



## The Building Institute of Training and Development

# Participants Handbook

Message from the Chief Executive Officer

*On Behalf of the Building Institute of Training and Development I would like to welcome you as a valued client of our organisation. We are committed to providing a quality service in all our relations with you, not only our quality training, but also our total service. Please take the time to read this handbook as it outlines our service standards and informs you of your rights as a client.*

*I look forward to assisting you with our committed service and training and wish you well in your academic endeavors with us.*

*Michael A McIlwraith*

**Chief Executive Officer BITAD**

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## 1. Enrolment and Orientation

### 1.1 Enrolment

All participants are to complete the enrolment form for all nominated courses. The form must be completed in full and signed. Participants will be formally notified of the result of their enrolment within 14 days of the start of the course. Appeals for enrolment decisions can be made in writing and addressed to the CEO. The CEO will advise the decision of the appeal within 14 days of receipt.

### 1.2 Orientation

Enrolled students will be issued with all course material as required and BITAD will ensure all materials are complete and current. A course content list will accompany all materials. Please advise us immediately if you have not received all the required material as listed on the course content list. External students are encouraged to visit the company website to familiarise themselves with the company objectives and structure.

## 2. Fees, Charges and Refund Policy

### 2.1 Course Fees

Course fees are as listed on BITAD's website and brochures and are inclusive of taxes and charges. Course fees are to be paid prior to the commencement of the course. A receipt will be provided for all course fees. Please check to ensure that the fees are for your required courses are correct. If you find that there are any discrepancies, please notify the administration section as soon as possible.

### 2.2 Refund Policy – Online Students

Online clients Course fees will be refunded on the following basis

You are entitled to a full refund only if you withdraw within 1 working day of the sent date of your 'Letter of Approval and Course Start Date' from BITAD.

If you withdraw within 21 days of receiving your 'Student Log In Details' email:

*You will receive a refund less \$250 administration charge.*

If you withdraw after 21 days of receiving your 'Student Log In Details' email:

1. *Those students who paid a Stage 1 payment will not be entitled to a refund.*
2. *Those students who paid in full will have a refund, less the Stage 1 payment.*
3. *Those students who paid in full and are into the second stage of course subjects will have a refund, less the Stage 1 and Stage 2 payments.*
4. *Those students who paid in full and are into the third stage of course subjects will not be eligible for a refund.*

If you have not contacted BITAD and have not submitted any work within a 6 month period, you will not be eligible for a refund.

If you withdraw after 12 months from start of course, you will not be eligible for a refund.

If you are entitled to a refund we will process it within 30 days from the refund being approved.

(The CEO may approve a partial refund to students in extenuating circumstances. In this situation evidence may be required.)

This Refund Policy is subject to change at any time without prior notice and updated on our website at ([www.bitad.edu.au](http://www.bitad.edu.au)).

### **2.3 Refund Policy – Face to Face Students**

Face to Face delivery clients refund policy:

- If the course is cancelled by BITAD prior to start date a full refund is provided
- If they withdraw after starting the course no refund will be provided
- If they withdraw prior to the course a refund less admin fee of 50% of the enrolment fee.

## **3. Assistance with Language, Numeracy and Literacy Skills.**

### **3.1 Clients from Non English Backgrounds**

When enrolling in our courses please detail any language requirements that you may have, so we can assist you in recommending some solutions. If you are not sure if you meet the language requirements for a course, please contact one of our staff who can assist you.

### **3.2 Numeracy and Literacy**

Some of the courses offered by BITAD have a basic requirement for numeracy and literacy skills. These requirements are detailed in the course requirements. If you feel that you may not meet these requirements, then please contact us and discuss it with our staff who will assist you by advising where you can obtain further assistance. Please do not be discouraged if you do not feel confident in your skills in this area. We are committed in assisting you in increasing your learning to improve your personal objectives. We can also provide details of the numeracy and literacy skills that you will need to complete each course and advise you of any assessment requirements.

## **4. Access and Equity**

BITAD is committed to the promoting and encouragement of participation from the following groups.

- Women
- The elderly
- People with disabilities
- People from rural areas
- Indigenous people
- People from non-English backgrounds
- People with learning difficulties

We will not discriminate or deny access to any participant on the grounds stated above.

If you feel that you have specific learning difficulties relating to your studies with us, please contact our staff who will assist you. Our staff will treat the inquiry under the strictest confidence.

## 5. Participants Welfare

### ***5.1 Clients with Disabilities and/or from disadvantaged backgrounds.***

At BITAD we are committed to providing training to meet community requirements. If you have a disability that may affect your learning with us, please let us know, so we can assist in meeting your requirements. The flexible assistance that we can provide may include, but not limited to, printed learning and assessment material for hearing impaired students, audio readings of written materials for dyslexic students. All information that you provide us will be held in strict confidence.

### ***5.2 Guidance, Assistance and Advice***

During your studies with us, you may find that you may require assistance with your learning or any other issue or barrier you may have that may affect your learning. At BITAD our staff are here to assist you. Please contact our administration section who will provide advice. If you require specific assistance with your course, one of our trainers will contact you to discuss the issue. Client assistance is provided by either Email or by phoning the office. All e-mail and phone numbers are available on our website at [www.bitad.edu.au](http://www.bitad.edu.au). We will endeavour to attend to all these enquiries to enrolled participants within 2 working days.

## 6. Recognition of Prior Learning (RPL)

As an RTO we recognise that you may already have previous experience and competencies relating to the course you are applying for. If you are applying for recognition of prior learning, then please contact us to complete our RPL application after you have enrolled, so as we can assess these against the course competencies. Contact us for further information.

## 7. Assessment Guidelines

Course assessments are outlined in our course information sheets. Your trainer will also explain assessment criteria for courses to you. Please ensure that you are fully aware of your course assessment requirements.

BITAD is committed to the values of fairness, equity and flexibility in relation to your course assessments and will ensure that sufficient evidence is gathered for a thorough assessment.

BITAD will provide you feedback on any assessments you complete and offer necessary guidance.

You also have the right of an appeal against the determination of you assessments (see Complaints, Grievances and Appeals in this handbook).

## 8. Complaints, Grievances and Appeals

Clients who are dissatisfied for any reason regarding BITAD services or decisions have the right to have their complaints or grievances dealt with in a professional, confidential and expeditious manner.

### ***8.1 Procedure:***

1. Each complaint, grievance, appeal and its outcome will be recorded in writing by the manager of BITAD.

2. Each appeal will be heard by an independent person or panel. An independent person may be a more senior member of staff.
3. Each appellant has an opportunity to formally present his or her case and will be given a written statement of the appeal outcomes, including the reason for the decision.
4. Final resolution of grievances and complaints can be determined by the NSW Vocational Education and Training Accreditation Board (VETAB).

## ***8.2 Appealing an Assessment Decision***

If you disagree with your results you can appeal against the decision and ask to be reassessed by another assessor at a time to be negotiated. You have three months from the time your results are posted to you in which to do this. Talk to your tutor or telephone BITAD for assistance.

## **9. Conduct and Ethics**

### ***9.1 Our Responsibilities***

BITAD believes that the professional, ethical and equitable conduct of our staff and representatives is of the utmost importance. Our business practices and staff are governed by a rigorous code of conduct and ethics. Our legal and organisational responsibilities are documented in all workplace agreements and policies.

These documents are available on request.

### ***9.2 Your Responsibilities***

As part of participation in BITAD, our students / clients have the following responsibilities:

#### **You must:**

- Follow the progression policy guidelines.
- Be responsible for your work until you are notified by that BITAD has received it.
- Follow the code of conduct guidelines for Learning and Assessments.
- Protect and keep secure student ID and login password to the BITAD E-learning Facility.
- Adhere to the documents signed on enrolment.

#### **You must not:**

- By action, words or inferences, discriminate against, harass, mislead or endanger another person.
- Plagiarise work, or falsely represent work as your own for gain (e.g .awarding of competency in assessment activities).

If a BITAD student / client is found to be in breach of any of the responsibilities above, BITAD after investigation, reserves the right to terminate the student's/ clients enrolment and participation in a course.

The student / client will be given a written reason for the decision.

The student / client has the right to appeal against the decision (please refer to the section on Complaints, Grievances and Appeals above).

## **10. Access to Personal Records**

Any student / client may access their personal records during normal business hours (9am to 5pm Monday to Friday).

If you wish to do this, please contact BITAD to arrange a suitable time.

We hope you enjoy a rewarding and stimulating learning experience with BITAD. Please don't hesitate to contact us if we can assist you further in any way.

## **11. The Vocational Education and Training Act 2005**

This Act outlines the requirements of accreditation of courses and providers. As a Registered Training Organisation, BITAD is bound by this Act and has responsibilities to ensure that we are compliant. If you require a copy of the Act or wish to know more, please visit the state authority responsible for compliance of this Act, the NSW Vocational Education and Training Accreditation Board (VETAB) at [www.vetab.nsw.gov.au](http://www.vetab.nsw.gov.au).

The Building Institute of Training and Development (BITAD) is a Registered Training Organisation (RTO no. 91145) under the Australian Quality Training Framework (AQTF). The skills and qualifications attained by participants, who have undergone competency-based assessment, are nationally recognised.

### ***11.1 What is Competency Based Assessment?***

Competency based assessment looks at the skills, knowledge and attitude required for a certain task or position. A person's competence is measured against the relevant industry competency standards or course learning outcomes and performance criteria and not against other participants. BITAD tutors who conduct assessments have nationally recognised qualifications that meet industry standards for conducting assessments.

### ***11.2 Assessors***

The role of an assessor is to objectively assess and judge a candidate's evidence against a set of standards. In order to do this effectively, an assessor must have a sound knowledge of, and be skilled in, the relevant industry area. In addition, the assessor must have acknowledged competency in assessment itself and hold an appropriate Certificate IV in Assessment and Workplace Training BSZ40198 or Certificate IV in Training and Assessment TAA40104.

An assessor must:

- Interpret and understand the criteria;
- Ensure that evidence meets the standards;
- Ensure that evidence is valid, authentic, reliable, consistent, current and sufficient;
- Use expertise to make fair and objective judgments

### ***11.3 About the Assessment***

You are assessed in a way that is reliable, valid, flexible and fair and will gather sufficient evidence (proof) that you are competent. Therefore;

- The assessment measures your competency in the course learning outcomes and performance

criteria (i.e. it assesses what it is supposed to)

- Standards of competency are applied consistently (the same result would be obtained if you had a different tutor/assessor)
- Evidence of competency is gathered from a number of sources (eg. written short answers; verbal questioning in an interview; projects; portfolio)
- The assessments do not advantage or disadvantage any particular assessee(s) and there is provision to be reassessed if you do not complete the assessment tasks, or if you disagree with the assessment decision

### ***11.4 Time and Venue***

Your tutor will let you know in advance, the date, time and venue for each assessment. If you are unable to attend at this time please let your tutor know, as it may be possible to make alternative arrangements. You may take as long as you require within the allocated time frame to complete the assessment activities.

### ***11.5 Performance Criteria***

You will receive these in advance so that you know what your tutor/assessor will be assessing you against. Please don't hesitate to ask your tutor to explain or clarify anything that you are unsure of or don't understand. All the resources that you will need to complete the assessment tasks will be available for your use.

### ***11.6 Competent or Not Yet Competent?***

The only possible results that you may achieve are "Competent (C)" or "Not Yet Competent (NYC)", so there is no need to be anxious about the possibility of "failing".

Your tutor/assessor will discuss your performance with you either during, or after the assessment. If you are competent against all of the performance criteria, you will receive a Certificate or Statement of Attainment and a Record of Competency. These will be posted to you after the results have been submitted to the institute by your tutor. If there are areas where you are not yet competent, you and your tutor/ assessor can discuss ways to achieve competence at a later time. If reassessment is required an additional payment will be charged. All results are confidential.

### ***11.7 The Recognition Process***

Industries throughout Australia have identified and agreed upon the standard of competency (skills, knowledge, and attitude) that they require workers in that industry to have. Each industry's competency standards are national benchmarks for that industry and they range from simple job tasks (for example, for an apprentice or trainee) to complex tasks that may be performed by a manager or supervisor. Workplace training and assessment involving the competency standards for a particular industry must be delivered by qualified trainers and assessors who have the required level of industry expertise and training and assessment skills.

The process of RECOGNITION (also called recognition of prior learning RPL or recognition of current competency RCC) enables a person to gain formal acknowledgment for competencies they have already achieved and can currently demonstrate.

An assessor will look at the requirements of the relevant endorsed unit of competency from the industry-training package. They will match the evidence of competency that you provide to the requirements of the unit(s) of competency. Any remaining requirements that are not substantiated

can then be addressed, for example, during additional interviews, project or course work. The most relevant way of fulfilling the unsubstantiated competency requirements will be determined after consultation between the student and the assessor.

There are several aspects to competent work performance and together they acknowledge the complexity of roles and the flexibility required by staff in diverse workplaces. An assessor will look for evidence (proof) of all of these during the RECOGNITION process.

**For competency to be determined there must be proof of:**

- The ability to perform an activity (in one or more contexts) in accordance with the elements and performance criteria of the relevant units of competency.
- Sufficient knowledge of relevant principles, procedures and legislation to understand "why", "what if", "how", and "when", as defined in the evidence guide of the units of competency.
- The ability to adapt those skills and knowledge to other contexts falling within the bounds described by the range statement of the units of competency.
- The capacity to satisfy all the aspects of competency (task skills, task management skills, contingency management skills and job/role environment skills).
- The ability to apply the set of generic or enabling skills usually referred to as the Key Competencies.

### **11.8 Possible Sources of Evidence**

**Work records**

*E.g. Job Role Description; meeting minutes, review summaries*

**Records of workplace training**

*E.g. Attendance at conferences; membership of industry / professional associations; in-house training activities*

**Verbal questioning; interviews**

**Third party reports**

*E.g. letters from clients; letters or reports from supervisors or managers*

**Work place observation**

**Previous qualifications**

**Confirmation of relevant unpaid or volunteer experience**

**Work samples**

*E.g. Business plans; assessment tools; goods produced*

#### **IMPORTANT THINGS TO REMEMBER ABOUT RECOGNITION**

- The participants Handbook available from BITAD should be read before you start the process.
- Your enrolment as a Recognition (or RPL) student in the relevant units of competency will formally commence the process.
- An assessor will be able to advise you on appropriate sources of evidence.

- If you're not sure about the process or the relevance of evidence. ASK US.
- We are here to help.
- It is essential that the evidence (proof) of competency provided must be "quality" evidence, that is, the evidence is:

### **VALID**

It relates to the unit of competency; reflects all the dimensions of competency (task skills; Task management skills; contingency management; job/role (environment skills) and addresses the Key Competencies.

### **SUFFICIENT**

It covers the full range of performance identified in the unit of competency; shows competence over a period of time; shows competence in different contexts.

### **CURRENT**

Shows that the student can currently perform the competence while working and is benchmarked against the current version of the industry competency standards.

### **AUTHENTIC**

Evidence is verifiably the student's own work and documentation (i.e. qualifications, references, licenses) is verifiably authentic.

- The assessor will consider each piece of evidence in terms of how clearly it meets the criteria for quality evidence.
- The assessor will be looking for critical evidence first (that is, evidence that gives an immediate indication of competence).
- How much consideration is given to a piece of evidence may differ depending on the unit of competency it is being assessed against.
- The assessor will discuss aspects of the evidence with you to confirm authenticity and to check your underpinning knowledge. You may also be asked to collect additional evidence.
- The assessor will make the assessment decision and discuss the outcome with you. Together you can discuss additional action to demonstrate competency (if required).
- The outcome of the recognition assessment will be formally documented, including reasons for the decision and additional requirements.
- Formal records of the assessment will be submitted to the Administration Manager.
- Where competency has been fully demonstrated in a unit of competency, a Statement of Attainment will be issued.
- If competency has been demonstrated against each unit of competency from a whole qualification, then a full qualification (e.g. Certificate or Diploma) will be issued at the relevant Australian Qualifications Framework level.

## **12. Timeframes for Completion of Assessments**

### ***12.1 Recognition of Prior Learning***

Candidates have two (2) months from the date of enrolment to submit all substantiating evidence for their application.

## **12.2 Credit Transfer**

As an RTO we recognise other qualifications and statement of attainments issued by other RTOs. In short, the process enables a candidate to receive direct credit from BITAD for credentials recognised within the Australian Qualifications Framework, which are issued by another RTO.

Students must provide BITAD with a certified copy of the credential that will be retained in their individual file (paper based), along with copies of other statements of attainment, certificates and records of competency that form part of the same qualification.

Candidates have two (2) months from the date of enrolment to submit certified copies of Statements of Attainment or certificates for an application for credit transfer.

## **12.3 Time frames for submitted assessments and Extension Requests**

All Students except those on special programs have one (1) month to submit completed assessments for each subject of their course. Provision for extensions and deferrals are available as per 'Student Progression Guidelines'.

You will be advised of your assessment due dates by your trainer or online. If, for any reason, you cannot make the due date, you are required to contact us by email or phone and request an extension of time. You must state the new date for submission.

If you require an extension, please apply in writing by email to: Student Support Email: [studentsupport@bitad.edu.au](mailto:studentsupport@bitad.edu.au)

Please include the reasons why an extension is being sought and the amount of time sought. All applications will be considered on a case-by-case basis.

## **12.4 Assessment Submissions and Marking**

All candidates must keep copies of their submitted assessments. In the rare case that a received assessment is misplaced, you may be asked to produce your copy.

BITAD endeavours to maintain a 14 day turnaround time for submitted work that does not have complications.

## **12.5 Course Completion**

Once a student has been identified as having completed all components of their enrolled course and all of their results have been recorded, their file is then deemed ready for the Audit process which takes place in compliance with AQTF policies and procedures. This process may include a telephone interview with the student to confirm the identity of the student and to clarify their knowledge gained from the course.

## **12.6 Certification Obtainment**

Once the CEO is satisfied that everything is in accordance with the compliance requirements, the Students information on the database is updated as Complete and the qualification certificate or Statement of Attainment is then printed and posted out to the student. This process usually takes a minimum of one month to complete.

## **12.7 Re-issue of Certification**

Issue of replacement certifications can be obtained from BITAD under the following conditions;

An application must be made in writing

Evidence of identity must be supplied

A Statutory Declaration must be provided stating the circumstances for re-issue

## **13. Records Management**

BITAD's collection of student information and records management policy and practice is compliant with the following legislation and standards:

- The Australian Quality Training Framework (AQTF)
- VETAB Records Management Guidelines
- Privacy Act 1988 - National Privacy Principles

Students' results (i.e. copies of certificates, statements of attainment and records of competency) are securely retained for a period of thirty (30) years.

Students' results are stored either by course file (for single units of competency or modules), or in an individual student file. These are locked, paper based records which are restricted for access except by the Administration Manager and CEO. BITAD simultaneously maintains a restricted computerised qualification database from which all credentials (i.e. Certificates and Statements of Attainment) are issued.

Paper based documents, such as assessment tasks and projects are securely disposed of after a minimum of three (3) months from the date a certificate or statement of attainment is issued by BITAD to the student.

Disposal is either by shredding or through an authorised security disposal company. Alternatively, you can arrange with BITAD to collect your projects or portfolios after the three month holding period has expired. Please contact us to arrange this.

## **14. Training and Assessment Documentation**

BITAD is required by the NSW Vocational Education and Training Accreditation Board (VETAB) to retain the following records, which must be made available for examination if required for audit purposes:

Records of student assessments (including an assessment portfolio for each student, records of assessment of competencies, and any assessment activities conducted for the purposes of granting recognition of current competency or prior learning or credit transfer); Student attendance details for all sessions of training; Transcripts of student's outcomes

BITAD may retain a (Photocopied) sample of evidence from a student's assessment project or portfolio for audit purposes in the student's secured file (refer to Records Management section above).

## **15. Student Progression Policy Guideline**

### **INTRODUCTION**

The purpose of these guidelines is to provide students with the requirements for study and completion of the qualifications in which they are enrolled. These requirements must be adhered to by the students to ensure that they complete the units and qualifications within an acceptable time, but also to enable some flexibility in the completion times taking into account specific issues that may arise where the student may not be able complete on time.

Please ensure that you read these requirements carefully and to contact the office should you require further information.

Students who do not comply with these requirements may be deemed “non- performing” which means that they may have their enrolment suspended.

### **PERFORMING AND NON PERFORMING STUDENTS**

Students will be classed as performing if they have not adhered to the requirements for the qualifications for which they are enrolled. Non performing students will be those whom have not submitted any work or contacted the college for an extension of time or for a deferral within any two month period.

Non performing students may have their enrolment suspended until they have contacted us to make arrangements for completion. Suspended enrolments may incur an administration fee to be re-activated.

### **COURSE DURATION**

The CPC40108 Certificate IV in Building & Construction (Building) has a total of 720 nominal course hours plus additional research hours. The course is to be completed within two years of the enrolment date.

The CPC50208 Diploma in Building and Construction (Building) has a total of 620 nominal course hours plus additional research hours. The course is to be completed within two years of the enrolment date.

The recommended study plan, that students complete and submit the assessments for the first two units of the course within the first two months will enable students to complete well within the course duration timeframe. Students are encouraged to complete their studies earlier than the outlined course duration if possible.

### **STUDENT RESPONSIBILITIES**

#### **Active Participation**

It is the responsibility of the individual student to commence working and submit at least one unit of study within the first two months of enrolling to maintain an active working student status.

#### **Extensions**

If the student has a problem starting or completing any assessment on time they can apply for an extension of time. The process for this is as follows.

Contact either their trainer or student support by email or letter requesting the extension and providing a reason and amended date for submission.

Extensions of up to two months will be granted but the student must submit work to BITAD by the new agreed date. If work has not been received by the agreed date and no contact made by the student, then they may have their status changed to non-performing.

#### **Deferrals**

Circumstances that affect the student studying such as going overseas or serious illness etc. can allow students to defer their course from 3 to 12 months without incurring any additional cost. The student must notify BITAD themselves in writing and the agreed time for the deferment will be noted on their student progress file. However if the time stated has expired and no contact has been made with BITAD then the student will be classed as non-performing. The Deferral option can only be taken once during the enrolled course.

### **Withdrawals**

Students who enrol and cannot continue with the course may be eligible for a refund according to the Refund Policy in the Participants Handbook before being withdrawn from the course.

### **RPL and Credit Transfer**

Students have two (2) months from the date of enrolment to submit all substantiating evidence and certified copies of documents for their application.

## **BITAD RESPONSIBILITIES**

### **Student Support**

BITAD will provide advice and information according to the guidelines outlined in the Participants Handbook and through the services of the Student Support Officer who will contact students on a regular basis to counsel their progress with the course.

Students can also contact their trainer via e-mail to discuss course content and /or arrange for a phone tutorial. All student and training support e-mail addresses are available on the student's e-learning home page.

E-campus is also available for students to access learning resources, advice on how learning occurs, strategies to assist your learning and other suggestions for support with learning such as study plans and online forums.

### **Monitor Progress**

BITAD will through Student Support track each student's progress throughout the course from enrolment to completion to assist and recommend strategies for effective student learning outcomes. Student progress will be monitored for active participation and student requirements to successfully complete the course they have enrolled in.

## **16. Protection of Student Information**

Except as required under the Standards for Registered Training Organisations or by law, details of a student's training and assessment will not be disclosed to a third party (for example, their employer) without the student's written consent.

If you would like further information regarding this information please contact us by phoning the office. Alternatively, further information can be obtained from the following websites:

[www.anta.gov.au](http://www.anta.gov.au)

[www.vetab.nsw.gov.au](http://www.vetab.nsw.gov.au)

[www.ncver.edu.au](http://www.ncver.edu.au) [www.privacy.gov.au](http://www.privacy.gov.au)

## **17. Disciplinary Procedure**

Where there is alleged student misconduct, a Discipline Committee will meet to consider the evidence and make a resolution on the action to be taken. Some examples of student misconduct are:

- plagiarism
- copying of another students work
- assignment completed by someone other than the student
- a formal examination completed by someone other than the student
- a false declaration by the candidate on assessment
- breach of discrimination and harassment grievance policy & procedure as outlined in this handbook

The Discipline Committee's membership consists of the CEO, administration manager and one trainer employed by BITAD. The Disciplinary Committee may choose to take such actions as:

- exclusion of the student from enrolment for a period of time
- a record of non completion of the unit requiring a resubmission of the unit assessment

The student will be given the opportunity to provide evidence to the Committee, either in writing or by appearing before the Committee. The Committee will advise the student in writing of its decision. The student may appeal against the Committee's decision as outlined under Appeals in this handbook.

## **18. Occupational Health and Safety Requirements**

Whilst training is being carried out by BITAD, you are required to comply with the following requirements:

- Cooperate with any instructions provided by the trainer in relation to the health and safety of stakeholders at the training site.
- Report to the trainer any hazards or any other observations that may affect the health and safety of any or all of the participants of the training.
- Comply with requirements of any evacuation procedure as directed by the trainer or other delegated person.
- Report any injury to the trainer during any training sessions.

## **19. Discrimination and Harassment Grievance Policy & Procedures**

### **POLICY STATEMENT OF INTENT**

- BITAD is committed to providing a work and study environment that is safe, fair and free from discrimination for all members of the institute's community. BITAD has a responsibility under State and Federal legislation to ensure staff and students are not subjected to behaviour that may constitute unlawful discrimination, harassment, vilification or victimisation.
- An essential part of developing that environment is ensuring that staff and students are encouraged to come forward with their grievances in the knowledge that the responsible managers will take prompt and effective action to address complaints of discrimination and harassment. Grievances that are not addressed have the potential to grow into major problems that can cause tension, low morale and reduced performance and productivity. Unresolved or poorly handled grievances can also lead to legal action against BITAD
- This Policy is complemented by the code of conduct and its Equity and Diversity Policy statement, both of which provide guidance on the standards of behaviour expected of staff member/s or student/s at BITAD
- This Policy does not limit the right of any staff member/s or student/s to seek the advice and

assistance of their union or professional association. At any time staff members may also seek the assistance of an external agency in the resolution of their grievance, where relevant.

## **COVERAGE**

- The Policy applies to all BITAD staff member/s or student/s and covers all staff member/s or student/s grievances of unlawful discrimination and harassment. A grievance may involve unlawful discrimination if it contains allegations of unfair and inequitable treatment on the basis of a person's race, ethnic and ethno-religious origin or nationality; sex or sexual preference (including transgender); marital status; status as carer; pregnancy or potential pregnancy; age; disability; religious, trade union or political affiliation. Vilification on the grounds of race, homosexuality and HIV/Aids status is also unlawful. Unlawful harassment is unwelcome and offensive or intimidating behaviour, comments or images based on any of these grounds. The most common forms of harassment are racial and sexual harassment.
- The grievance may be against another BITAD staff member/s or student/s. In certain circumstances, these Procedures may be used to deal with a complaint against a person who is not a BITAD employee or student but who is involved in a related activity.

## **PRINCIPLES**

- Grievances should be treated seriously and sensitively, having due regard to procedural fairness, and confidentiality and privacy. Requirements relating to confidentiality and privacy extend to the use and storage of any information and records related to a grievance.
- Grievances should be handled quickly and as close as possible to their source. This may be modified by the nature of the grievance and the staff member's wishes. Staff should raise concerns as early as possible after the incidents occurred.
- Wherever possible, grievances should be resolved by a process of discussion, cooperation and conciliation. The aim is to reach an acceptable outcome that minimises any potential detriment to ongoing relationships.
- Both the staff member/s or student/s raising the grievance (the complainant) and the person against whom the grievance is made (the respondent) will receive appropriate information, support and assistance in resolving the grievance. Parties may bring a support person to any interview.
- No person should be victimised because they raise a complaint or are associated with a grievance.
- Staff member/s or student/s should not instigate grievances that are frivolous or malicious. All staff member/s or student/s are expected to participate in the grievance resolution process in good faith.

## **PROCEDURES**

### **Preliminary Action**

Before initiating the grievance procedures, the complainant is encouraged to try to resolve any grievance directly with the person/s concerned.

Staff member/s or student/s can seek advice at any stage from the Equity and Diversity Unit (EADU).

### **Talk to the immediate supervisor**

Where the complainant has been unable to resolve the grievance themselves, they should take the matter up with their immediate supervisor. Where the grievance involves that person, the

complainant should refer the matter to the next most appropriate member of staff, e.g. the supervisor's supervisor.

### **Referral to CEO**

If the complainant believes the grievance has not been resolved to their satisfaction, they can refer the matter to the CEO. The CEO may require the complainant to put the grievance in writing. The CEO would then normally try to resolve the matter within three weeks of receiving the grievance, following similar processes outlined above.

### **OUTCOMES**

Outcomes will vary from case to case depending on the nature and circumstances of each grievance. Outcomes could include:

- the complainant gaining a better understanding of the situation and no longer feeling aggrieved;
- the complainant receiving a verbal or written apology;
- the respondent receiving a verbal or written reprimand;
- one or both parties agreeing to participate in some form of counseling;
- disciplinary action where a BITAD policy or Code of Conduct were found to have been breached, and/or where misconduct/serious misconduct or unsatisfactory performance has occurred

Disciplinary action may also be taken where:

- a grievance is found to have been malicious or vexatious;
- a person victimises another person because of their involvement in the grievance;
- unnecessary disclosure of information (a breach of confidentiality) has occurred

### **ADVICE AND INFORMATION**

The following areas of BITAD can be contacted for advice and information:

- The Administration Manager
- The CEO

If you have a complaint or a harassment problem you can speak confidentially to one of the Contact Officers, or contact the relevant agencies for advice:

Sydney - Anti-Discrimination Board of New South Wales  
[www.lawlink.nsw.gov.au](http://www.lawlink.nsw.gov.au)

### **MONITORING AND EVALUATION**

The operation of these procedures will be monitored and a review carried out at the end of 12 months. The CEO will be responsible for initiating the review.

## **20. Equity & Diversity Policy Statement**

BITAD is committed to the goals of equal opportunity and affirmative action in education and employment. It aims to provide a study and work environment for staff and students that fosters

fairness, equity, and respect for social and cultural diversity, and that is free from unlawful discrimination, harassment and vilification as determined by legislation.

In fulfilling this commitment, BITAD will:

- foster a culture which values and responds to the rich diversity of its staff and students;
- provide equal opportunity by removing barriers to participation and progression in employment and education so that all staff and students have the opportunity to fully contribute;
- promote clear and accountable educational and management policies and practices to engender trust between managers, staff and students;
- enhance the quality of students' learning through the provision of culturally, socially and gender inclusive education in areas such as curricula, teaching methods, assessment and review provisions, written and audiovisual material and support services;
- ensure that its staff and students are aware of their rights and their responsibilities

The Chief Executive Officer is responsible for compliance with all relevant legislation.

#### Explanatory Notes:

Currently the grounds of unlawful discrimination and harassment are:

- age;
- compulsory retirement from employment;
- disability (physical, intellectual, psychiatric, sensory, neurological or learning disability, physical disfigurement, the presence in the body of an organism capable of causing disease, and current, past, future or imputed disability);
- homosexuality (male or female, actual or presumed);
- marital status (single; or, with reference to a person of the opposite sex, married, separated, divorced, widowed or in a de facto relationship);
- political affiliation, views or beliefs;
- pregnancy or potential pregnancy;
- race (including colour; descent; ethnic, ethno-religious or national origin, nationality; and immigration);
- religious affiliation, views or beliefs;
- responsibilities as a carer;
- sex; sexual harassment;
- transgender or trans-sexuality (anyone who lives, has lived, or wants to live as a member of the opposite gender to their birth gender including people who are assumed to be transgender);
- actual or imputed characteristics of any of the attributes listed above;
- association with a person identified by reference to any of the attributes listed above
- It is also unlawful to terminate employment on any of the grounds listed above, and also on the grounds of temporary absence from work because of injury or illness, membership or non-membership of a union, participation in union activities, and absence from work during maternity or other parental leave.

The grounds of unlawful vilification are:

- HIV/AIDS;
- homosexuality;
- race;
- transgender (trans-sexuality)

BITAD is complying with the following statutory requirements with regard to unlawful discrimination and vilification: the *NSW Anti-Discrimination Act, Vocational Education and Training Accreditation Act 1990* and the *Federal Disability Discrimination Act, Racial Discrimination Act, Sex Discrimination Act, and Workplace Relations Act*. Staff working at, or visiting, BITAD need to be aware of the following grounds of unlawful discrimination in addition to those listed above:

- bisexuality;
  - breastfeeding;
  - membership or non-membership of an association or organisation of employers or employees;
  - profession, trade, occupation or calling; and
  - association (whether as a relative or otherwise) with a person identified by reference to one of the above attributes
- NOTE (ii): Under the Federal Human Rights and Equal Opportunity Act there are a number of further grounds of discrimination in the area of employment or occupation:
- criminal record;
  - medical record;
  - national extraction or social origin;
  - trade union activity

However, discrimination on these grounds is not made unlawful by the Act, and the grounds do not apply where the discrimination is necessary because of the inherent requirements of a particular job. The only avenue of redress for a complaint under this Act is conciliation.

1. In compliance with the NSW Charter of Principles for a Culturally Diverse Society endorsed in 1993 and reaffirmed in 1995 by the NSW Government.
2. For staff, in compliance with Part IXA of the *NSW Anti-Discrimination Act 1977*, the *Federal Age Discrimination Act 2004*, and the *Federal Equal Opportunity for Women in the Workplace Act 1999*. The equity groups currently identified are: Aboriginal and Torres Strait Islander people; people with disabilities; people of non-English speaking background; and women. For students, in compliance with Federal Government policy as outlined in A Fair Chance for All, AGPS, 1990 and subsequent amendments as outlined by DETYA. The identified equity groups are: Aboriginal and Torres Strait Islander people; people with disabilities, from socio-economically disadvantaged backgrounds, from rural and isolated areas, from non-English speaking backgrounds; and women in non-traditional areas of study.

## 21. Privacy Commitment Policy Statement

All information collected by BITAD about clients, students or trainees is used only for the purpose

of:

- maintaining accurate and complete training records for 30 years in accordance with our commitments as a Registered Training Organisation and as a Training Organisation approved by VETAB; and
- providing an efficient training and reaccreditation service for all Regulated Agents and Clients
- BITAD will not release information about any client, student or trainee to any other person or organisation without the approval of the client, student or trainee, except to VETAB (under VETAB which has the right to verify with Trainers that individual Employees have completed appropriate training)

### **Protecting Your Privacy at BITAD**

BITAD has always considered the Privacy of its students, staff and clients to be extremely important. Consequently, we have in place a Privacy Policy, which ensures that we meet our obligations under the new National Privacy Principles that came into effect on 21st December 2001. The BITAD Privacy Policy, a reflection of the 2000 Amendment to the Commonwealth Privacy Act of 1988, sets out the way in which BITAD handles and protects the personal information of students, staff and clients.

### **Your Personal Information**

Any personal Information held by BITAD may include names, date of birth, current and previous addresses, telephone/mobile phone number, e-mail address, fee payment details, bank account or credit card details, nationality, passport number and academic record. Depending on the service you are accessing, you could be asked to provide some of the information outlined above including information about what you like and do not like. It is entirely your choice when it comes to respond to the questions or not. If you choose not to provide personal Information, we may not be able to provide you with the educational services you require.

### **How We Collect Your Personal Information**

At BITAD we collect and store personal information in a number of ways including: - Directly from you, when you provide information by phone, or in enrolment documents such as an application form - From third parties such as your financial representatives (e.g. Bank) - From publicly available sources of information - From our own records (now kept for 30 years by obligation under Law). Essentially BITAD collects two (2) types of Information: The first type is 'anonymous information'. For instance we may collect statistical information to tell us that four thousand people visited this Privacy Policy section of the website today. However we do not know their names, where they live or date of birth – they are anonymous to us. (NB. The BITAD website and e-mail messages sometimes create hypertext links to the websites of third parties. BITAD is not responsible for the Privacy practices or the content of other websites) The second type of information that BITAD collects is that provided in the Application for Enrolment forms and Enquiry schedules which are completed when general enquiries are made or via telephone. This information is personal information and includes such items as your name, address and date of birth. This information is used to process enrolments and may also be used to inform you of new courses. We only collect such information on these occasions so that we can follow up on enquiries, as well as respond to expressions of interest from potential students. By providing BITAD with your personal information we are able to give you a personalised and greatly enhanced educational, counselling and training service that is not available to anonymous users.

### **How We Use Your Personal Information**

BITAD will only use the personal information you have chosen to provide for the purpose for which you provided it. BITAD will not use it for any other purpose without your consent.

In general, your personal Information may be used in order to:

- Provide the educational and training services you require
- Administer and manage those services, including the provision of up-to-date news on new courses, events and invoicing procedures
- Inform you of ways in which the educational and training courses could be improved
- Conduct appropriate checks for credit-worthiness
- Research and develop our courses to reflect best practice industry standards

### **Storage of Personal Information**

One of our obligations as a Registered Training Organisation (RTO) under the Australian Quality Training Framework (AQTF) is to store information on student enrolments and progress for a period of 30 years. BITAD stores this individual information both on company computers and in hard copy files. Our computer network has security levels of access (including a firewall) in place to protect us against the loss, misuse or destruction of the information while under the control of BITAD. Access to this central information can only be gained through authorisation by the Managing Director, Administration manager and financial auditor.

### **When We Disclose Your Personal Information**

On occasion, and as required by law, BITAD may disclose the personal information of students, staff and clients to organisations outside BITAD, providing such organisations are aware of our published Privacy Policy and agree to comply. The organisations to which we disclose information include:

- Your authorised representatives (e.g. Your bank, agent, immediate family or legal counsel)
- Credit providers such as banks for credit related purposes
- Our professional advisers including accounting auditors and lawyers
- Government and regulatory authorities such as DET (Department of Education and Training); VETAB (Vocational Education and Training Accreditation Board); ATO (Australian Taxation Office)

BITAD may disclose Personal Information to comply with subpoenas, court orders and other legal processes.

### **Help Us to Ensure We Hold Accurate Information**

BITAD takes all reasonable precautions to ensure that the personal information we collect, use and disclose is accurate, complete and up-to-date. However the accuracy of that information depends to a large extent on the information you provide. That's why we recommend that you:

- Let us know if there are any errors in your personal information
- Keep us up-to-date with changes to personal information such as your name and address

### **You Can Access Your Personal Information**

You have a right to access your personal information, subject to some exceptions allowed by law. If students would like to do so, they should contact the administration manager. Students and Staff may be required to put such requests in writing for security reasons. BITAD reserves the right to charge a fee for searching for and providing access to your information. If you require any further information, or a response to any specific questions relating to our Privacy Policy or Information handling processes, please contact us.