 Training and assessment qualifications

From 1 January 2016, trainers and assessors must:

- hold the *Certificate IV in Training and Assessment (TAE40110 or TAE40116)*, or its successor, or
- hold a diploma or higher level qualification in adult education.

In addition to meeting the requirements stated above, from 1 January 2017, trainers and assessors delivering the Certificate IV in Training and Assessment, Assessor Skill Set, or Advanced Assessor Skill Set must hold one of the following qualifications:

- TAE50111/TAE50116 Diploma of Vocational Education and Training
- TAE50211/TAE50216 Diploma of Training Design and Development, or
- a higher level qualification in adult education.

If a trainer does not hold one of the qualifications listed above, the trainer must:

- hold TAE40110/TAE40116 Certificate IV in Training and Assessment
- work under the supervision of a trainer/assessor that meets the requirements of Clause 1.23 (a), and
- not determine assessment outcomes.

4. Meeting 'current knowledge and skills in vocational training and learning' requirements

Training and assessment can only be delivered by trainers and assessors who have current knowledge and skills in vocational training and learning. This is to ensure that training and assessment is relevant to a learner's needs.

Having current knowledge and skills in vocational training and learning means that a trainer and assessor has contemporary knowledge of the vocational education and training (VET) environment and is able to apply this knowledge to the training and assessment they deliver.

4.1 How trainers and assessors demonstrate current vocational training and learning knowledge and skills

Currency in vocational training and learning also encompasses having current skills and knowledge to deliver in the adult vocational education environment. A trainer and assessor who has recently completed any qualification or skill set from the Training and Education Training Package would be able to demonstrate current vocational training and learning knowledge and skills.

Watto Training should ensure your trainers and assessors understand the requirements of the VET environment and that they continue to develop this knowledge after obtaining their training and assessment competencies.

Watto Training must develop and implement a plan for professional development for each of your trainers and assessors. Ensuring that all trainers and assessors undertake professional development will help contribute to the demonstration of vocational training and learning requirements.

5. Undertaking professional development in vocational training, learning and assessment

Watto Training must ensure that all trainers and assessors undertake professional development in the knowledge and practice of vocational training, learning and assessment and specifically in **competency-based training and assessment**.

Undertaking professional development means a trainer and assessor has participated in activities to maintain, upgrade and/or develop the way in which they train and assess. The professional development activities must be relevant to the provision of training and assessment in a competency-based environment.

5.1 Demonstrating I have undertaken professional development in vocational training, learning and assessment

Simply delivering training and assessment does not constitute professional development. Professional development activities are planned activities with the primary purpose of developing a trainer and assessor's own knowledge and skills.



Watto Training must ensure your trainers and assessors undertake professional development. Watto Training must demonstrate that you have developed and implemented a plan for professional development for all trainers and assessors (including new employees, long-term staff, subcontractors and third-party providers).

Examples of professional development activities include:

- Participating in courses, workshops, seminars, and conferences: trainers and assessors can attend both external and internal courses—that is, courses developed by professional development providers and internal programs developed and delivered by Watto Training.
- Demonstrating recent completion of a VET training product.
- Participation in learning networks—there are various professional associations which provide educative forums about vocational training and assessment.
- Personal development through reading of publications and other relevant information.
- Participation in validation or moderation activities.
- Shadowing or working closely with other trainers' and assessors'.

You must record evidence of professional development, including positive results of professional development activities.

Staff performance reviews

KPIs, performance reviews and appraisals help employees know how they have been doing and what further development or training they need to do to improve.

Many business leaders find that the daily demands of operating a business keep them from properly evaluating how their business is performing. Finding the time to review business and staff performance can help us improve the way our business runs and build a strong and effective team. Establishing a performance review process is an essential part of effective business leadership.

Staff performance reviews are generally conducted every 6 or 12 months by each team member's supervisor. They can be used to:

- identify performance issues early
- provide feedback
- build skills and confidence
- set clear performance measures
- keep your staff motivated and accountable.

Our expectation of our learners

Watto Training expects learners:

- 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 Watto 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 Watto Training publications with respect and to honour our copyrights and prevent our publication from being distributed to unauthorised persons.
- To respect other learners and Watto Training staff members and their right to privacy and confidentiality.

Unique Student Identifier

If students are studying nationally recognised training in Australia from 1 January 2015, they will be required to have a Unique Student Identifier (USI). A student's USI links to an online account that contains all of their training records and results (transcript) that they have completed from 1 January 2015 onwards. A student's results from 2015 will be available in their USI account in 2016.

When applying for a job or enrolling in further study, students will often need to provide their 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. A student can access their USI account online from their computer, tablet or smart phone anytime. Fact sheets –available to download [Student Information for the USI](#)

It's free and easy to create a USI and will only take a few minutes. Alternatively, Watto Training can create a USI on a student's behalf. To do this Watto Training will need some additional identification information from you such as your driver's licence number.

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

Safety

Watto 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 Watto 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

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

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

First aid

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

Lifting

- Learners, trainers and assessors are encouraged not to lift anything related to the training and assessment provided by Watto 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 on any desks or tables.

Equity

Watto Training is committed to ensuring that the training and assessment environment is free from discrimination and harassment. All Watto 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 Watto 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 Watto 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 Watto Training, they are advised to contact the HREOC Complaints Info-line on 1300 656 419.

Privacy

Watto 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:

- Watto Training will retain personal information about students relating to their enrolment with Watto Training. This includes their personal details, their ethnicity and individual needs, their education background. Watto Training will also retain records of student's training activity and are required to do this in accordance with the National Vocational Education and Training Regulator Act 2011.
- Student's personal information is retained within Watto Training's hard copy filing system and our computer systems. Student information is collected via the enrolment form and through their 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.
- Watto Training is required by the National Vocational Education and Training Regulator Act 2011 to securely retain student's personal details for a period of 30 years from the date their enrolment has completed. The purpose of this is to enable student participation in accredited training to be recorded for future reference and to allow student's to obtain a record of their 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 Watto Training will

seek the written permission of the learner for such disclosure. Watto Training will not disclose student information to any person or organisation unless we have written instructions from the student to do so. If student's require their records to be accessed by persons such as their parents, students need to authorise this access otherwise this access will be denied.

- You have the right to access information that Watto 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 students have concerns about how Watto Training is managing their personal information, we encourage them to inform staff and discuss their concerns. Students 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) students also have the right to make a complaint to the Office of the Australian Information Commissioner (OAIC) about the handling of their personal information. Students 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>.

Fees payable

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

Learner cancellation

Learners who cancel their enrolment part way through a training program must notify Watto 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 Watto Training schedule of fees and charges.

Refunds

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



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

Learners who 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, Watto Training will not refund monies for the text.

Payment method

Watto Training accepts payment for fees using:

- Credit Card
- Electronic Funds Transfer (account details available on request)
- Cheque (made payable to Watto Training)
- 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 Watto 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 Watto 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 Watto 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 Watto 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 Watto Training cancels or ceases to provide training, Watto 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

Watto 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

Students undertaking a vocational education and training course, 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. Students can find out more information about their 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

Students are entitled to have access to your records. These records include their:

- 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.

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

Students can access hard copy records and reports from our learner management system, but only relating to you personally. Students can request this access using the Learner Records Request Form. Access to requested records during a work day 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, Watto 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 Watto 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 to Watto Training beforehand and the person must provide photo ID to validate their identity.

Continuous improvement

Watto 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 Watto Training so we can improve our services in the future.

Learner satisfaction survey

At the completion of a student's training program, students 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. Student's completion and return of this survey is important to Watto Training for our ongoing improvement of services and to enable us to report this

information to our registering authority. Student's assistance in gathering this survey data is greatly appreciated.

Assessment

At Watto Training assessment is conducted using a combination of Written Knowledge Assessment, Research Tasks, Case Studies, Work Log Book, Supervisor Feedback and Workplace Observation.

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

- **Written Knowledge Assessment:** The learner is required to provide a written response to a range of questions relating to required knowledge of the units of competency. These would generally be short answer response activities and may include other questioning methods including multiple-choice.
- **Research Tasks:** The learner is required to undertake research within their own workplace and the available reference material and provide a written response to each question. These assessment activities are usually short to medium answer response activities. The responses provided by the learner will largely be specific to their workplace.
- **Case Study Response:** The learner is required to provide a written response to a situation presented in a case study scenario. This will usually require the learner to consider carefully the situation presented, undertake some research to inform their response and then to propose their recommended actions.
- **Workplace Log book:** The learner is required to record details of their work activity completed during the work placement. These details are recorded against specified tasks which are predesigned for the learner to complete. This forms an important part of the assessment evidence as it often includes critical evidence that is otherwise difficult for the assessor to observe.
- **Supervisor Feedback:** The assessor will periodically engage with workplace supervisors to seek their feedback about the learner's performance. This is 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. 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 Watto Training to provide three opportunities 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 three opportunities will be required to pay a fee for additional training and re-assessment. Please refer to the current fee schedule to identify the re-assessment fee.

Learner's requiring additional learning support are to be brought to the attention of Watto 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

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

- All agreed fees the student owes to Watto Training have been paid.
- The student has 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 a student's enrolment, Watto Training will deliberately engage with them on a number of occasions. We do this through requesting the student to complete enrolment documentation, discussions over the phone, enrolment interview and finally during your orientation. One of the important objectives of these engagements is to understand what support services students may need to fully participate in their study. Students will be asked various questions about their support needs or their "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?

Watto 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 a student needs support during their course, they should approach and inform reception and students will be connected with the best person who can assist you. If the matter is sensitive and they do not feel comfortable discussing it with reception, simply inform reception that they would like to meet with the Office Manager. It is our absolute priority to provide students the support needed to enable them to progress in their study and complete their chosen course. Watto Training is committed to our student's welfare both during and after hours of study.

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 Watto Training will:

- Assess a learner's language, literacy and numeracy skills during their enrolment to ensure they have adequate skills to complete the training;



- Support learners during their study with training and assessment materials and strategies that are easily understood and suitable to the level of the workplace skills being delivered;
- Provide clear information to learners about the details of the language, literacy and numeracy assistance available. Watto Training generally recommend the LLN training courses provided by TAFE. 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 Watto 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

Watto 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, students 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:

www.wattotraining.com.au

Once a student has completed the required form they are requested to submit this to the Office Manager either in hard copy or electronically via the following contact details:

Watto Training

PO Box 436, Bulimba Q 4171

info@wattotraining.com

If a student is having any difficulty accessing the required form or submitting to us, they should contact us at the following number:

0459 840 006

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 Watto 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 Watto 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 students will be treated fairly.

Complaint and appeals handling

Watto 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 Watto 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 Watto Training including all details of lodgement, response and resolution. Watto 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, Watto 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. Watto 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 Watto 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, Watto 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 Watto 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.
- Watto 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 Watto Training representative will disclose information to any person without the permission of Watto 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.
- Further guidance on principles of natural justice and procedural fairness can be accessed at the following link: [Principles of Natural Justice and Procedural Fairness](#)

Informing Persons and Responding to Allegations

Where a complaint involves one person making allegations about another person, it is a requirement for Watto 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 Watto 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).

Watto 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 Watto Training.



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

Watto 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 Watto Training to full consider the nature of the complaint or appeal and to fully respond to the person in writing. If after this has occurred, the person is not satisfied with the outcome, they can then seek a review by an independent person. To request a review by an independent person, the complainant or the person making an appeal should inform the Office Manager of their request who will initiate the process with the Chief Executive Officer.

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

Where the Watto Training appoints or engages an appropriate independent person to review a complaint / appeal, the Watto 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 Watto 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 Watto 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 Watto Training, they have the opportunity for a body that is external to Watto 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 Watto 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 Watto Training, the learner's enrolment may be terminated in absentia. This action may only be taken where the Watto 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 learners 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 learners enrolment termination and advised to inform the Office Manager if the learner makes contact.

Recognition of Prior Learning

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

What is recognition?

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

Recognition guidelines

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

- Any learner is entitled to apply for recognition in a course or qualification in which they are currently enrolled.
- Learners may not apply for recognition for units of competence or a qualification which are not included in Watto Training scope of registration.
- Whilst learners may apply for recognition at any time, they are encouraged to apply before commencing a training program. This will reduce unnecessary training and guide the learner down a more efficient path to competence.
- Learners who are currently enrolled in a training program are eligible to apply for recognition in that program at no additional charge.

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

Forms of evidence for recognition

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

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

Forms of evidence toward recognition may include:

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

Many of these forms of evidence would not be sufficient on their own. When combined together, with a number of evidence items, the candidate will start to provide a strong case for competence. Watto 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 a student is seeking credit transfer they are required to present their statement of attainment or qualification with a record of results for examination to Watto Training.

These documents will provide the detail of what units of competence students have been previously issued. Students 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 copies 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 Watto 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 Watto 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

Watto 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 Watto Training has recognised it has compliance responsibilities to. They also represent obligations to you as a learner whilst training with Watto Training.

During your day-to-day work and when participating in training, students 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

ASQAs audit model

All ASQA registered RTOs and CRICOS providers who are subject to an audit by ASQA for any reason (compliance or applications) will be affected by ASQA's audit model.

What is the new ASQA model?

ASQA have developed a new approach to conducting audits that includes:

The student experience

A focus on the student experience and 5 stages of the student 'lifecycle'

Customised approach

A customised approach to deciding when and how to audit each RTO depending on risk identified prior (e.g. background searches, students interviews and other sources of information about the RTO). Some RTOs may be subject to more or more rigorous audits

and others less depending on compliance history and other factors to do with the 'Compliance posture' of the RTO. 'Risk ratings' are no longer in use and now replaced with 'compliance history'.

Reporting

Changes to the way audits are reported (new audit report tool with clauses organised in the order of the student lifecycle) and 'reporting by exception'.

Redressing harm

RTOs now required to 'redress harm' not only rectify non-compliances. E.g. this may involve reconciling with students and/or other stakeholders implicated in ASQA's findings.

Old vs New ASQA Model

Old: ASQA always audited the clauses chronologically.

New: Now these (along with the format of the audit report) are organised according to stage in the student lifecycle which are:

- Marketing & recruitment
- Enrolment
- Support & Progression
- Training and Assessment
- Completion.

Old: audit evidence was generally sourced from the RTO and usually after the audit was called.

New: Now ASQA are investigating providers prior to deciding how and when to audit them as:

- interviewing past and present students (this will be standard for compliance audits)
- googling and looking at all marketing and advertising online
- due diligence or research on third parties implicated
- considering the above in relation to the risk of the provider – meaning the existing compliance history,(e.g. audit history, payment of ASQA fees and charges on time, complaints received) funding source information and enrolment data on file.

Other changes:

- More variance on notice period, scope of audit and general audit approach based on identified risk of each provider.
- ASQA may require RTO to take corrective/remedial action to repair damages to student rather than only rectify the non-compliances.

Beware of the impacts

The biggest impact on Watto Training is that the responses our students have when ASQA calls them about their understanding of their enrolment and experience of working with Watto Training will have deep ramifications for your risk and ASQA's approach to regulating Watto Training. **This will mean even stronger focus on standards 1 & 2.**

ASQA have more opportunities to identify non-compliance based on a wider source of information so it will be important that all information about Watto Training and its courses is consistent and compliant regardless of who publishes it or where it is published. **This will mean an even stronger focus on standards 2, 4 and 5.**

How RTOs can prepare

- Ensure your students are prepared to answer questions on the ASQA student surveys at each stage of the lifecycle. This means conducting some surveys of your own and/or adapting your proformas for induction, enrolment, completion (checklists, session plans and templates used) to ensure that these key areas are addressed at each stage.
- Conduct an audit of your marketing and advertising focusing on:
 - Information provided about courses prior to enrolment or commencement
 - All marketing about Watto Training
 - All information about courses or Watto Training provided by a third party
- Audit the quality of your training & assessment focusing on:
 - Student outcomes including career and satisfaction levels
 - Competency and training package requirements (as always assessment and completion requirements)
 - Qualifications, currency and professional development of all training & assessment staff including any staff conducting training & assessment on your behalf.