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DOCUMENTS :

REFERENCES : All SGAE Policy, Guidelines, Procedures and Codes  
All relevant Legislation and Acts including but not limited to:  
Age Discrimination Act Cwlth. (2004)  
Australian Human Rights Commission Act Cwlth. (1986)  
Australian Qualifications Framework  
Charter of Human Rights and Responsibilities Act Vic (2006)  
Competition and Consumer Act Cwlth (2010)  
Disability Discrimination Act Cwlth. (1992)  
Disability Act Vic (2005)  
Fair Trading Act Vic (1999)  
Fair Work Act 2009 Cwlth. (2009)  
Fair Work Regulations Cwlth. (2009)  
Fit & Proper Persons Requirements (2011)  
Freedom of Information Act Cwlth. (1982)  
Privacy Act Cwlth. (1988)  
Racial Discrimination Act Cwlth. (1975)  
Racial and Religious Tolerance Act 2001  
Racial Discrimination Act Cwlth. (1975)  
Sex Discrimination Act Cwlth. (1984)  
Commonwealth & State Children's Protection Legislation (refer  
Children & Vulnerable People's Protection Policy)  
VET Quality Framework  
Standards for Registered Training Organisations (RTOs) 2015 Cwlth.  
National Vocational Education and Training Regulator Act 2011

AUTHORISED :  DATE : 18/12/2017  
EXECUTIVE OFFICER

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## **PURPOSE**

The purpose of this policy is to highlight and confirm for all stakeholders how SGAE will conduct its operations.

## **DEFINITIONS**

## **POLICY**

It is the policy of SGAE to abide by the following conduct which is an ethical standard for our operation whilst remaining responsive to the development of the Australian community.

SGAE will:

- Abide by its Code of Practice which is based on the Training & Skills Commission (SA) Code of Practice at all times (Attachment 1);
- Assure that all persons who are in a position to influence decisions within the RTO are fit and proper persons;
- At all times endeavour to identify any and all conflicts of interest that may arise from time to time for any person who is in a position to influence decisions;
- At all times conduct our operations transparently, equitably and with integrity;
- Practice zero tolerance of all behaviours and activities that diminish the importance of individuals;
- Observe the standards prescribed by the Australian Quality Framework, VET Quality Framework, Training & Skills Commission and other governing and regulatory bodies as is required;
- Establish policies which fulfill our obligations to all stakeholders and which comply with all legislative and governance requirements;
- Strive for continuous improvement of all facets of our operation and service provision;
- Take responsibility for professional development of all persons involved in the provision of our services;
- Make every endeavour to assure that SGAE is eco friendly.
- Utilise the expertise and knowledge of industry experts to:
  - inform and enhance our learning and assessment tools, resources and practices, and the relevancy of trainer/assessor qualifications;
  - maintain the relevance and currency of learning and assessment for our students;
  - augment the relevance and currency of our training/assessing staff.

## **RESPONSIBILITIES**

All stakeholders representing SGAE for any purpose will be expected to abide by this Policy and the Code of Practice.

**SCOPE**

The Code of Practice is applicable to all SGAE dealings and is required to be followed by all SGAE representatives.

**ACCESS**

This policy's requirements and intentions are accessible to all SGAE staff, students and stakeholders.

**RESPONSIBILITIES**

It is the responsibility of all SGAE employees and representatives to ensure that the Code of Practice is followed at all times.

**APPLICABLE STANDARDS****Standards for Registered Training Organisations 2015**

Made under the National Vocational Education and Training Regulator Act 2011:

**Standard:**

The Code of Practice is applicable to all Standards for Registered Training Organisations as it applies to SGAE's provision of services and compliance.

## **CODE OF PRACTICE**

### **FOR TRAINING ORGANISATIONS REGISTERED TO PROVIDE TRAINING SERVICES AND ASSESSMENT SERVICES AND ISSUANCE OF NATIONALLY RECOGNISED QUALIFICATIONS**

#### **1. INTRODUCTION**

- 1.1. This Code of Practice provides the basis for good practice in the marketing, operation, financing and administration of education and training services by SGAE a Registered Training Organisation.
- 1.2. For the purposes of this Code 'trainee' refers to any person participating in education or training delivered by this organisation. A 'client' is a person or organisation who may enter into a contract with the registered training organisation for the delivery of education and training service

#### **2. PROVISION OF TRAINING AND ASSESSMENT SERVICES**

- 2.1. Where SGAE's trainees are directly from industry or the general public SGAE will conduct an appropriate assessment relevant to the qualification the trainee would undertake to ensure that the trainee has the greatest opportunity to successfully complete their qualification.

Where an applicant trainee does not meet the requirements of the assessment and SGAE is unable to provide the learning required SGAE will assist the student to access a quality and appropriate provider.

- 2.2. SGAE has 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 trainees and/or clients.
- 2.3. SGAE maintains a learning environment that is conducive to the success of trainees.
- 2.4. SGAE has the capacity to deliver and assess the vocational qualifications for which it has been registered, provide adequate facilities, and use methods and materials appropriate to the learning and assessment needs of trainees.
- 2.5. SGAE monitors and assesses the performance and progress of its trainees.
- 2.6. SGAE ensures that teaching staff are not only suitably qualified but are also sensitive to the cultural and learning needs of trainees, and it provides training for our staff as required.
- 2.7. SGAE ensures that assessments are conducted in a manner which meets the endorsed components of the relevant Training Package(s) and/or accredited courses.
- 2.8. SGAE is committed to access and equity principles and processes in the delivery of its services.

#### **3. ISSUANCE OF QUALIFICATIONS**

- 3.1. SGAE issues qualifications and Statements of Attainment to trainees who meet the required outcomes of a qualification or unit of competency, in accordance with the AQF Implementation Handbook and the VET Quality Framework.

#### **4. RECOGNITION OF QUALIFICATIONS ISSUED BY OTHER RTOS**

- 4.1. SGAE recognises the AQF qualifications and Statements of Attainment issued by other RTOs.
- 4.2. Mutual recognition obligations are reflected in SGAE's policies and procedures and information to staff and clients.

## **5. MARKETING OF TRAINING AND ASSESSMENT SERVICES**

- 5.1. SGAE markets and advertises its products and services in an ethical manner.
- 5.2. SGAE gains written permission from a trainee or client before using information about that individual or organisation in any marketing materials.
- 5.3. SGAE accurately represents recognised training products and services to prospective trainees and clients.
- 5.4. SGAE ensures trainees and clients are provided with full details of conditions in any contract arrangements with the organisation.
- 5.5. No false or misleading comparisons are drawn with any other training organisation or qualification.

## **6. FINANCIAL STANDARDS**

- 6.1. SGAE has measures to ensure that trainees and clients receive a refund of fees for services not provided, including services not provided as a result of the financial failure of the organisation.
- 6.2. SGAE has a refund policy that is fair and equitable and this policy is made available to all trainees and clients prior to enrolment.
- 6.3. SGAE ensures that the contractual and financial relationship between the trainee/client and the organisation is fully and properly documented, and that copies of the documentation are made available to the trainee/client.
- 6.4. Documentation includes: the rights and responsibilities of trainees, costs of training and assessment services and issuance of Qualifications, payment arrangements, refund conditions and any other matters that place obligations on trainees or clients.

## **7. PROVISION OF INFORMATION**

- 7.1. SGAE supplies accurate, relevant and up-to-date information to prospective trainees and clients covering but not limited to the matters listed in Attachment A to this Code.
- 7.2. SGAE supplies this information to trainees and clients prior to enrolment and regularly reviews all information provided to ensure its accuracy and relevance.

## **8. RECRUITMENT**

- 8.1. SGAE conducts recruitment of trainees at all times in an ethical and responsible manner.
- 8.2. Offers of course placement are based on an assessment of the extent to which the qualifications, proficiency and aspirations of the applicant are matched by the training opportunity offered.
- 8.3. SGAE ensures that the educational background of intending trainees is assessed by suitably qualified staff and/or agents, and provides for the training of such staff and agents, as appropriate.

## **9. SUPPORT SERVICES**

- 9.1. SGAE provides adequate protection for the health, safety and welfare of trainees and, without limiting the ordinary meaning of such expression, this includes adequate and appropriate support services in terms of academic mentoring and referral to appropriately qualified personal counselling providers.

## **10. COMPLAINTS & APPEAL MECHANISM**

- 10.1. SGAE ensures that trainees and clients have access to a fair and equitable process for dealing with complaints and appeals and provides an avenue for trainees to appeal against decisions which affect the trainees' progress. Every effort is made by SGAE to resolve trainees'/clients' complaint or appeal.
- 10.2. For this purpose, SGAE has complaint and policies where a member of staff is identified to trainees and clients as the reference person for such matters. In addition, the complaint and appeal mechanisms as a whole are made known to trainees at the time of enrolment.
- 10.3. Where a complaint cannot be resolved internally, SGAE advises trainees and clients of the appropriate body where they can seek further assistance.

## **11. RECORD KEEPING**

- 11.1. SGAE keeps complete and accurate records of the attendance and progress of trainees, as well as financial records that reflect all payments and charges and the balance due, and provides copies of these records to trainees on request. Trainee and client records are managed in accordance with privacy legislation.

## **12. QUALITY CONTROL**

- 12.1. SGAE seeks feedback from our trainees and clients on their satisfaction with services they have received and seeks to improve its services in accordance with their expectations.
- 12.2. SGAE encourages and invites our apprentice employers and other industry experts' involvement as guest lecturers.
- 12.3. SGAE's Learning & Assessment Committee oversees all learning and assessment activities and resources and includes industry representatives as part of its membership to ensure relevance and currency of learning and assessment for our trainees.

## **13. CHILDREN'S PROTECTION**

SGAE has implemented policy and procedure that will ensure the requirements of Commonwealth and State Child Protection legislation.

SGAE's staff recruitment process includes Criminal History Check Assessments and reference checks.

Criminal history assessment for people working with children are met to ensure that only fit and proper people are employed in positions that have regular contact with children and enhance the opportunity to develop a child safe environment.

.....  
Executive Officer

.....  
Date

**Attachment A to Code of Practice - PRE-ENROLMENT MATERIALS****Pre-enrolment materials as per Standard 3****Clause 3.6**

The RTO meets the requirements of the Student Identifier scheme including:

- ensuring that it will not issue AQF certification documentation to an individual without being in receipt of a verified Student Identifier for that individual, unless an exemption applies under the *Student Identifiers Act 2014*;
- ensuring that where an exemption described in Clause 3.6 (b) applies, it will inform the student **prior to** either the completion of the enrolment or commencement of training and assessment, whichever occurs first, 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 Registrar;

**Pre-enrolment materials as per Standard 5:****Clause 5.1**

**Prior to** enrolment or the commencement of training and assessment, whichever comes first, the RTO provides advice to the prospective learner about the training product appropriate to meeting the learner's needs, taking into account the individual's existing skills and competencies

**Clause 5.2**

**Prior to** enrolment or the commencement of training and assessment, whichever comes first, the RTO provides, **in print or through referral to an electronic copy, current and accurate** information that enables the learner to make informed decisions about undertaking training with the RTO and **at a minimum includes** the following content:

- a) the code, title and currency of the training product to which the learner is to be enrolled, as published on the National Register;
- b) the training and assessment, and related educational and support services the RTO will provide to the learner including the:
  - i. estimated duration;
  - ii. expected locations at which it will be provided;
  - iii. expected modes of delivery;
  - iv. name and contact details of any third party that will provide training and/or assessment, and related educational and support services to the learner on the RTO's behalf; and
  - v. any work placement arrangements.
- c) the RTO's obligations to the learner, including that the RTO is responsible for the quality of the training and assessment in compliance with these Standards, and for the issuance of the AQF certification documentation.



- d) the learner's rights, including:
  - i. details of the RTO's complaints and appeals process required by **Error! Reference source not found.**; and
  - ii. if the RTO, or a third party delivering training and assessment on its behalf, closes or ceases to deliver any part of the training product that the learner is enrolled in;
- e) the learner's obligations:
  - i. in relation to the repayment of any debt to be incurred under the VET FEE-HELP scheme arising from the provision of services;
  - ii. any requirements the RTO requires the learner to meet to enter and successfully complete their chosen training product; and
  - iii. any materials and equipment that the learner must provide; and
- f) information on the implications for the learner of government training entitlements and subsidy arrangements in relation to the delivery of the services.

### Clause 5.3

Where the RTO collects fees from the individual learner, either directly or through a third party, the RTO provides or directs the learner to information **prior to** enrolment or the commencement of training and assessment, whichever comes first, specifying:

- a) all relevant fee information including:
  - i. fees that must be paid to the RTO; and
  - ii. payment terms and conditions including deposits and refunds;
- c) the learner's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies;
- d) the learner's right to obtain a refund for services not provided by the RTO in the event the:
  - i. arrangement is terminated early; or
  - ii. the RTO fails to provide the agreed services.

### Clause 5.4

Where there are any changes to agreed services, the RTO advises the learner as soon as practicable, including in relation to any new third party arrangements or a change in ownership or changes to existing third party arrangements.

SGAE provides potential students at time of application with the following information which is compliant with the above standards:

- Application/Enrolment form
- Student Handbook incorporating the following policies:
  - Fees & Refund
  - Appeal
  - Complaints
  - Student Support Services
  - Privacy
  - Access, Equity & Fairness
  - Assessment Selection Application & Enrolment
- Course Information including entry requirements
- Training facilities and resources information
- Statement of Fees
- Recognition of Prior Learning information and application
- Credit Transfer information and application