

# Participant Handbook

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**1300 886 4777**

**[mss-safety.com.au](http://mss-safety.com.au)**

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# Code of Practice

## 1. Introduction

This Code of Practice provides the basis for good practice in the marketing, operation, financing and administration of education and training services by MSS to its clients.

MSS Safety is a Registered Training Organisation (No 40349) under the National Vocational Education and Training Regulator Act. We ensure that at all times our operations comply with the legislation and the VET Quality Framework standards to be met by each Registered Training Organisation.

For the purposes of this Code “participant” refers to any person, participating in education or training delivered by this organisation.

A “client” can be either a participant or an organisation that, on behalf of a participant, enters into a contract with MSS for the delivery of education and training services.

## 2. Provision of Training and Assessment Services

We have policies and management practices which maintain high professional standards in the delivery of training and assessment services, and which safeguard the interests and welfare of participants and/or clients.

We have the capacity to deliver and assess the vocational Qualifications or Units of Competency that we have been registered to deliver and assess. We provide adequate facilities and use methods and materials appropriate to the learning and assessment needs of participants.

We maintain a learning environment that is conducive to the success of participants. We monitor and assess the performance and progress of our participants. We ensure that assessments are conducted in a manner, which meets the endorsed components of the relevant Training Package(s) and/or accredited courses.

We ensure that training staff are not only suitably qualified but are also sensitive to the cultural and learning needs of participants and provide professional development and training for our staff as required.

## 3. Access and equity

We are committed to access and equity principles and processes in the delivery of our services and will not unlawfully discriminate against participants or clients. Our policies and procedures ensure that participants are treated fairly and receive all reasonable assistance to successfully complete their course once accepted for enrolment.

The obligations we place on our staff and participants are to protect their health, safety and welfare and ensure as far as possible that learning experiences are positive and free of discrimination or harassment.

## **4. Child Safety**

We do not provide training or education services to those under the age of 18.

## **5. Your rights**

All participants in our courses have a right to:

- the privacy of their personal information
- be treated with respect and dignity
- recognition of their particular needs and circumstances including: beliefs, ethnic background, cultural and religious practices
- have access to their own records on request
- the opportunity for feedback on services provided
- receive a copy of, and have access to, the complaints process
- interact with us, where practicable, anonymously

## **6. Issuance of Qualifications**

We issue Qualifications and Statements of Attainment to participants who meet the required outcomes of a Qualification or Unit of Competency, in accordance with all appropriate National Guidelines and acknowledging that Qualifications and units are nationally recognised.

## **7. Recognition of Prior Learning and Training.**

We recognise qualifications and statements of attainment issued by other RTOs for the purposes of either pre-requisites, national recognition (credit transfer) or RPL.

National recognition for relevant and equivalent units of competency completed at other RTOs will be granted free of charge towards completion of your qualification.

We recognise that participants may hold skills and knowledge that are relevant to their course outcomes. We will assist participants to gain recognition for these skills and knowledge through a process called Recognition of Prior Learning. RPL is an assessment process that assesses the individual's non-formal and informal learning to determine the extent to which that individual has achieved the required learning outcomes or competency. Prior qualifications can be used in combination with evidence of an individual's life and work learning for RPL purposes.

We offer learning and assessment services that as far as practicable meet participant learning needs. We tailor training programs to meet their needs and offer a range of learning and assessment resources.

## **8. Industry Relevance**

Our training and assessment strategies are developed in consultation with industry to ensure that they are relevant to industry needs. Where your training or assessment occurs in a workplace, evidence of your performance may contribute to our assessments

We regularly engage with relevant industry representatives to evaluate our training and assessment services. We also require our trainers and assessors to be active within their industry speciality to ensure their knowledge and skills reflect current industry practice.

This ensures that our graduates hold the required skills and knowledge to the standard of performance required in the workplace.

## **9. Quality Control**

We are committed to continuously improving the services we offer and seek feedback from our participants, clients, employers and industry on their satisfaction with services they or their employees have received and continuously seek to improve our services in accordance with their expectations through regular reviews.

## **10. Marketing of Training and Assessment Services**

We market and advertise our products and services in an ethical manner.

We gain written permission from a participant or client before using information about, or images of, that individual or organisation in any marketing materials.

We accurately represent recognised training products and services to prospective participants and clients.

We ensure participants and clients are provided with full details of conditions in any contractual arrangements with the organisation.

No false or misleading comparisons are drawn with any other training organisation or qualification.

## **11. Financial Standards**

All clients and participants will be informed before a participant enrolls of all the costs and charges the client and/or participant will incur throughout their course.

We have a refund policy that is fair and equitable, and this policy is made available to all participants and clients prior to enrolment.

We have measures to ensure that participants and clients fees are protected. Our policies ensure that participants and clients will receive a refund of fees for services we are unable to provide, including services not provided in the event of our financial failure. In the event we are unable to deliver services, we will arrange for the participant, if agreeable, to complete their training at another RTO.

We ensure that the contractual and financial relationship between the participant/client and the organisation is fully and properly documented, and that copies of the documentation are made available to the participant/client.

Documentation includes: the rights and responsibilities of participants, costs of training and assessment services and issuance of Qualifications, payment arrangements, refund conditions and any other matters that place obligations on participants or clients.

## **12. Provision of Information**

We supply accurate, relevant and up-to-date information to prospective participants and clients covering but not limited to the matters listed in Attachment A to this Code.

We supply this information to participants and clients before we enter into written agreements with you and regularly review all information provided to ensure its accuracy and relevance.

## **13. Recruitment**

We conduct recruitment of participants into our courses at all times in an ethical and responsible manner. Offers of course placement are based on an assessment of the extent to which your qualifications, proficiency and aspirations are matched by the training opportunity offered.

We ensure that the educational background of intending participants is assessed by suitably qualified staff, and provides for the training of such staff, as appropriate.

## **14. Support Services**

We provide adequate protection for the health, safety and welfare of participants and, without limiting the ordinary meaning of such expression, this includes adequate and appropriate support services in terms of academic and personal counselling.

## **15. Complaints and Grievance Mechanism**

We ensure that participants and clients have access to a fair and equitable process for dealing with complaints and grievances.

Every effort is made by us to resolve grievances. We provide an avenue for you to appeal against decisions that affect their progress.

Our complaints policy identifies the appropriate people you need to speak to if you want to make a complaint and how you can appeal if you disagree with the outcome of your complaint or the way in which your complaint was handled.

Where a complaint cannot be resolved internally, we advise participants and clients of the appropriate legal body where they can seek further assistance.

## **16. Record Keeping and Privacy**

We keep complete and accurate records of the attendance and progress of participants, as well as financial records that reflect all payments and charges and the balance due, and copies of these records is available to participants or clients on request.

We are required to keep the personal information you provide us for a period of 30 years. These records are securely stored and managed to maintain confidentiality and will not be divulged to third parties unless authorised by you or where we are legally required to or to satisfy our legal duty of care obligations.

We manage your personal and sensitive information in accordance with the Australian privacy legislation and the Australian Privacy Principles.

## Attachment A

### INFORMATION TO BE PROVIDED TO PARTICIPANTS BY THE REGISTERED TRAINING ORGANISATION BEFORE PARTICIPANTS ENTER INTO A WRITTEN AGREEMENT WITH THEM.

- Copy of the code of practice
- The accreditation status of the course
- Entry requirements
- Arrangements for the recognition of prior learning
- The commencement dates and duration of courses
- The time commitment involved in undertaking the training offered
- The qualification/certification to be issued on completion or partial completion of the course of study
- Requirements to achieve the qualification
- How the course articulates with other training
- Expected employment outcomes
- Policies on assessment, grading, resubmission of work etc.
- Detailed fees/costs of training
- The conditions under which participants will be eligible to receive a refund of fees
- Arrangements for the protection of students' funds
- Internal and external complaints/appeals processes
- Participants' rights and responsibilities
- Provider's rights and responsibilities
- Withdrawal arrangements
- Conditions under which tuition may be terminated
- Participant support

### **Assessment Dispute Resolution**

If you have a concern in relation to your assessment outcome and believe that the outcome is unfair, you can ask for an assessment review either verbally or in writing to the General Manager. The General Manager, or an independent assessor, will review your assessment and may interview you. You will be informed of the outcome. You may be eligible for a change of grade, alternative assessment or you may require additional training. If you are unhappy with the outcome you can lodge a complaint either internally or to an external body. Please see our complaints policy below.

## National Recognition

MSS recognises all AQF qualifications and statements of attainment issued by other RTOs and educational institutions in Australia. We will need to sight your qualifications and/or statements of attainment and these will be verified with the issuer. There is no fee for this service. Equivalent units of competency can provide a “credit” towards your qualification if they fit within the training package requirements.

## Recognition of Prior Learning

You should contact us if you believe that your prior work experience, other training or life experience has provided you with the skills and knowledge to be competent in one or more units of competency. Participants may receive RPL for an entire qualification (if on scope), clusters of units, skill sets or units of competency. We will require you to provide evidence and will discuss with you at interview the types of evidence we need. RPL services attract a fee. Please see terms and conditions on your enrolment form.

## Under-18s

We do not train people under the age of 18. Please contact the General Manager if you are under 18 and he will discuss alternatives and/or an alternative provider with you.

## Complaints and Appeals

Any individual who has a complaint or appeal concerning their training, the way their training is managed or the way they are being treated has a right to lodge that complaint or appeal. MSS is committed to providing a timely and non-confrontational process for the resolution of complaints. Complaints and/or grievances can be made to any staff member if the complainant feels comfortable talking to that individual.

### Your first point of contact:

- Training issues: Your trainer is the first point of contact should you have any issues with your training or assessment. If you are uncomfortable approaching your trainer, you can speak to the General Manager or any other staff member.
- Enrolment, fees or refunds: You should contact the General Manager if you have any problems, issues or are dissatisfied in any way with your enrolment, fees or refunds.
- Equity, Access, Harassment and Bullying: You should contact the General Manager.

### Formal Complaints or Grievances and Appeals:

If you are uncomfortable communicating your issue directly, or are unsatisfied with the response received through initial face to face communication with MSS, you should forward your complaints or appeal to the General Manager:

- in writing to General Manager - Daren Herring [Daren@mssonline.com.au](mailto:Daren@mssonline.com.au)
- by phone 1300 886 477



Where practicable, MSS aims to ensure any complaint or appeal is resolved within 15 days of receiving a complaint or notice to appeal.

If we can't determine it within 60 days we will tell you why and when we expect to determine it.

### **Appealing or Taking Further Action**

If a complaint is specifically about:

- refunds, fees and charges
- problems with transferring to another provider
- accommodation, welfare and support for students under 18
- course attendance or progress
- the training provider suspending, deferring or cancelling your enrolment

Participants should contact:

Office of the Training Advocate  
Phone: 1800 006 488  
Website: [www.trainingadvocate.sa.gov.au](http://www.trainingadvocate.sa.gov.au)  
Level 5, 131 -139 Grenfell Street  
(Cnr Hyde & Grenfell – RAA Building)  
ADELAIDE SA 5000

### **The Australian Skills Quality Authority (ASQA)**

ASQA is responsible for investigating complaints concerning whether an ASQA RTO is breaching (or has breached) its legislative requirements under the National Vocational Education and Training Regulator Act (the Act), including the *Standards for NVR Registered Training Organisations* and any additional conditions imposed by ASQA on its registration, and Subdivision A of Part 6 of the Act.

Please visit <http://www.asqa.gov.au/> for further information on lodging a complaint with ASQA.

### **Access to Records**

We keep your records in a secure locked location and only provide access to those people who require it for their work or those who have a statutory right to access it. You are entitled to access your own training records. Please contact us to make an appointment to view your records. We will provide you with access as soon as is practical. You may not remove your records but you may request copies of them (fee applies).

### **Equity and Discrimination**

MSS believes Equal Opportunity can deliver advantages to our business and workplace. Equal Opportunity principles are in line with our aim to get the best from our people and Participants and give them the greatest opportunity to do their work and training well.

All Staff – full or part time, contract, casual, or people working on our premises, and our Clients, Customers, and Participants are covered by Equal Opportunity and anti-discrimination laws.

Everybody has the right to be treated fairly and without judgement being made based on irrelevant personal characteristics. Unlawful discrimination is unfairly treating people because of their particular personal characteristics or because they belong to a certain group.

Discrimination can be direct or indirect. Indirect discrimination is treatment which appears to be equal but is unfair on certain people. To be unlawful it must also be unreasonable.

It is unlawful to unfairly treat people in employment, education, providing goods and services, granting qualifications, or advertising because of their:

- age
- pregnancy
- sex
- chosen gender
- race
- disability
- sexuality
- marital or domestic partnership status
- social origin
- trade union activity
- association with child
- caring responsibilities
- identity of spouse
- religious appearance or dress
- political opinion
- religion
- irrelevant criminal record

Bullying is discriminating behaviour which makes people feel offended, afraid, or humiliated and in the circumstances, it is reasonable to feel that way. Bullying behaviour relating to age, sex, chosen gender, race, disability, sexuality, marital or domestic partnership status, pregnancy, association with child, caring responsibilities, identity of spouse, religious appearance or dress, political opinion, religion, social origin, irrelevant criminal record, or trade union activity is unlawful.

Sexual harassment is sexual behaviour which makes people feel offended, afraid, or humiliated and in the circumstances, it is reasonable to feel that way. Both men and women can sexually harass or be harassed. Sexual harassment is determined from the point of view of the person feeling harassed. It is how the behaviour is received not how it is intended that counts.

Victimisation is unfairly treating people for complaining or for helping others to complain, either within our organisation or outside it (e.g. to the Fair Work Ombudsman, or the Equal Opportunity or Human Rights Commissions). Unlawful victimisation is unfair treatment for complaints about discrimination or sexual harassment.

1. Discrimination, sexual harassment, and victimisation will not be tolerated.

2. Staff and Trainers have:

- the right for employment decisions to be made on merit alone
- the right not to be discriminated against, sexually harassed, or victimised at work
- the right to be protected by their employers from these behaviours
- the right to complain
- the right to work in an environment free of discrimination and sexual harassment
- the responsibility not to discriminate against, sexually harass, or victimise other Staff or Clients
- the responsibility to be familiar with Equal Opportunity policies and complaint procedures

- the right to report to management if they are being harassed by anyone in the course of their work

### 3. Participants have:

- the right to be informed of the Equity and equity policy prior to enrolment
- the right for enrolment decisions to be made on merit
- the right not to be discriminated against, sexually harassed, or victimised
- the right to be protected by *MSS* from these behaviours
- the right to complain internally or externally
- the right to train in an environment free of discrimination and sexual harassment
- the responsibility not to discriminate against, sexually harass, or victimise other Staff, Trainers, Clients, or other Participants
- the responsibility to be familiar with Equal Opportunity policies and complaint procedures
- the right to report to management if they are being harassed by anyone in the course of their training
- the right to have any special needs addressed wherever possible and practicable

### 4. Clients and Customers have:

- the right not be discriminated against, sexually harassed, or victimised by the providers of goods and services
- a responsibility not to harass the providers of goods and services

### 5. *MSS* has:

- the right to control, direct, and monitor training and work performance
- the right to give legitimate comment on performance or work related behaviour
- the responsibility to ensure that the workplace, learning environment, and goods and services offered are free from discrimination, sexual harassment, and victimisation
- the responsibility to take all reasonable steps to prevent these behaviours
- the responsibility to respond quickly, seriously, and effectively to any complaints

6. *MSS* has a robust complaints and appeals procedure. Please refer to *MSS's Complaints and Appeals Policy* for full details.

7. At any time you have the right to contact an external agency for advice or help. The South Australian Equal Opportunity Commission can be contacted via telephone (08) 8207 1977 or via their website [www.eoc.sa.gov.au](http://www.eoc.sa.gov.au).

## **Learner Needs**

*MSS* provides referral to specialist services, and makes flexible study and assessment accommodations, where possible, for Participants with a disability, learning need and/or health condition in order to facilitate equal access to learning.

Each Participant's needs will be judged on the individual's needs, against the requirements of the course restrictions and outcomes and the Participant's ability to reach these outcomes. Where possible training methods will be adapted to the needs of the individual however, *MSS* may refer Participants to a specialist support provider.

By letting us know you have a learning need prior to enrolment will allow us time to make reasonable adjustments where possible.

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

MSS will issue your statement of attainment and/or qualification within 30 days of the completion of your course provided that any fees owed to us by you have been paid and you have provided us with your USI (Unique Student Identifier) number.

Reissuance of a statement of attainment and/or qualification attracts a fee please see your terms and conditions on your enrolment form.

## **USI - Unique Student Identifier**

If you do not have a student identifier number you can request one from the following website: [www.usi.gov.au](http://www.usi.gov.au)

You will need a form of identification such as a driver's licence or passport. The website provides you with a full list of acceptable identification.

If you do not have access to the internet we can apply for one on your behalf but we will need you to complete a form and provide us with your identification documents.

## **Privacy and Personal Information**

In the case of MSS providing you with accredited training, we are legislatively required, before service delivery, to collect specific personal information records from all participants including, but not restricted to: name, date of birth, address(es), country of birth, racial or ethnic origin, language and gender. We only provide this information to staff who need it in order to do their job, those with a statutory authority or those you have approved to have access to the information. You can request access to an update your personal information at any time by contacting us.

## **Workplace Health and Safety**

Under law, all participants in our training courses have a duty of care to protect the health and safety of themselves and others. All participants are responsible for:

- Ensuring you are fit for work – not under the influence of drugs or alcohol
- Taking all reasonable care to protect their own health and safety at work, and to exercise diligence to ensure nothing is done (or omitted) so as to endanger their own safety at work or the safety of any other person in the workplace or off-site;
- Following all relevant workplace health and safety policies and procedures and reasonable instructions (written and verbal).
- Utilising all equipment (including PPE) provided for their protection and following all standard operating procedures and not interfering with any safety equipment unless it is for approved maintenance and/or repairs.
- Operating within their level of competence and experience
- Reporting all known or observed risks, hazards or dangers to management or supervisory trainer
- Cooperating with any action taken by MSS to comply with its legislative and moral obligations with respect to safety.

We have the right to expel you from your course for breaches of your WHS duty of care.

### **Policies and Procedures**

For full copies of the above policies and procedures please contact the General manager.

### **Contact Us:**

- in writing to General Manager - Daren Herring [\*Daren@mssonline.com.au\*](mailto:Daren@mssonline.com.au)
- by phone 1300 886 477