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# PIVOTAL EDUCATION

# STUDENT HANDBOOK

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*Congratulations on your decision to undertake training with Pivotal Training and Development*

## *1* Introduction

Welcome to Pivotal Training and Development.

Pivotal Training & Development is a Registered Training Organisation (RTO) with the Australian Skills and Quality Authority (ASQA). Pivotal T&D has been providing tailored, quality vocational training solutions to industry since 2000. Pivotal complies with the Standards for Registered Training Organisations (RTOs) 2015 and Standards for Registered Training Organisations (RTOs) Amendment 2017.

This handbook has been developed to ensure students are provided with the best and accurate information as possible. This Student Handbook is a useful tool guide to understanding your training be it through a traineeship, training program or a short course, assessments and, the role you now take in your own learning.

Qualifications available through Pivotal Training and Development range from Certificate I to Diploma level, and are delivered under the nationally recognised Australian Qualifications Framework.

Our aim is to help our students succeed and prepare them for the world of work. We provide clear information, rapid service, and flexible learning options to our students. We are committed to actively improving all of our services on a continual basis and would be grateful to hear from you if you have feedback on our services.

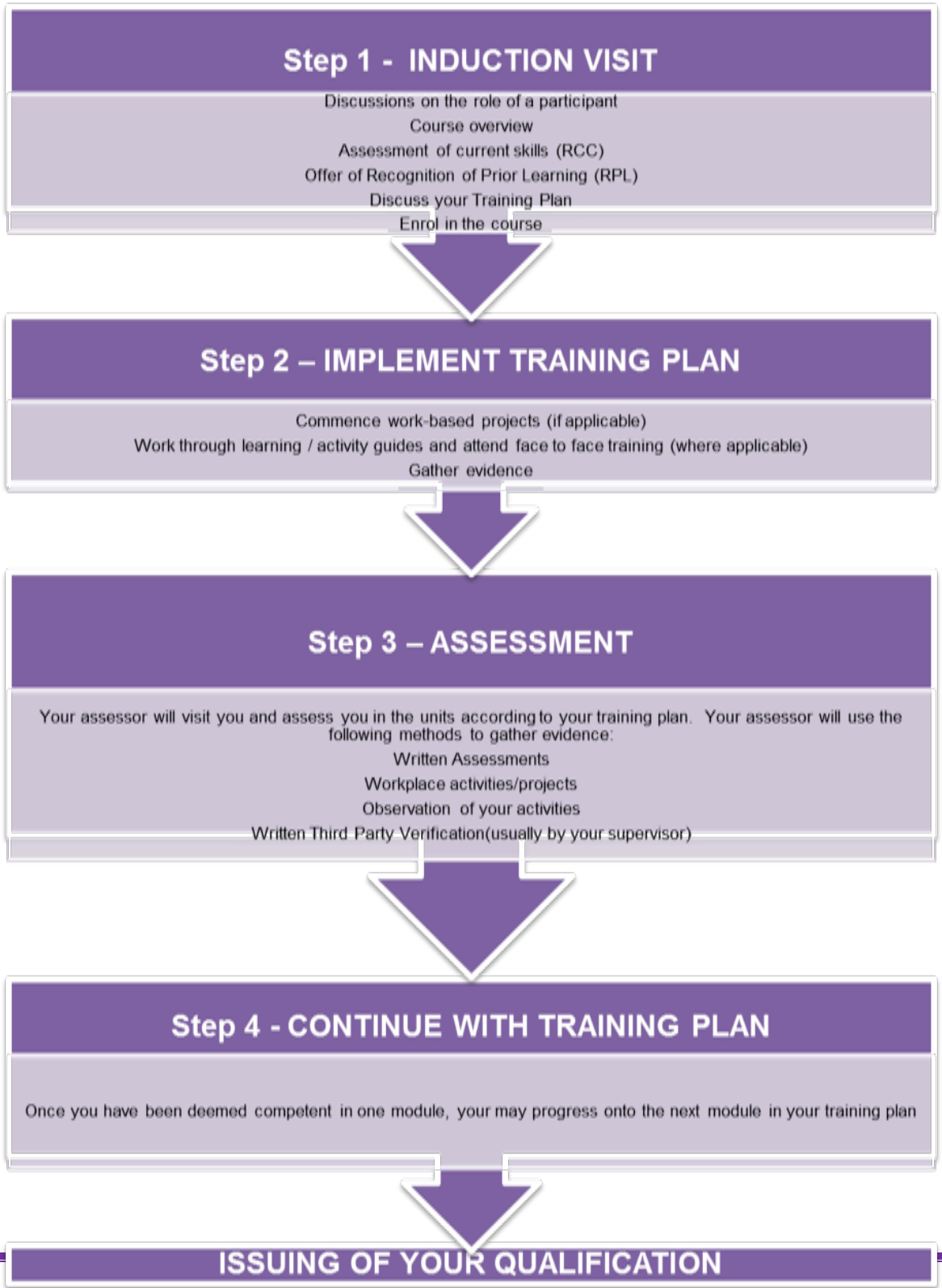
Should you decide to opt out along the way you can be issued with a Statement of Attainment that will formally recognise your newly acquired skills for those units of competency successfully completed, this will also serve to allow training to be completed at a later stage.

If you require any assistance or support throughout any time of your course, please feel free to discuss your needs with a Pivotal Training and Development staff and we will assist you in the best possible way.

*We hope the journey will be an enjoyable and a pleasant one for you.*

Pivotal Training and Development Team

## 2 Enrolment and Induction Process



## 3 Fees and Refunds

As most training offered by Pivotal Training and Development is performed under federal or state funding arrangements. It is accepted that fees for training will vary and will be discussed and agreed by way of contract prior to the commencement of training.

The following refund policy will apply:

1. Students who give notice to cancel their enrolment 10 days or more prior to the commencement of a program will be entitled to a full refund of fees paid
2. Students who give notice to cancel their enrolment 9 days or less prior to the commencement of a program will be entitled to a 75% refund of fees paid
3. The amount retained (25%) by Pivotal Training & Development is required to cover the costs of staff and resources which will have already been committed based on the students initial intention to undertake the training
4. Students who cancel their enrolment after a training program has commenced will not be entitled to a refund of fees.
5. Where refunds are approved, the refund payment will be paid to the student within 14 days from the time the student gave written notice to cancel their enrolment.
6. Refunds are paid via electronic transfer using the authorised bank account nominated but the student on the Refund Request Form

### 3.1 Re issuance Of Certificates & Testamurs

It is a requirement that our organisation keep your student records for 30 years. If at any time during this period you require a replacement certificate you will need to contact us and provide the following information:

- Your full name
- Your date of birth
- Identification e.g. current drivers licence

An administration fee applies of $30aud. We recommend that you keep your certificate safe and do not give employers your original copy.
Please inquire directly via e/mail to: training@pivotal.com.au or Ph. 02 96879299.

## 3.2 Student Access to Records

At Pivotal Training & Development we acknowledge that learners need access to their records in order to monitor their progress. We will facilitate student access to records at any time on request.

## 3.3 Monitoring student progress

Students are provided with regular feedback about their progress including gaps in performance and strategies that can be applied to improve the student's training experience. This is to be provided in the Student Feedback Form located within Student Feedback Tools section that follows. The provision of student feedback will occur continuously between trainers, assessors and students. The use of the Student Feedback Form formalises this process and is particularly valuable on long or complex training programs.

## 3.4 Requesting access to records

Students are entitled to have access to their academic record on request. To facilitate this, student who request to access their records are to be provided with this access at the earliest opportunity. They may view their record in the presence of a representative from Pivotal Training & Development.

The student file is not to be taken away from the Pivotal Training & Development office. If the student requires copies of documents from their records, copies are to be provided. The record remains the property of Pivotal Training & Development and is to be retained to comply with regulatory requirements. Requests by students to access records are to be dealt with quickly and in a friendly and professional manner. Students need to go to reception and complete the Student Records Request Form.

# 4 Policies and Procedures

Pivotal Training and Development has important policies and procedures that govern the provision of education and training. Students are provided access to the following policies that directly relate to their study life cycle that include but are not limited to:

- Fees and Refund Policy
- Credit Transfer Policy
- Academic Appeals Policy
- Student Sign Up and Induction Policy

- Recognition of Prior Learning Policy
- Academic Misconduct Policy
- Complaints Handling and Appeals Process Policy
- Reassessment Policy
- Personal Information Management Policy
- Student Experience and Support Policy
- Student Interview Policy
- Training Code of Conduct
- Provide and Issue Secure AQF Qualifications Policy
- Unique Student Identifier Scheme Policy
- Student Information and Protection Policy
- Student Enrolment including Variations to Enrolment Policy
- Protection of Prepaid Fees Policy
- Student Misconduct Policy
- Smart and Skilled Access to Training Policy
- Smart and Skilled Enrolment Process Policy
- Smart and Skilled Changes to Enrolment Policy
- Smart and Skilled Consumer Protection Policy

# 5 Studying with Pivotal

## 5.1 Your role as a training participant

Learning in the workplace means that you are learning new skills and knowledge as part of your everyday work. It is your responsibility to be an active learner and use every opportunity to listen, read, practise, observe, ask questions and keep up-to-date records of what you are achieving.

You need to:

- Understand what the learning program is all about
- Identify your existing skills and knowledge
- Develop a training plan in consultation with your supervisor and your Pivotal consultant
- Provide evidence to show you have the skills and knowledge you claim to have
- Collect evidence of your work (where it applies to your unit of study)
- Talk to your supervisor about what you are learning and ask them questions
- Share your ideas with colleagues

## 5.2 The role of the workplace supervisor

Your employer/workplace supervisor must provide you with:

- Every opportunity to learn the skills and acquire the knowledge of the training
- Access to structure on and/or off –the- job training
- Time at work to undertake training and complete activities/assessment tasks
- A safe working environment
- A work environment free from any form of harassment

Your supervisor will be given a Supervisors Handbook which will outline their responsibilities connected to your responsibilities.

**WHAT IF THERE ARE PARTS OF THE TRAINING YOU CAN ALREADY DO?**

Pivotal Training and Development recognises the skills and knowledge you have gained through previous studies, work and/or life experiences. We call this Recognition of Current Competencies (RCC) or Recognition of Prior Learning (RPL). Pivotal also recognise Qualifications and Statements of Attainment issued by other RTOs. The term for this is Mutual Recognition.

Recognition is granted when you provide evidence to demonstrate that you have achieved units(s) of competency. If you are given recognition for unit(s) of competency you do not need to complete those unit(s) of competency as part of your training program.
If you would like to apply for recognition, speak to your assessor who will arrange the RPL Kit for you.

***Note: RPL is not applicable to SafeWork NSW approved programs***

# 6 Training, Assessment & Evidence

## 6.1 Training

Training will normally take place on the job in your workplace with a combination of workshops and individual visits. Your workplace training will be supported with learner guides. Each learning guide will provide information about the topic, and set activities and questions to be completed. Your assessor may also set projects and other activities relating directly to your workplace.

## 6.2 Assessment

Your trainer/assessor will tell you exactly how, and when, your assessment will take place so you will have time to prepare. Assessment will utilise a combination of methods depending on your needs and the requirements of your course. Some of the methods are:

- Written Assessment
- Collection of evidence / Portfolio
- Workplace samples
- Practical demonstration / simulation
- Verification from your supervisor/ employer representative of your workplace competencies

You will be required to sign the assessment sheet that outlines the assessment process for each unit/ module and indicates that you are/ are not ready for assessment.

***Remember you do not have to be assessed until you feel you are competent. When you sign, you have the right to say "You are not ready to be assessed".***

## 6.3 Evidence

Evidence is the term used to describe the information your assessor will use to assess whether you have gained the skills and knowledge consistently and in a variety of situations.

Evidence can come from a previous job or training you may have completed. It might be gathered from the things you currently do or from things you do as part of your training.
In order to be deemed competent in a unit of competency, your assessor will use a variety of methods including:

| Assessment Tool | How is it used? What is it? |
|---|---|
| **Learner Workbook Activities** *(Entire completion is required)* | Each student should be given a Learner Workbook which will hold a number of activities, that all need to be completed in conjunction with the appropriate sessions. The PowerPoint, Learner Guide and instructor should provide further information to help with the activities. |
| **Observation** *(To be completed for each numbered point as stated on the checklist)* | An observation can be made of any of the students by the instructor or any other appropriate third party, who is happy to observe and report on a student's abilities to complete specific tasks (as stated in the assessment matrix). If the tasks aren't everyday actions, a simulated environment is acceptable. An observation checklist can be found at the end of this document. |
| **Major Activity** *(Entire completion is required)* | A Major Activity can be found in the Learner Workbook, usually after all of the activities are completed. This is an extended piece of revision |

| | |
|---|---|
| | work which should take anywhere between 1-2 hours and every student should complete this work. It is a necessary requirement for each unit to check knowledge and understanding. |
| **Third Party**<br>*(To be completed for each numbered point as stated on the checklist)* | A Third Party checklist is very similar to that of an Observation, other than it can be completed by someone who works with the learner and has witnessed them completing tasks which coincide with the elements of the unit. A decision will need to be made about the appropriate balance between third party evidence and evidence drawn from other sources (to be determined by assessor) |
| **Case Study**<br>*(Entire completion is required)* | Not all units will have Case Studies but those that do will be clearly stated within the PowerPoint and the Learner Workbook. It will appear as any other activity but it will be named 'Case Study' and will provide an example of a possible real life situation for the learner to read, interpret and then answer questions on. |
| **Learner Guide**<br>*(To be used as an informational guide)* | The Learner Guide links with the Learner Workbook as it provides the information given during sessions and more. It can help students to further their knowledge and to also complete the activities. |
| **Evidence Sheet**<br>*(Not a necessity for completion of unit but can be used as an aid or to collect further evidence)* | The Evidence Sheet lists all of the Elements and Performance Criteria with an area for written reports etc, which can be used to add evidence to the student's portfolio. It can be used for any number of the performance criteria, especially that which may not have been covered by any other assessment tool. The student can choose to circle a number of the criteria that they may feel they need further evidence of or it can be used as a guide for completing further Observations and Third Party reports. |

Discuss with your assessor the amount of evidence that should be collected. Keep in mind that because there are overlaps between units of competency, one piece of evidence may be relevant to more than one unit, so you can use this evidence again, e.g. Work based project.

**TIPS FOR COLLECTING EVIDENCE**

- Prepare a portfolio of all material you complete and the information you collect e.g. letters, reports, etc.
- Keep draft copies of your work as well as the final product so your assessor can see how you achieved the final copy
- Write notes about the work you have done, and how and why you did it and place them in the file with your evidence.
- Also write notes about how you will demonstrate a certain task to your assessor.
- All evidence remains confidential and is placed in your student file

## 7 Outcomes of Assessment

There are two possible outcomes of assessment; Competent and Not Yet Competent.
To be deemed "competent" indicates that you have submitted all evidence and assessment material required for the individual unit of competency and you have successfully met the criteria through completion of assessment tasks and where specified, verification by your employer of your ability to perform against the criteria for the unit of competency.

If deemed "Not Yet Competent" this indicates that there are one or more tasks that you need to focus on to demonstrate your abilities/ competence. It should be seen as a way to improve upon your skills. If deemed "Not Yet Competent" an alternate date for reassessment will be set with you, your assessor will provide you feedback to assist in your improvement.

## 8 Continuing with your training

Once you have been competent in a unit of competency, move onto next unit of competency in your training plan. When you have completed all units in your course, you have met the requirements of the qualification and will be issued with your certification within 30 days. In the case of government funded or subsidised training, the certification will be issued as per the requirements of the training contract.

If you have a problem…

Don't 'pull out' or 'give up' on your training even if things are not going to plan. They can

usually be worked through and modified to ensure a positive outcome.

Do talk immediately to your supervisor, assessor or our Training and Compliance Manager at Pivotal Training and Development

Remember, your training can be the best start to a rewarding career. It will lead you in all sorts of new directions. Let's make it work!

**TIPS**

- ☑ Always ask for help as soon as you need it
- ☑ Ask questions if you are unsure of anything
- ☑ Learn to identify which tasks you do that can be part of your evidence
- ☑ Regularly gather and file your evidence
- ☑ Always be prepared for meetings with your assessor

**CLIENT SUPPORT**

If you require any assistance during your on-site training, please contact your trainer/assessor, or the Training and Compliance Manager
Our contact details are on the cover of this booklet.

## 9 Withdrawing or Suspending Training

There are circumstances where a student may withdraw or suspend their enrolment for personal or academic reasons. The student is required to complete either the Course Suspension Request Form or Cancellation of Enrolment Form. This provides the student 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 terminated, students will be issued a statement of attainment to recognise the outcomes they have achieved during their enrolment. A student who suspends 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 Training and Compliance Manager will review these applications, and interview the student to understand their circumstances and to record their decision using the section provided on the application. Students will be supported through the process to identify any barriers to learning that may need to be overcome to assist with the learning

process.

All students will be provided with the decision and outcome in writing as they will be provided with a copy of the relevant form.

## 10 Recognition of Prior Learning (RPL) & Recognition of Current Competence (RCC)

***Note: RPL is not applicable to SafeWork NSW approved programs***

You may already have some, or all of the competencies listed as part of Certificate you are training in. Your skills, knowledge and previous qualification may be recognised through either the RPL process or RCC process. These processes acknowledge the participants current skills and knowledge acquired through prior education, training and work life experience.

Pivotal Training and Development will recognise and accept Australian Qualifications Framework Qualifications and Statements of Attainment issued by other Registered training Organisations under the AQF Standard.

Steps in the RPL/RCC Process

- Request a kit for RPL/ RCC
- Identify the competency standards for which recognition is required.
- Match your qualifications and/or relevant experience to the competency standards.
- Ensure there is sufficient evidence to demonstrate competence.
- Ensure the competency is still current.

The Workplace assessor may;

- Identify additional information that is needed.
- The Assessor records the competency in the Training Record Book.
- Make sure you are aware of RCC.

For fees associated with RPL & RCC, please request a current copy of the RPL kit for your qualification.

# 11 Traineeship Learning and Assessment Policy

## 11.1 Learning Strategy

Pivotal Training and Development is committed to providing training programs and traineeships to various industries. Pivotal Training and Development provides flexible learning experiences for our learners while providing relevant and effective information for practical use at industry and workplace levels. This approach will enable participants to receive prompt recognition of their achievements through the issuing of a nationally recognised qualification or statement of attainment.

The flexible delivery mode offered by Pivotal Training and Development provides flexibility for learning independently as well as having face to face opportunities. Pivotal Training and Development will invite workplace experts in specialist areas to contribute to the quality, relevance and suitability of learning and assessment resources. Supervisors in particular will be invited to vet the material to ensure continuous improvement and relevant.

The students will be given a number of sessions to ensure they fully understand the procedures for the training program including RPL/RCC, mutual recognition of existing qualifications and the training contract. Throughout the training the students and supervisors will be appraised of the students' progress and opportunities for motivation and recognition will be capitalised.

To ensure students can apply the learned theories to practical experiences in their workplace the learning resources and references are methodically revised. Pivotal Training and Development will ensure workplace experts are given opportunities for input into the resources.

All trainers and assessors hold the relevant Training & Assessment qualifications along with having industry experience or recognised vocational qualifications in the area they are working.

## 11.2 Assessment Strategy

Pivotal Training & Development is committed to providing, reliable, valid, and fair assessments that are cost effective to enable the learner to achieve the required outcomes in a reasonable time period.

Every effort is made to ensure the fairness of assessment. To this end Pivotal Training and

Development utilises a combination of assessment criteria and assessment tools. This assessment tool will only be utilised if it is current, reliable, flexible and sufficient. Factors associated with the learner's ability to read, speak and understand English and numeracy concepts will be taken into account when designing the assessment tool. In the event of any alterations being required for participants with special needs, the assessment guidelines are consulted to ensure sufficiency and other evidence possibilities.

NB: Regular continuous improvement meetings are chaired by the Pivotal Training and Development Training and Compliance Manager to ensure free and open discussion is available to ensure continuous improvement of both the learning and assessment strategies for trainees and client organisations.

## 12 Code of Conduct for Trainers/Assessors

Our staff abides by a Code of Conduct. You can expect them to behave in a professional manner, and have your interests as their core concern. Our code is set our here for your information.

This Code of Conduct is intended to guide Pivotal Trainers and Assessors and associates to identify and resolve issues of ethical conduct. It is designed to guide in dealings with colleagues, students and clients. The Code is written as a set of general principles rather than detailed prescriptions. We recognise that our trainers and assessors are also bound by codes of conduct or ethics defined by authorities, and professional organisations.

Every member of staff, and associates of Pivotal Training and Development have three primary obligations:

1. A duty of care to observe standards of quality, equity and justice in all dealings
2. An obligation in terms of responsible stewardship of its resources and protection of Pivotal Training and Development's reputation in the wider community
3. An obligation to act appropriately when a conflict arises between a staff member's' own self-interest and duty to Pivotal Training and Development or the wider community. Where such conflict does arise, the issue should be disclosed to the Training and Compliance Manager or Chief Executive Officer and wherever feasible the staff member plays no role in decision making that might be associated with that issue.

When a staff member or associate, whose position or role entails supervisory or management duties, is notified or becomes aware of a conflict of interest, his or her duty is to:

- inform the person involved of the provisions of the Code of Conduct as a basis for

deciding on an appropriate way to handle the issue;

- where appropriate, notify the matter to a more senior colleague for further attention

With respect to duty of care, members of staff should:

- comply with all related legislation, including health and safety, child protection, anti-discrimination, trade practices, ICAC, access and equity;
- treat student and other staff with respect;
- not allow personal relationships to affect professional relationships;
- refrain from all forms of harassment
- give due credit to the contribution of others
- refrain from acting in a way that would unfairly harm the reputation and career prospects of other staff or students
- consider the desirability of intervening constructively where a colleague's behaviour is clearly in breach of this code, and be prepared to report any suspected fraud, corrupt, criminal or unethical conduct to an appropriate officer of Pivotal;
- consider the impact of decisions on the well-being of others;
- respect individuals' rights to privacy and undertake to keep personal information in confidence, including information gained through case records

### Independent Commission Against Corruption ICAC

With respect to their obligation to Pivotal, associates should:

- refrain from representing themselves as a spokes-person for Pivotal unless authorised to do so;
- refrain from representing themselves as acting for, or on behalf of, Pivotal when undertaking any outside work;
- refrain from engaging in any outside work that would compromise their integrity and independence, or that of Pivotal;
- avoid improper use of the resources of Pivotal for private gain or the gain of a third party;

With respect to conflicts of interest, staff and associates:

- Should make suitable measure to avoid, or appropriately deal with, any situation in which they may have, or be seen to have, a conflict of interest arising out of their relationship with another staff member, associate or student. In particular, staff and associates should avoid situations that may require them to supervise or assess a student with whom they have, or have had, a personal, commercial, familial or other significant relationship.
- Must take care that their financial and other interests and actions do not conflict or seem to conflict with the obligations and requirements of Pivotal.

## 13 Discrimination and Harassment

We place you as our business' highest priority. Therefore, we welcome any question, comment or request for assistance. We operate without bias, discrimination or harassment, and expect the same from all participants in our courses.

Discrimination is treating someone unfairly because they belong to a particular group of people, they have a particular belief etc. It is unlawful to discriminate on race (including colour, nationality and ethnic or national origin), religion, sex (including sexual harassment) age, marital status, pregnancy, physical and intellectual impairment, homosexuality, or transgender, in accordance with the NSW Anti-discrimination Act 1977.

Harassment is any form of behaviour that is not wanted and not asked for, and that:

- Humiliates and / or intimidates someone
- Is generally intended to cause offence

We will not behave in ways that are unwelcome, demeaning, unreciprocated and/or offensive to an individual or group of people, and we require the same of you.

Please take advantage of our services, advice or assistance should you require it throughout your course/traineeship. We will provide assistance at all times so you can gain your qualification.

## 14 Issuance of Certificate and Statement of Attainment

Your Certification will be issued by Pivotal Training and Development, upon successful completion of the course. All courses, which are undertaken through our training, are accredited under the Australian Qualifications Framework (AQF). The AQF qualifications are recognised Australia wide and are developed in consultation with industry and the community.

All graduates who have completed a program of learning that leads to the award of an AQF qualification are entitled to receive the following certification documentation on award of the qualification

- A testamur, and
- A record of results".

A Statement of Attainment is issued when you have partially completed a qualification. The code and title of all units that you successfully complete are listed on the front of the

Statement of Attainment. Additional competencies may be achieved later which will build towards a full AQF qualification.

Certification will be issued to students within 30 days of successful completion of the qualification. Where training is conducted through government funded or subsidies training, timeframe specified for the issuance of qualifications by the relevant government department will be adhered to. In the case where a student has outstanding money or fess owed to Pivotal Training and Development, certification will not be issued until all outstanding fees have been paid.

VOCATIONAL EDUCATION AND TRAINING (COMMONWEALTH POWERS) ACT 2010
This Act provides the basis for the Australian Recognition Framework, under which Training organisations apply to become, registered providers. ASQA Registration Guidelines outlines the aims of the Act as the following:

- to provide for the accreditation of vocational courses
- to provide for the registration of Organisations
- to provide courses to overseas act
- to promote consistency of standards in vocational education and training
- to encourage the recognition of vocational courses that are accredited under the Act

## 14.1 Access and Equity

Pivotal Training & Development promotes principles of equity and fairness. The principles outlined in the NSW Charter for Equity in Education and Training are recognised and implemented by Pivotal Training & Development in all training operations.

NSW Charter for Equity in Education and Training (1997)

## 14.2 Principles for Equity in Education and Training

Everyone is entitled to high quality education and training programs that provide recognised credentials and clear pathways to employment and lifelong learning. The outcomes of education and training should not depend on factors beyond the learner's control or influence. In the allocation of public resources, priority is given to narrowing those gaps in education and training outcomes that reflect need and prevailing social inequalities. All young people are entitled, as a minimum, to be able to complete their school education at year 12 or a vocational equivalent the diversity of the population is recognised and valued by inclusive approaches to the development, conduct and evaluation of programs a demonstrated commitment to these equity principles and practices is a core

responsibility for all those involved in education and training

To ensure a coherent linkage between resources, access, delivery, participation and outcomes to achieve equity, these principles will be applied in three main ways:

- Equity principles will be built into all services provided by education and training agencies
- Available resources will be clearly linked to the achievement of better and more equitable participation and outcomes
- Specific measures will continue to be provided to assist all learners and groups to maximise their outcomes from education and training

These principles will be reflected in all education and training policies and activities.

## 15 Privacy Policy

Pivotal Training and Development will not disclose any information that we gather about our staff or clients to any third party. We use the information collected only for the services we provide. No staff or client information is shared with another organisation. If staff or client information is required by a third party, we will obtain written consent to release the information requested. There are certain circumstances where Pivotal are unable to withhold information and that is when it is requested by the Police or the relevant government department or agency.

### 15.1 Cheating and Plagiarism

Pivotal Training and Development encourages a co-operative learning environment. However, all assessment material contained in your workbooks and assessments are to be completed on an individual basis and any work which is not your own should be appropriately referenced.

Allegations of cheating, plagiarism, collusion or interference with another participant's academic work or performance will be referred to the Training and Compliance Manager who will follow the procedure outlined in the Academic Misconduct Policy.

If you are found guilty of cheating or plagiarism the following courses of action may occur:

- impose a penalty in relation to the unit being assessed or
- award a "Not Yet Competent" grade and disqualify you from continuing with that module of study

If the Training and Compliance Manager deems the conduct to be of a serious nature, the matter will be referred to the CEO of Pivotal Training & Development for further appraisal.

All of the above courses of action would require you to attend an interview with the Training and Compliance Manager or where appropriate the Chief Executive Officer. In the event that the conduct, be repeated your enrolment may be suspended/terminated.

## 16 Laws and Legislations

Pivotal Training and Development complies with Federal and State/Territory legislations including but not limited to:

### 16.1 Work Health and Safety Act 2011

Pivotal Training and Development is committed to implementation of the Work Health and Safety Act 2011. The WH&S Act aims to protect health, safety and welfare of people at work. The WHS Act outlines the general requirements, which must be met within workplaces throughout NSW. A summary of key duties is outlined below:

Employers must ensure the health, safety and welfare of their employees and visitors by:

General Duties

- Maintaining equipment and system to work that are safe and eliminate risks to the health of their employees and visitors
- Arrangements should be made to ensure the safe use, handling, storage and transport of equipment and other products used in the workplace
- Providing the information, instruction, training and supervision necessary to ensure the health and safety of their employees or visitors
- Maintaining places of work under their control in a safe condition and providing and maintaining safe entrances and exits
- Must not seek compensation from employees for any changes made

Employees or visitors to the worksite must not:

- Interfere or misuse instruments provided for the health, safety and welfare of persons at work
- Obstruct attempts to give aid or attempt to prevent a serious risk to the health and safety of a person at work
- Refuse a reasonable request to assist in giving aid or preventing a risk to health and

safety

Pivotal Training & Development is particularly concerned for the health and safety of all training participants. It is the responsibility of training participants to abide by the regulations in place particularly in relation to the operation of training equipment (eg computers, machinery), as well as Emergency and First Aid procedures. Documentation relating to safe work practices within your work environment is available from your Human Resource Department.

## 16.2 THE ANTI-DISCRIMINATION ACT, 1977

The NSW Anti-Discrimination Act, 1977 is recognised by Pivotal Training & Development and is implemented into the company's training operations. In accordance with the aforementioned legislation, discrimination on the following grounds is prohibited.

- Sex
- Age
- Marital status
- Sexual preferences
- Pregnancy
- Race, colour, ethnic or ethno-religious background or nationality
- Disability, including – physical, intellectual, psychiatric, HIV and AIDS

**Harassment**

Harassment constitutes comments, behaviour or action, which is offensive, intimidating, unreciprocated, hostile or demeaning. Such behaviour may include:

- Intimidation
- Abusive language
- Sexual proposition
- Uninvited physical contact
- Suggestive comments regarding a person's appearance
- Segregation
- Gender based insults
- Display of offensive or demeaning material
- Unfair allocation of work

Pivotal Training & Development recognises and incorporates the above legislation in all decisions relating to:

- Recruitment – advertising and selection process
- Marketing and promotion
- Training – course content, material, delivery, admission and assessment

- Conditions of employment
- Grievance resolution
- Communication processes

Harassment, homosexual or racial vilifications are also unlawful, under the NSW Anti-Discrimination Act and the Commonwealth Sex Discrimination Act.

## 17 Child Protection Policy

Pivotal Training & Development does not generally deliver training to persons under 18 years of age. We acknowledge however that we have a responsibility to the children who come into contact with our staff and the families of those children to ensure that children are protected from any type of abuse. It is certainly the case that training staff may come into contact with children during the delivery of training and assessment services. Pivotal Training & Development staff, students and other representatives have a legal, moral and ethical responsibility to protect these children and take actions where they believe there is a requirement to do so.

**Application**

This policy is applicable to all Pivotal Training & Development staff, management, students and contractors.

## 18 Relevant legislation

Due to the nature of the services we provide in delivering training nationally, the following legislation is applicable in the Commonwealth, State and Territory jurisdictions in which we operate:

| | | |
|---|---|---|
| Commonwealth | – | *Child Protection Act 1999* |
| New South Wales | – | *The Children and Young Persons (Care and Protection) Act 1998* |
| Victoria | – | *Children, Youth and Families Act 2005* |
| | – | *The Child Wellbeing and Safety Act 2005* |
| | – | *The Child Protection Act 1999* |
| Queensland | – | *Commission for Children and Young People Act 2000* |
| Western Australia | – | *Children and Community Services Act 2004* |
| South Australia | – | *Children's Protection Act 1993* |
| Tasmania | – | *Children, Young Persons and Their Families Act 1997* |
| Australian Capital Territory | – | *Children and Young Persons Act 1999* |
| Northern Territory | – | *The Community Welfare Act 1987* |

# 19 Staff recruitment and screening

At Pivotal Training and Development any person convicted of a sex offence will not be permitted to either work or seek work in a position within us where that person's duties will potentially involve direct contact with children and where that contact is unsupervised. We will ensure that all staff members comply with the appropriate screening requirements relevant to the State or Territory in which they work, such as the requirement to hold a Blue Card in Queensland. We will also ensure we have effective staff complaint management, investigation, disciplinary and reporting systems in relation to allegations of child abuse.

## 19.1 Child protection - behavioural guidelines

*Pivotal Training and Development staff will:*

- Treat every child with dignity and respect regardless of individual differences;
- Conduct themselves in a manner consistent with their position as a representative of our organisation;
- Immediately raise any concerns for the safety or wellbeing of a child in accordance with our reporting procedures (see next section);
- Listen to children, take their concerns seriously and allow them to have a say in the decisions that affect them; and
- Avoid being alone with children and ensure that other adults are present when working around children.

*Pivotal Training & Development staff will not:*

- Use prejudice, oppressive behaviour or language with children;
- Discriminate on the basis of age, gender, race, culture, vulnerability or sexuality;
- Initiate unnecessary physical contact with children or do things of a personal nature that children can do for themselves;
- Develop 'special' relationships with specific children for their own needs;
- Show favouritism through the provision of gifts or inappropriate attention; and
- Have contact with children outside of Pivotal Training & Development duties.

# 20 Grievance and Disputes

Pivotal Training and Development, documents and implements procedures for dealing with student complaints, grievances and disputes in a constructive and timely manner for individual students as follows:

a. Pivotal Training and Development complaints handling policy is set out to manage and respond to allegations involving the conduct of:

- Pivotal Training and Development as an RTO
- Pivotal Training and Development staff
- third party/ies who may be engaged at some point in time to provide services on Pivotal Training and Development's behalf, its trainers, assessors, or other staff; or
- student(s)
- employers (work place delivery)

b. Pivotal Training and Development complaints policy:
   - ensures the principles of natural justice and procedural fairness are adopted at every stage of the complaint process
   - informs those involved of the allegations in a respectful manner
   - provides opportunities for those involved to present their side of the matter
   - fair and unbiased
   - publicly available
   - sets out the procedure for making a complaint
   - ensures complaints are acknowledged in writing and finalized as soon as practicable; and
   - provides for a review by an appropriate party independent of and the complainant at the request of the individual making the complaint, if internal processes fail to resolve the complaint

c. Where Pivotal Training and Development considers more than 60 calendar days are required to process and finalise the complaint, Pivotal Training and Development:
   - informs the complainant in writing, including reasons why more than 60 calendar days are required
   - regularly updates the complainant on the progress of the matter

d. Pivotal Training and Development:
   - securely maintains records of all complaints and their outcomes; and
   - identifies potential causes of complaints and takes appropriate corrective action to eliminate or mitigate the likelihood of occurrence

The following Pivotal Training and Development staff are responsible for handling student, staff and stakeholder complaints:

| **Area of Concern** | **Staff** | **Appeal of Decision if required** | **Final Decision** |
|---|---|---|---|
| Training and assessment | Trainers | Training and Compliance Manager | Chief Executive Officer |
| Finance Matters | Marketing and Recruitment Consultant | Chief Executive Officer | Chief Executive Officer |

| | | | |
|---|---|---|---|
| Marketing services | Marketing and Recruitment Consultant | Training and Compliance Manager | Chief Executive Officer |
| Administration services | Enrolment Officer | Training and Compliance Manager | Chief Executive Officer |
| Student Service Provisions | Student Support Officer | Training and Compliance Manager | Chief Executive Officer |

## 20.1 Customer Complaint

Early resolution

- The complainant is advised to speak directly with the person or person responsible to solve a complaint first to see if it can be resolved through consultation
- Although a formal complaints form is not required at this stage, the Pivotal Training and Development staff member is obligated to make a file note and record it in the Complaints Register to risk manage escalation
- Where a student is involved, the file note must also be retained on the student file
- Where an employer is involved, the file note must also be retained on the employer file

Making a complaint

- Pivotal Training and Development will receive complaints from any stakeholder that is engaged with Pivotal Training and Development
- In the case where early resolution has not resulted in a positive outcome, the complainant may complain using the Complaints Resolution Form which may be filled in by the complainant directly or by the relevant Pivotal Training and Development staff member that conduct the complaints process
- The Complaints Resolution Form:
    - includes the details of the complaint
    - includes provision for strategies to ensure that where it involves a student it results in agreed action to ensure a positive student experience
    - where it is a complaint about a student, the strategies includes any details regarding agreed actions that the student is required to undertake as part of their training program
    - other stakeholders will be recorded and actions agreed upon as required
    - in the case of work place training, the employer may be involved where appropriate as agreed by all relevant stakeholders involved in the complaints process

## 20.2 Grievance Procedure

Complaint Handling Process

- Pivotal Training and Development receives a completed Complaint Resolution Form or the complainant may make an appointment with the relevant Pivotal Training and Development staff member to verbally provide information and the relevant staff member will complete the form
- The complainant will be provided with acknowledgement that the complaint has been received and/or appointment made to commence the process within 24 hours or at the complainants earliest possible convenience
- A written record, predominantly using the Complaints Resolution Form will be retained as evidence to utilise as an agreement for rectification and institutional improvement where possible
- Where the complaint involves another person, Pivotal Training and Development will inform the other person about the complaint and provide them with an opportunity to respond to the issues raised as part of the process to establish a mutually satisfactory outcome for both parties.
- Where the complaint involves a Pivotal Training and Development service including but not limited to pre-enrolment information, marketing, training and assessment or other services, the published steps for rectification as per "ASQA's Student Centred Audit Approach" and "Addressing Non Compliances" will be referred to and included as positive corrective action to adopt to ensure a positive student experience and mutually productive outcome
- Provided that the matter is resolved mutually and any recommended rectifications are made, the details will be maintained on the student file and complaints register
- In the event that the compliant involves any perceived or alleged criminal conduct, Pivotal's Chief Executive Officer will refer the matter directly to the relevant authority

## 20.3 Appeals Process

Appeals Process

- If the complaint is dealt with by the relevant Pivotal Training and Development staff member (as per Relevant Staff to Handle Complaints Chart) and the complainant is dissatisfied with the outcome, they may access Pivotal Training and Development Internal Appeals Process
- The complainant may then refer the matter to the relevant staff member in the column "Appeal of Decision if Required" as per nature of complaint
- The relevant staff member will objectively assess the information that was retained in the original complaint and listen to the reason the complainant is dissatisfied

- If the relevant staff member agrees that the complainant has reasonable grounds for appeal and review of the original decision, the original decision may be reviewed and a new outcome mutually agreed between the complainant, original relevant staff and relevant appeal staff
- If the relevant staff member does not agree with the complainant but has reviewed the decision and supports the original decision, the complainant is advised that the matter may be escalated to the Chief Executive Officer who makes the final decision on any internal complaints and appeals matters.
- The Chief Executive Officer will review both the details provided by the complainant and procedural fairness to ensure that the complainant was afforded fair and due process
- In the event that the Chief Executive Officer decides that the complainant has reasonable grounds, the original decision and first step appeal will be reviewed and the final outcome will be agreed upon, actioned and documented
- In the event that the Chief Executive Officer finds that the original decision was reasonable and that the complainant had been afforded fair and due process, will support the original decision.
- Where the internal appeals process has supported the original decision, the Chief Executive Officer will explain the external appeals process that the complainant may access.
- Pivotal Training and Development will not charge the complainant for any information regarding accessing the external appeals process but will the student is there is any cost the external appeals process charges.

## 20.4 External Review Organisations

The complainant may go to the external review organisation who will consult with the student and Pivotal Training and Development to resolve the compliant. The student will bear any costs associated with external review as per external reviewer charges only if they are applied. The student may ask another person to accompany them to interviews with the external reviewer.

Pivotal Training and Development agrees to be bound by the independent reviewer's recommendations. The Chief Executive Officer or delegate will ensure that any recommendations made are implemented immediately upon receipt of the report.

If a compliant still remains unresolved after the external dispute resolution process, the complainant may decide to refer the matter to an external agency such as The NSW Anti-Discrimination Board or The NSW Office of Fair Trading (Sydney Centre)

External agency options available to students include:

- ASQA ( http://www.asqa.gov.au/complaints/making-a-complaint.html)
- Department of Fair Trading (http://www.fairtrading.nsw.gov.au)
- NSW Ombudsman (www.ombo.nsw.gov.au/contact-us)

- Administrative Appeals Tribunal (http://www.aat.gov.au)

ASQA can directly deal with complaints about:

- the information provided by an RTO about its course/s
- the delivery and assessment of training received
- the qualifications issued or to be issued

## 20.5 Other External Assistance

Other agencies that may be able to help are:

*NSW Anti-Discrimination Board*
Level 17
201 Elizabeth Street
Sydney NSW 2000
Phone: (02) 9268 5544
Fax: (02) 9268 5500

*Human Rights & Equal Opportunity Commission*
Piccadilly Towers
8/133 Castlereagh Street
Sydney NSW 2000
Phone: (02) 9284 9600
Fax: (02) 9284 9611

*NSW Industrial Relations Commission*
50 Phillip Street
Sydney NSW 2000
Phone: (02) 9258 0010
Fax: (02) 9258 0058

*Australian Skills and Quality Authority (ASQA)*
*GPO Box 9928, Melbourne, VIC 3001*
*Phone: 1300 701 801*
*Email: enquiries@asqa.gov.au*

Below are some links to the various State/Territory Government bodies which can assist with understanding legislations within specific areas:

| | |
|---|---|
| ACT: | www.business.act.gov.au |
| SA | www.ocba.sa.gov.au |
| QLD | www.dtrdi.qld.gov.au |
| NT | www.nt.gov.au |

| | |
|---|---|
| WA | http://www.smallbusiness.wa.gov.au |
| VIC | www.business.vic.gov.au |
| TAS | www.tas.gov.au |
| NSW | http://www.nsw.gov.au |

Other useful websites include:

| | |
|---|---|
| For information on workplace safety | http://www.safework.nsw.gov.au/ |
| For further information on training | www.det.nsw.gov.au |
| For further information on the training package outline | www.training.gov.au |
| Employment/Training information | www.youth.nsw.gov.au |

## 21 NSW Smart and Skilled Consumer Protection

Pivotal Training and Development is an Approved Provider to deliver Approved Qualifications under the NSW Smart and Skilled training which is subsidised by the NSW Government. To ensure consumer satisfaction and protection, Pivotal Training and Development also adheres to the consumer protection requirements of the NSW Government.
Students undertaking NSW Government subsidised training that have a complaint must also refer to the Pivotal Training and Development "Smart and Skilled Consumer Protection Policy" for details of additional support from the NSW Department of Industry, Skills and Regional Development.

## 22 Additional assistance

At any time during a grievance process, both the person with the grievance and the person 'accused' of doing something wrong can access:

- Internal assistance
- The Training and Compliance Manager is available at any time during the grievance

## 23 Learner Rights

In the unlikely event Pivotal Training and Development stops operating as an RTO, learners will be transferred to another RTO with the qualification on scope of registration. For funded learners the apprenticeship centre will be contacted to organise transfer documentation.
In the event Pivotal Training and Development is not able to provide the agreed services or the arrangement is terminated early, Pivotal Training and Development will refund the

appropriate amount of fees paid upon agreement of training and assessment provided. This agreement is negotiated between the learner and Pivotal Training and Development CEO.

Pivotal Training and Development will notify learners of any changes to the agreed services as soon as possible or within 14 days.

## 24 Contact Us

| **Registered Training Organisation Details** | |
|---|---|
| **RTO Name** | **Pivotal Education** |
| **Address** | Level 8, 80 George Street<br>Parramatta NSW 2150 |
| **Business Hours** | Monday to Friday 8:30am to 5:30pm |
| **Telephone** | 02 9687 9299 |
| **Fax** | 02 9687 9499 |
| **After Hours Number** | 1800 664 527 |
| **Email** | training@pivotal.com.au |
| **Website:** | https://www.pivotal.edu.au/ |
| **RTO ID:** | 90272 |
| **ABN:** | 82 080 057 272 |