

Student Handbook

Table of Contents

Welcome to Fresh Start Education	3
Overview of Fresh Start Education	3
Regulatory Framework	3
The ‘Student’s Journey’	4
Qualifications & Training Delivery	4
Student Services.....	6
Student Support.....	8
Fees & Charges.....	11
Training & Assessment.....	13
Transition Policy	14
Industry Engagement	14
Apprenticeships and Traineeships	15
Construction Skills Queensland (CSQ)	16
Recognising Prior Learning & Qualifications	16
Records.....	17
Complaints & Appeals.....	21
Legislative Requirements	22
AQF Issuance Policy	23

Welcome to Fresh Start Education

Thank you for choosing Fresh Start Education to deliver your training needs. We trust that this handbook will provide the information you need to proceed with your enrolment and successfully complete your training. Prior to enrolment in one of our courses, you will have an opportunity to discuss the information in this handbook with one of our representatives who will confirm that you have had a chance to consider this information. If you have any questions prior to enrolment or at any time in the future, please do not hesitate to contact myself or members of the team as we look forward to *Building Your Future with You!!*

Kind Regards

A handwritten signature in black ink, appearing to read 'Tammy Foat', written in a cursive style.

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Overview of Fresh Start Education

Fresh Start Education recognises the importance and benefits of combining industry experience with tertiary education when striving to deliver programs of highest quality and relevance to the student. Fresh Start Education strictly adheres to the *Standards for Registered Training Organisations (RTOs) 2015* to continue delivering training services of the highest quality to students.

All Trainers & Assessors of Fresh Start Education have demonstrated significant industry experience in addition to obtaining tertiary qualifications; this allows them to provide a professional, well rounded learning environment for participants. Trainers & Assessors are equipped with the skills to ensure their teaching methods are suitable for all students, utilising simple language where appropriate to communicate information most effectively.

The CEO recognises that opportunities for improvement arise in every aspect of business and has developed an organisational culture within Fresh Start Education to capitalise on these opportunities for improved practice. Fresh Start Education provides feedback forms to all students at the end of each program, as participant feedback has been identified as an important and valuable factor in monitoring and developing business practices and quality training to ensure the ever-changing needs and expectations of students are being met. The CEO also welcomes feedback from other improvement opportunities such as risk assessment, student suggestions, complaints and appeals, validation sessions and audit reports.

Student feedback is critical to our *Continuous Improvement Policy*. Along with the formal feedback mentioned earlier, students are encouraged to give feedback throughout their enrolment.

To encourage and achieve continuous improvement based on the collection of the above-mentioned data, Fresh Start Education has developed a *Continuous Improvement Register* which will include a written record of all improvement strategies.

Regulatory Framework

As a Registered Training Organisation (RTO) Fresh Start Education is subject to the regulatory framework that governs the Australian Vocational Education and Training sector that protects both RTOS's and students.

The legislative framework established by the *National Vocational Education and Training Regulator Act 2011* and related legislation, empowers the Australian Skills Quality Authority (ASQA) as the national regulator for Australia's vocational education and training sector.

ASQA regulates courses and training providers according to the *Standards for Registered Training Organisations 2015* to ensure nationally approved quality standards for training are met.

The VET Quality Framework is comprised of:

- Standards for Registered Training Organisations 2015
- Australian Qualifications Framework (AQF)
- Fit and Proper Person Requirements
- Financial Viability Risk Assessment Requirements
- Data provision requirements

The 'Student's Journey'

Key phases of the 'Student's Experience' include:

- Marketing and recruitment
- Enrolment
- Support and progression
- Training and assessment completion

Throughout *Fresh Start Education's Student Handbook* and Quality Management Operational Framework each of the policies, systems, and procedures support ASQA's audit model. All staff, Trainer & Assessors are to ensure the student's experience provides the best opportunity for a positive vocational outcome.

The Australian Skills Quality Authority (ASQA) has adopted a contemporary risk-based approach to its regulation of the VET sector. This approach allows ASQA to direct its resources towards the areas that pose the greatest threat to quality vocational outcomes, while also minimising the regulatory burden on high-quality providers.

ASQA's student-centred audit approach supports this risk-based regulation by focusing on evidence of student outcomes and RTOs' practices rather than inputs, outputs and processes when assessing compliance against the Standards. Key features include:

- Greater use of risk analysis and intelligence to trigger audits ('proactive regulation')
- Greater focus on the student's experience and RTO's practices and behaviours
- Options for longer, standard, or earlier notice periods
- Scope of audit is flexible, based on intelligence and provider profile
- Information used to inform audit drawn from a wider range of sources including intelligence from other government agencies
- Greater student input
- Audit outcomes reported against the phases of the student's experience

We sincerely hope your journey as a student with Fresh Start Education will be most enjoyable.

Qualifications & Training Delivery

Fresh Start Education can offer students accredited training in the following qualifications:

- Certificate IV Work Health & Safety
- Diploma of Business
- Diploma of Leadership & Management
- Diploma of Project Management
- Certificate III in Carpentry
- Certificate III in Painting and Decorating
- Certificate III in Concreting
- Certificate III in Wall and Ceiling Lining
- Certificate III in Wall and Floor Tiling
- Certificate III in Construction Waterproofing
- Certificate III in Bricklaying & Blocklaying
- Certificate IV in Building & Construction
- Diploma of Building & Construction (Building)
- Advanced Diploma of Building & Construction (Management)

Short Courses

- Establish Legal and Risk Management Requirements of New Business Ventures
- Prepare to work safely in the construction industry (White Card)

Skill Sets

Fresh Start Education has a variety of “Skill Sets” available to students that require a single unit of competency, or combinations of units of competency from an endorsed Training Package, which may link to license or regulatory requirement, or defined industry need.

Skill Sets are identified and developed within Training Packages formally recognised on a Statement of Attainment. Where Fresh Start Education packages a group of units into a Skill Set, a Statement of Attainment is awarded on successful completion of those units of competency.

Prerequisites

Prerequisites are specific to individual qualifications. Please consult the course outline for your chosen course for prerequisite information.

Training Delivery

Training delivery is varied to suit the individual learner’s needs. Training may vary from online delivery via video communication, classroom based and/or one on one at your workplace. Training will be scheduled in collaboration with you and/or your employer prior to commencement.

After you have met the requirements of your course, you will be issued the relevant Certificate of Completion and an academic transcript listing all the units of competency you have achieved.

Nationally recognised qualifications are made up of individual units of competency. If you do not meet all the course requirements but have completed the requirements for one or more units of competency, you will be issued an *AQF Statement of Attainment* for the unit(s) you have completed.

Customisation

Customisation refers to the tailoring of an accredited course or AQF qualification to meet the specific needs of students. Students can customise an accredited course or AQF qualification by adding or substituting units of competency that aligns with the qualification packaging rules or accredited course rules. For more information, please contact Fresh Start Education.

Consumer Protection Mechanism

Fresh Start Education will ensure that all information in relation to training and assessment services offered is concise and accurate and not misleading at the time of publication. The nature of the guarantee to students, refunds and agreements between students and Fresh Start Education, as indicated on the Enrolment Form and Student Handbook. Under the *Australian Consumer Law (ACL) 2011* consumers have rights to receive the services that have been offered within a reasonable timeframe as indicated.

Contractual Agreement

Students who enrol in a training program with Fresh Start Education should be aware that they are entering into a contractual agreement. With a view to ensuring all students are fully aware of their rights and obligations, Fresh Start Education will design agreements, enrolment forms, service agreements or similar using a logical format and simple English. This may include, but is not limited to:

- Wording that allows the perspective student to know what he/she is agreeing to
- Clearly explained disclaimers
- No misleading or deceptive behaviour
- No actions, omissions, or dialogue (written or verbal) that may force or coerce the student
- Fair dealings for disadvantaged students

For more information on consumer rights, please refer to www.consumerlaw.gov.au

Nature of the Guarantee

Fresh Start Education is responsible for the quality of training and assessment services it offers. Fresh Start Education will provide the training and assessment services outlined on the Enrolment Form and/or Training Plan to the student. The team at Fresh Start Education will assist the student to achieve a positive outcome of learning.

Student Services

It is the intention of the Fresh Start Education CEO that all students will always receive the full training services paid for, including but not limited to training and assessment, assessment only, or short courses. The continuous improvement and quality management practices employed by Fresh Start Education CEO and staff are designed to proactively identify any anomaly that might cause a business interruption or training failure and address this situation before any students are affected. The corporate structure, governance and financial management systems and processes, guarantee the training for students enrolled with Fresh Start Education. This guarantee in no way ensures a successful qualification outcome.

Fresh Start Education will work with the affected students to ensure their rights are protected. This may include but is not limited to:

- A pro-rata refund of course fees paid where training and assessment services have not been delivered
- Facilitating the transfer of the student's study to another suitable RTO

Fresh Start Education is committed to delivering high quality services that support students throughout their training and assessment. This commitment is based on a student focused operation that produces the best possible outcome for students. Fresh Start Education will ensure students are informed of the services they are to receive, their rights and obligations, and the responsibilities of the RTO. Students who undertake training with Fresh Start Education receive every opportunity to successfully complete their chosen training program. Fresh Start Education will provide students with information prior to commencement of services including any subcontracting arrangements affecting the delivery of training and/or assessment.

Fresh Start Education uses a systematic approach to establish and recognise the needs of each student. It is a requirement that all staff members do their utmost to meet the needs of students. Where a student's need is outside the scope or skill of the organisation they will be referred to an appropriate service or an alternate training organisation.

Student Advice

Fresh Start Education delivers specialised training and assessment services¹. As such, it is vital that all students are informed of and understand the extent of the training course that they are enrolling in. Fresh Start Education has a process in place and mechanisms to provide all students with information prior to their enrolment – this information relates to the training, assessment, and support services to be provided, and about students' rights and obligations.

Fresh Start Education will provide:

- Training programs and services that promote inclusion and are free from discrimination
- Support services, training, assessment, and training materials to meet the needs of a variety of individual students
- Consideration of student's needs to provide the best opportunity for skill development and attainment of qualifications that can lead to further training or employment
- Opportunity for consultation between staff and students so that all aspects of individual circumstances can be taken into consideration when planning training programs
- Consideration of the views of students' community, government agencies and organisations, and industry when planning training programs
- Access to information and course materials in a readily available, easily understood format

While Fresh Start Education guarantees that all students will receive the full training services paid for, it does not guarantee a student will successfully complete the course in which they are enrolled or that the student will obtain a particular employment outcome outside the control of Fresh Start Education.

¹ Services include:

- (a) Pre-enrolment materials;
- (b) Study support and study skills programs;
- (c) Language, Literacy and Numeracy (LLN) programs or referrals to these programs;
- (d) Equipment, resources and/or programs to increase access for students with disabilities;
- (e) Mediation services or referrals to these services;
- (f) Flexible scheduling and delivery of training and assessment;
- (g) Counselling services or referrals to these services;
- (h) Information technology (IT) support;
- (i) Learning materials in alternative formats, for example, in large print; and
- (j) Learning and assessment programs customised to the workplace.

Student Selection & Enrolment Procedure

Fresh Start Education will provide all relevant information and directions to each student prior to enrolment as part of the student induction to enable the student to make informed decisions about undertaking training with Fresh Start Education. This information will be clear and readily available in print or referral to an electronic copy. This will include details required to source the *Fresh Start Education Student Handbook*, available on our website: www.freshstart.edu.au

Student Selection

Enrolment and admission into some Fresh Start Education training programs is subject to meeting certain pre-requisite conditions and/or entry requirements. Specific details of the pre-requisites pertaining to these training programs are contained in individual course documentation and are made available prior to enrolment.

In the case that a potential student does not meet the pre-requisite conditions and/or entry requirements, Fresh Start Education staff will assist them to understand their options regarding meeting the standards. Any questions regarding these arrangements can be addressed by Trainers & Assessors or Fresh Start Education staff.

Enrolment

The enrolment procedure commences when a student contacts Fresh Start Education expressing interest in a training program(s). Fresh Start Education staff will respond by dispatching by suitable means a *Fresh Start Education Enrolment Form* and *Student Handbook*, literature on the program(s) being considered and any other documentation which may be relevant.

Enrolment applications will then be assessed to ensure that the student meets any pre-requisites and/or entry requirements that have been set for the selected course. Students will be informed of successful enrolment and sent information on the course and their course induction.

Students who are experienced, that are not currently employed, or have a physical disability are encouraged to discuss their situation with a Fresh Start Education Trainer & Assessor to discuss their training needs and alternative opportunities.

Pre-course Correspondence

As an additional support to enrolling students, Fresh Start Education will send the following pre-course correspondence to the student prior to the commencement of training:

- The code, title, and currency of the AQF qualification, skill set or VET course to which the student is to be enrolled, as published on the National Register
- The services the RTO will provide to the student including the:
 - Estimated duration of the services
 - Expected locations at which the services will be provided
 - Expected modes of delivery
 - Name and contact details of any subcontractor which will provide training and assessment to the student
- The student's obligations including any requirements that Fresh Start Education requires the student to meet to enter and successfully complete their chosen AQF qualification, skill set or VET course
- Any materials and equipment that the student must provide
- The educational and support services available to the student

Where there are any changes to agreed services (for example new third-party arrangements or a change in ownership or changes to existing third-party arrangements), Fresh Start Education will advise the student in writing and with a follow-up telephone call as soon as practicable.

Pre-qualification Checklist

Prior to enrolment, a Trainer & Assessor completes a *Pre-qualification Checklist* for all students. The questions within this checklist are designed to identify the student's needs to ensure a positive learning experience and outcome.

Based on the information in the checklist, the enrolment form, induction and any other relevant correspondence and conversation, Fresh Start Education staff and management may offer additional support.

Examples of the support services may include:

- Study support and study skills programs
- Language, Literacy & Numeracy (LLN) programs or referrals to appropriate programs
- Equipment, resources and/or programs to increase access for students with disabilities
- Learning resource centres
- Mediation services or referral to appropriate services
- Flexible scheduling and delivery of training and assessment
- Counselling services or referral to appropriate services
- Information technology support

- Learning materials in alternative formats i.e., large print
- Learning and assessment programs customised to the workplace

Confirmation of Enrolment

Upon successful enrolment, you will be sent a *Welcome Email* disclosing your login credentials to the *Fresh Start Education Student Portal*. The *Fresh Start Education Student Portal* allows you to:

- View the current version of the *Student Handbook* at any time throughout your course of studies
- View your progression through the course to see what units of competency have been completed and remain to be finalised and/or trained and assessed. Alternatively, you can request a report from the Fresh Start Education Administration Team. Please allow two (2) business days for administration to process your request.
- Email your Trainer & Assessor directly
- Email Fresh Start Education Administration Team for assistance
- Update your Personal Information (mobile number, residential/postal address). Alternatively, you can notify the Fresh Start Administration Team by telephone on 1300 980 999 or via email at enrolments@freshstart.edu.au of your updated contact details. Please note, failure to do so could result in a Certificate or Statement of Attainment being sent to the wrong address
- View any Certificates and/or Statement of Attainments that have been completed and awarded to you

Student Support

Fresh Start Education will make all reasonable effort and utilise a variety of available methods to assist all students in their efforts to complete training programs.

Fresh Start Education will determine the support needs of individual students and provides access to the educational and support services necessary for the individual student to meet the requirements of the AQF qualification, skill set or VET course as specified in training packages or VET accredited courses. Fresh Start Education will continue to develop strategies to make support available where gaps are identified.

Trainers & Assessors are responsible to ensure that all students are aware of how they can contact their Trainer & Assessor or other Fresh Start Education staff members if they are experiencing difficulties with any aspect of their studies. Staff will ensure students have access to the relevant resources of Fresh Start Education to assist them in achieving the required level of competency in all nationally recognised qualifications.

If a student is experiencing personal difficulties, Trainers & Assessors will encourage the student to contact Fresh Start Education who will provide discreet, personalised, and confidential assistance according to the nature of the difficulties.

If a student's needs exceed the capacity of the support services Fresh Start Education can offer, they will be referred to an appropriate external agency.

Extensive information regarding support agencies and services may be sourced online. Fresh Start Education staff members will assist students to source appropriate support.

Flexible Delivery & Assessment Procedures

Fresh Start Education recognises that some people are better suited to learning via teaching methods not usually obtained in the traditional classroom setting. The Fresh Start Education Team respect these differences among students and will endeavour to make any necessary adjustments to their methods to meet the needs of a variety of students.

Acceptable adjustments to teaching and assessment methods may include but are not limited to; having a Trainer & Assessor read assessment materials to students, having a student's spoken responses to assessment questions recorded or allowing a student to sit for an assessment alone in a different room.

Fresh Start Education staff will pursue any reasonable means within their ability to assist students in achieving the required competency standards. If a student's needs exceed the capacity of the support services Fresh Start Education can offer, they will be referred to an appropriate external agency.

Reasonable Adjustment

Reasonable adjustment means adjustments that can be made to the way in which evidence of student performance can be collected.

Whilst reasonable adjustments can be made in terms of the way in which evidence of performance is gathered, the evidence criteria for determining student competency (and/or awarding grades) should not be altered in any way. That is, the standards expected should be the same irrespective of the group and/or individual being assessed; otherwise comparability of standards will be compromised.

Recruitment and selection processes are used to ensure the suitability of the training meets the needs of the student.

Application to Defer or Suspend Training

A student may complete an application to defer or suspend training due to extenuating circumstances outside of the control of the student, which includes:

- Long term illness
- Family matters

Students are required to complete an application for deferment or suspension of training by contacting the Fresh Start Education Administration Team. A Statement of Attainment will be issued for all units of competency achieved.

Withdraw & Enrol into another Qualification

If a student (not an Apprentice or Trainee) wishes to apply to change from their current enrolment of a qualification to another qualification on Fresh Start Education's Scope of Registration, an application is to be made in writing to Fresh Start Education Administration. Applications will take up to 7 days to process.

Units of competency already achieved under the first enrolment will be recognised by the issuance of a Statement of Attainment unless there is a relationship between the two qualifications that could not result in a Credit Transfer.

Access and Equity

Fresh Start Education is committed to practicing fairness and providing an equal opportunity for all current and potential students to access and participate in learning, and to achieve their learning outcomes regardless of age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or remote location that may present a barrier to access, or any other perceived difference in class or category.

Fresh Start Education ensures that its practices are as inclusive as possible and do not unreasonably prevent any clients from accessing its services. Fresh Start Education will address access and equity matters as a nominated part of operational duties.

If a student identifies with one or more of the following priority groups, he/she may be able to receive additional assistance:

- Aboriginal and/or Torres Strait Islander people
- Carers of people who are ill, aged or who have a disability
- People with a disability
- Women and girls who are returning to education and training
- Women and girls who are seeking training opportunities in non-traditional roles
- Young people aged 15 to 25
- Australian South Sea Islanders
- Parental job seekers
- People with English language, literacy, and numeracy needs
- Mature aged workers who require up skilling
- Long term unemployed and disadvantaged jobseekers
- People from different cultural and ethnic backgrounds
- People who speak a language other than English

Fresh Start Education has developed this quality management and operational framework to guide and inform all staff and students in their obligations regarding access and equity. Upon induction into Fresh Start Education, all staff is provided with copies of the policies which they must adhere to throughout all their operations as a Fresh Start Education staff member.

Students are made aware of the access and equity policy via the *Fresh Start Education Student Handbook* and informed of their right to receive access and equity support and to request further information.

Practicing these policies will guarantee that any student who meets Fresh Start Education entry requirements will be accepted into any training programs. If any student or staff member have issues or questions regarding access and equity, or believes they have been treated unfairly, they will be directed to Fresh Start Education's management for consultation.

Language, Literacy & Numeracy (LLN) Assistance

Fresh Start Education course information and learning materials contain written documentation and, in some cases, numerical calculations.

Fresh Start Education recognises that not all students will have the same level of ability in relation to reading, writing, and performing calculations. When an issue is identified by Fresh Start Education staff or requested by a student, a *Language*,

Literacy & Numeracy (LLN) Test will be provided to assess the student's ability. This process is to ensure that all students who commence a training program possess the skills required to understand the presented material and complete assessments.

Fresh Start Education will endeavour to aid students having difficulty with language, literacy, or numeracy to accommodate their needs. If a student's needs exceed the ability of Fresh Start Education staff to assist, the student will be referred to an external support agency, so they can obtain the skills required to complete the training program.

Examples of student support service include:

- Trainer & Assessor will provide one-on-one mentoring
- Monitor the delivery of training to determine if any further LLN support is required
- Reasonable adjustment for assessments will be implemented if necessary.
- Access to external services such as Language, Literacy and Numeracy classes, special needs tutors and/or counselling services.

Code of Conduct

Fresh Start Education makes every effort to practice cooperation and mutual respect in all internal and external dealings to uphold high quality, professional training, and assessment services. The same disciplined behaviour is expected of students as a contribution to a functional learning environment, and as a sign of respect to staff and fellow students.

Professional Behaviour

Fresh Start Education Management advises any Trainer & Assessor or staff member who is dissatisfied with the behaviour or performance of a student that they have the authority to undertake the following disciplinary actions:

- Warn the student in writing that their behaviour is unsuitable
- Ask a student to leave the class
- Suspension of enrolment should behaviour continue
- Termination of enrolment and forfeit of fees

Where the behaviour is deemed to be of a serious nature an **immediate suspension of training** will apply. Behaviour of a serious nature would be:

- Attending training under the influence of drugs and/or alcohol
- Sexual harassment
- Acting in an unsafe manner that places others and themselves at risk and disobeying WHS directions.
- Deliberate and wilful damage to Fresh Start Education or another student's property
- Bullying
- Verbal and physical abuse towards students and/or Trainers & Assessors.

A written record of all disciplinary actions taken will be kept with the student's file. These reports remain an active part of the student's record for one year after the offence. If the student does not commit any other offences during that time, the report will become inactive. The report will, however, remain a part of the student's file.

If a student wishes to object or lodge an appeal against the disciplinary action taken, they have the right to appeal through our *Complaints & Appeals Procedure*. The student has 14 working days from the date of notification in which to lodge a written appeal to the Chief Executive Officer. If the student is unhappy with the outcome of the process, they have the right to make an appeal using external processes as indicated in the *Complaints & Appeals Procedure*.

For Apprentices/Trainees any suspension of training will be reported to the relevant State Training Authority (DESBT/Training Services NSW/DEET).

Fresh Start Education staff are expected to maintain a professional and ethical working relationship with all other staff members, management, and students. Breaches of the disciplinary standards will result in discussion between the relevant staff member and management, and appropriate action will be undertaken and recorded.

Plagiarism

Plagiarism is the "wrongful appropriation" and "purloining and publication" of another author's "language, thoughts, ideas or expressions," and the representation of them as one's own original work.

Plagiarism is considered academic dishonesty and a breach of journalistic ethics. It is subject to serious sanctions such as expulsion. It is quite reasonable to research material while undertaking assessment. All sources, however, must be clearly referenced. Fresh Start Education's CEO takes an extremely strict approach to plagiarism and proven incidents will not be tolerated.

Fees & Charges

Fresh Start Education operates predominately as a 'Fee for Service' Registered Training Organisation (RTO). As a result, qualifications delivered will attract a fee for training and assessment services. Course fee information is made available to prospective student via:

- My Skills/Your Career <https://www.yourcareer.gov.au/learn-and-train/courses?pageNumber=1&providerCode=45237>
- Fresh Start Education Enrolment Form
- Direct email from Fresh Start Education

The above marketing materials collectively provide the following information to each student, prior to enrolment:

- Payment terms, including the timing and amount of fees to be paid and any non-refundable deposit/administration fee
- The nature of the Student Protection offered to complete the training and/or assessment once the student has commenced study in their chosen qualification or course
- The fees charged for additional services, including such items as issuance of a replacement qualification testamur
- Options available to students who are deemed *Not Yet Competent* on completion of training and assessment.

Fee Structure

The fee outlined in marketing materials is the maximum fee that will be charged to the student. It is Fresh Start Education's policy that the course fee will be all-inclusive. Students will not be 'surprised' by unexpected requirements, fees, or expenses.

Where additional resources normally associated with a program of study are required (for example, reference material, research documents, own computer) the student will be clearly advised of exactly what is required in the learning materials provided for that program.

Prior to enrolling, the student will be advised of the total training cost and invoiced accordingly. Where the employer is paying the fees, the terms of payment will be negotiated with the employer.

A deposit of no more than \$1,500 is to be paid prior to the commencement of training and/or assessment unless prior arrangements have been approved in writing by the Chief Executive Officer of Fresh Start Education. The residual payment is to be paid upon completion of training and/or assessment services, yet prior to Fresh Start Education issuing AQF certification documentation.

Fresh Start Education will not charge students for a Re-assessment Fee. In addition, no fee applies to produce a Statement of Attainment when the students have partially completed the training program and must withdraw.

Re-print Certification

Where the student requests a new copy of his/her certification, the following fees apply:

- Statement of Attainment \$10.00+GST
- Qualification (with academic transcript) \$20.00+GST

Methods of Payment

Students may make payments to Fresh Start Education by any of the following means:

- Credit Card (MasterCard and VISA only)
- Direct Deposit
- Stripe
- Square
- Payment Plans are available to student's in managing the payment of fees, allowing you to pay-as-you-go with interest fee, simple terms, and conditions. For more information, please contact Fresh Start Education via email at enrolments@freshstart.edu.au

A tax invoice/receipt will be issued for all payments received.

Credit Card Payments

Payments are processed utilising the mobile payment company, Square. Personal credit card details if processed are not stored on Fresh Start Education's hosting servers. Square's network and servers are housed in a secure facility monitored by dedicated security staff to ensure that all card-processing systems are adhered to as per the *PCI Data Security Standard (PCI-DSS)*.

GST

All Nationally Recognised Qualifications, Accredited Courses and Units of Competency delivered by Fresh Start Education are GST-Free in accordance with the Australian Taxation Office GST Rulings GSTR 2000/27, GSTR 2001/1 and GSTR 2003/1.

Cooling-off Period

Fee for Service Course Fees are subject to a cooling-off period that expires ten (10) business days from the day on which the payment of the deposit is received by Fresh Start Education. The cooling-off period provides a safeguard allowing the student an opportunity to change their mind before commencing the qualification. If, during that time, the student decides to withdraw from the qualification, Fresh Start Education will refund the full amount paid as per the *Fee Refund* outlined within fourteen (14) days. Should cancellation occur after the 10-day cooling off period, Fresh Start Education will retain a \$250.00 administration fee.

Fee Refund

Fresh Start Education will protect fees paid in advance and has a fair and reasonable refund policy. Information provided prior to enrolment or the commencement of training and assessment, whichever comes first, specifies the student's rights as a consumer, including but not limited to any statutory cooling-off period (where applicable) and the student's right to obtain a refund for services not provided by the Fresh Start Education in the event the:

- Arrangement is terminated early, or
- Fresh Start Education fails to provide the agreed services.

Should Fresh Start Education close or be unable to deliver a course. Fresh Start Education will find an alternative provider for the student to complete the qualification or issue a full or proportionate refund for delivery of training and assessment services that has not commenced at the time of cancellation.

Fresh Start Education will administer a full refund to students who have been charged for training and/or assessment services that has not commenced at the time of application for withdrawal.

Where a student withdraws from a unit of competency that has been commenced however not completed, a proportionate refund will be calculated based on the training paid for and not received.

Where training has been provided and payment not received, the student will be required to pay for the portion of training and/or assessment delivered at the time of application for withdrawal.

If requiring a refund, please contact Fresh Start Education for a *Refund Request Form*. A nominated bank account will be required, please allow 3 working days to process the refund.

Protecting Fees

Fresh Start Education will ensure that student's prepaid fees (including enrolment fees, tuition fees, materials fees and any other fee component that is a mandatory payment for the course) are protected in an appropriate manner.

Fresh Start Education will not collect more than \$1,500 in advance. Where less than \$1,500 is collected prior to the commencement of training and/or or where the total course fee is less than \$1,500, a fee protection process is not required. These fees are paid by/charged to the student or the student's employer.

If, at some time in the future Fresh Start Education collects more than \$1,500 in advance Fresh Start Education will observe the requirements of *Schedule 6 of the Standards for RTOs 2015*. This schedule outlines requirements for protecting fees prepaid by individual students or prospective students for services. One of the requirements of Schedule 6 requires the RTO to be a member of a recognised Tuition Assurance Scheme.

Currently Fresh Start Education is not a member of a Tuition Assurance Scheme. If, at some time in the future Fresh Start Education is required to become a member of a Tuition Assurance Scheme it will join the scheme managed by the Australian Council for Private Education and Training (ACPET).

Protecting students where course fees are more than \$1,500

The corporate structure, governance and financial management systems and processes guarantee the training for students enrolled with Fresh Start Education. Specifically, the integrity, business experience and training expertise of the CEO ensure continuity of training and completion of training is guaranteed for all students.

Student's training is further protected by Fresh Start Education's financial management policy and procedure. Fees paid in advance are not transferred to the operating account until training commences.

Changes to Course Fees & Additional Costs

Any changes to course fees including additional costs will be amended on Fresh Start Education's *Enrolment Form*, course brochures and direct email correspondence. These changes will not apply to existing students or those who have newly enrolled under the old fee structure.

Third Party Training

Where applicable, Fresh Start Education's Student Protection extends to training partners and training conducted by a third party on behalf of the RTO. Currently, Fresh Start Education does not engage third parties.

Training & Assessment

Fresh Start Education is committed to delivering high quality training and assessment services that exceed the expectations of their students. To ensure this, Fresh Start Education has implemented processes for data collection and analysis within its operations that ensure the continuous improvement of training and assessment. To provide high quality outcomes to their students, Fresh Start Education ensures that strategies for training and assessment are developed with effective consultation with industry and stakeholders.

Principles of Training and Assessment

Training and assessment strategies developed by Fresh Start Education will adhere to the following principles:

- Training and assessment strategies are developed for each qualification/unit of competency that will be delivered and assessed
- All training programs will require the development of a training and assessment strategy for full and partial completion of a qualification
- Each training and assessment strategy will be developed in consultation with industry representatives, Trainers & Assessors and key stakeholders
- Training and assessment strategies will reflect the requirements of the relevant training package and will identify target groups
- Training and assessment strategies will be validated annually through the internal review procedures

Fresh Start Education will apply the *Principles of Assessment* and the *Rules of Evidence*.

Assessment Policy

Fresh Start Education acknowledges the critical role that assessment plays in determining the competency of students.

In developing the assessment (including RPL) for each qualification and unit of competence, the CEO will ensure:

- Compliance with the assessment guidelines from the relevant training package, qualification, and unit of competence of accredited course
- Assessment leads to a qualification or Statement of Attainment under the Australian Qualifications Framework (AQF)
- Assessment complies with the principles of competency-based assessment and informs the student of the purpose and context of the assessment
- The rules of evidence guide the collection of evidence to support the principles of validity and reliability
- The application of knowledge and skills is relevant to the standard expected in the workplace, including skills for managing work tasks, contingencies, and the job environment
- Timely and appropriate feedback is given to students
- Assessment complies with Fresh Start Education's *Access & Equity Policy*
- All students have access to re-assessment on appeal

Fresh Start Education implements an assessment system that ensures that assessment (including Recognition of Prior Learning) complies with the assessment requirements of the relevant training package or VET accredited course. Fresh Start Education recognises that each unit of competency contains assessment requirements relating to; performance evidence, knowledge evidence and assessment conditions.

Fresh Start Education aims to ensure all students have the opportunity to have competencies assessed in a non-threatening and accessible environment. Assessment may occur online via video communication, classroom based and/or one on one and onsite at the student's workplace.

Assessment items may include written theory and oral questioning, projects and assignments, practical written, observation demonstration and Third Party Supervisor verification. Students are to submit all completed assessment items so that the Trainer & Assessor can make a valid judgement of competency.

Each assessment item submitted for marking will be given a Satisfactory/Not Yet Satisfactory result. Competent and Not Yet Competent is reserved as a final results for units of competency. Students will have two opportunities for reassessment per unit of competency.

Conditions of Assessment

Assessment will adopt the following approach in relation to *New* and *Existing Workers*.

New Worker

- Reasonable adjustment of assessment can be applied
- Contextualisation of the unit may occur to suit the workplace without altering the intent and learning outcomes of the unit of competency
- Will have access to workbooks with activities to complete for each unit of competency
- Will be assessed as required at the workplace by the Trainer & Assessor
- Will be required to complete a final assessment, either verbal or written
- Will be observed by the Trainer & Assessor in the workplace
- Will have a Third Party Supervisor verification
- May collect additional supplementary evidence of competency. For example, photographs.

Existing Worker

- Will be taken through a Recognition of Prior Learning Assessment
- Will have formal and informal skills and knowledge recognised
- Will have gaps in training identified
- Where training gaps are identified, will be given access to training materials and activities related to closing gaps in training
- Reasonable adjustment of assessment may be applied
- Contextualisation of the unit may occur to suit the workplace without altering the intent and learning outcomes of the unit of competency
- Will be assessed as required in the workplace by the trainer and assessor
- Will be required to complete a final assessment; either verbally or written
- Will be observed by the Trainer & Assessor in the workplace
- Will have a Third Party Supervisor verification
- May collect additional supplementary evidence of competency. For example, photographs.

Transition Policy

The CEO is aware of the requirement to transition seamlessly to the new qualification once the training package/units of competency or accredited course on its scope expires, as per updates listed on www.training.gov.au

The CEO is responsible to ensure any transition to superseded qualifications takes place with minimal disruption to students and the organisation. As per the *Transition to New Qualifications Policy*, all students will be given every opportunity to transition from superseded, expired or deleted units of competency, qualifications and training packages. Students will be advised in writing of any transition arrangements.

As part of the transition process Fresh Start Education will transition from superseded training products to current training products within 12 months from the date the revised course is released on www.training.gov.au

Industry Engagement

“Training and assessment practices are relevant to the needs of industry and informed by industry engagement.”

All aspects of Fresh Start Education training and assessment resources are informed by meaningful industry engagement. To maximise the outcomes for students, Fresh Start Education ensures that every opportunity to connect training and assessment with the workplace is utilised. Opportunities will be developed in consultation with the relevant industry personnel and responsibilities clearly communicated to all involved.

To identify a range of delivery and assessment methods that meet a variety of needs, an ongoing schedule of industry liaison and consultation will be adhered to.

Fresh Start Education will:

- Involve industry personnel in planning training programs, where they are relevant to the training and assessment program
- Ensure that the training and assessment program makes full use of opportunities presented by industry
- Consult with industry personnel in the development of workplace training and assessment processes
- Monitor the student's progress

Information from industry stakeholders is used to continuously improve training and assessment. A number of programs that engage employers or other stakeholders who contribute to each student's training, assessment and support services to meet their individual needs are available. In addition, Fresh Start Education utilises industry engagement to inform the currency of Trainers & Assessors industry skills.

Apprenticeships and Traineeships

Where a State Training Authority releases new Federal Government Apprenticeship/Traineeship Programs, Fresh Start Education may choose to engage with an Australian Apprenticeship Support Network (AASN) Representative to provide the Apprenticeships and Traineeship opportunity and educational service to Employers, New Workers and Existing Workers.

Student employment status is classified as either *New Worker* or *Existing Worker*.

A *New Worker* is an employee who has worked for the employer for less than three (3) months full time (or twelve (12) months part time or casual)

An *Existing Worker* is an employee who has worked with the same employer for more than three (3) months full time, or twelve (12) months part time or casual, prior to the date of commencement of the Apprenticeship/Traineeship.

Federal Incentives may be available for employers, Apprentices, and Trainees. Visit the Australian Apprenticeship Centre at <http://www.australianapprenticeships.gov.au/> for more information.

Obligations of the Apprentice or Trainee

Upon signing the *Training Contract*, the Apprentice/Trainee agrees to abide by the following obligations:

- Attend work, complete your daily roles, duties, responsibilities and follow your employer's lawful instructions
- Participate in negotiating the *Training Plan*, work towards achieving the Qualification/Statement of Attainment by undertaking the training and assessment required under the *Training Plan*
- Obey all workplace health and safety and code of conduct rules and regulations; wear appropriate PPE when instructed
- Keep an accurate, consistent record of all on the job training and supervision in your *Fresh Start Education Training Record Book*. Ensure this is provided to your Employer, allocated Trainer & Assessor and/or relevant State Training Authority when requested.
- Do not terminate your Apprenticeship/Traineeship before completion unless you and your employer mutually agree. It is the responsibility of the student and employer to notify the AASN provider or relevant State Training Authority.

Fresh Start Education also requires the Apprentice/Trainee to abide by the following at all times:

- Wear personal protective equipment and/or clothing, including protective footwear, to all training and assessment activities both on and off the job
- Attend off the job training, arriving on time and completing all workbooks issued in accordance with the agreed schedule
- Complete all training and assessment activities to the best of their ability and in a timely manner

Absenteeism

Apprentices and Trainees are required to attend all scheduled training, if for any reason an Apprentice/Trainee is going to arrive late to a scheduled training session or site visit they **must** inform their Trainer & Assessor as soon as possible.

If an Apprentice/Trainee is more than 30 minutes late for a training session, the Trainer & Assessor has the right to refuse entry to the session. This may result in the Apprentice/Trainee failing to progress with training.

A student is required to inform their Trainer & Assessor if they will not be able to attend training, this includes;

- Illness of one (1) day or more
- Dental or doctor's appointment before or during training
- Other extenuating circumstances, for example, funeral attendance

All notice must be provided to the Trainer & Assessor at a minimum of twelve (12) hours prior to training session via text, phone call or email. In the case of an emergency, a minimum of one (1) hours' notice on the day of absence.

Construction Skills Queensland (CSQ)

Construction Skills Queensland (CSQ) is an independent industry funded body supporting employers, workers, apprentices and career seekers in the building and construction industry. Fresh Start Education is a proud recipient of CSQ funding for a variety of general construction qualifications. Please contact the Fresh Start Education Enrolments Officer via email at enrolments@freshstart.edu.au for program eligibility requirements.

Recognising Prior Learning & Qualifications

Unique Student Identifier

The Unique Student Identifier (USI) scheme allows students to access a single online record of their VET achievements. The online system provides each student with a USI and allows for reliable confirmation of these achievements by employers and other RTOs. The USI scheme will provide a national online authenticated record of student's training attainment and will serve as a building block for a range of vocational education and training reforms. Over time, the ability of students to access and share their training records will make enrolment processes more efficient for training providers and students.

Fresh Start Education will only issue a Qualification or Statement of Attainment to a student after the student has provided a verified USI or Fresh Start Education applies for a USI on behalf of the student.

To avoid any delays in issuing certification documentation Fresh Start Education will ensure that student's USIs are applied for or verified USI at the time of enrolment. Fresh Start Education will protect the security of all information related to USIs.

Security measures are in place to protect both digital and hard-copy records from loss, damage or unauthorised access. Fresh Start Education stores paper-based records in locked cabinets. Digital records are backed up on a Cloud system. All AQF certification documentation issued by Fresh Start Education is kept for 30 years.

When reporting data about the training, each record of nationally recognised training that is provided to the *National Centre for Vocational Education Research (NCVER)* national VET provider collection will have a USI attached. This USI will be used to draw down on this data collection in real time. This means that, in the future, students will be able to draw down a record of their VET achievements from one place. They can view this online or they can use the data to develop a transcript that they can attach to a job application, for example.

The USI will be increasingly useful for Fresh Start Education when the data builds, Fresh Start Education (with the student's permission) will be able to draw down information about that student's previous VET attainments throughout Australia. This will assist with assessing student's admission to courses and in some circumstances, their eligibility for funding. Training providers will have access to an online information source to manage student transfers between training providers, and the assessment of credit transfer and pre-requisites.

For further information regarding the USI please visit www.usi.gov.au

Recognising Qualifications from another RTO

Fresh Start Education will recognise all AQF qualifications and Statements of Attainment issued by any other RTO. If any ambiguity is detected when validating a student's certification, Fresh Start Education will seek verification from the relevant RTO before recognising the Qualification or Statement of Attainment.

When a student presents an AQF qualification or Statement of Attainment to a Trainer & Assessor or staff member, a copy of the certificates will be taken and submitted to Fresh Start Education for verification. Fresh Start Education will verify the authenticity of the qualification or Statement of Attainment.

The verified copy of the qualification or Statement of Attainment is placed in the student's file. Once verification of the qualification or Statement of Attainment has been established, Fresh Start Education staff will inform the student and offer exemption from the relevant unit(s) of competency. Staff will ensure the student is aware of and understands what component(s) of their training and assessment are affected. Fresh Start Education staff will update the student's records accordingly.

Credit Transfer

Credit transfer refers to the transferral of academic credit obtained by students through participation in courses or national training package qualifications with other RTOs, towards a qualification offered by Fresh Start Education. Credit transfer is granted on the basis that the credit validates the student's competency within the relevant qualification/unit of competence. Credit transfer of a qualification/unit of competence is available to all students enrolling in any training program offered by Fresh Start Education.

If you wish to seek recognition of a unit of competency/qualification, you must present the original Certificate/Statement of Attainment for sighting or a certified copy at enrolment. Please note that the Fresh Start Education Administration Team will verify the document to ensure its authenticity.

In some cases where the last letter of the competency code has changed from 'A' to 'B' or 'B' to 'C' Fresh Start Education will refer to the training package to ensure equivalency. Where units of competency for credit transfer have not been identified as equivalent, gap training will need to be completed before recognition can be granted.

Recognition of Prior Learning (RPL)

Fresh Start Education appreciates the value of workplace and industry experience and recognises that students will acquire vocational skills and knowledge from a variety of sources other than formal training. These skills are legitimate irrespective of how they were acquired and the RPL process is designed to provide validation of such relevant skills.

RPL is an assessment process that assesses an individual's formal, non-formal and informal learning to determine the extent to which that individual has achieved the required learning outcomes, competency outcomes, or standards for entry to, and/or partial or total completion of a VET qualification.

To grant RPL, the Trainer & Assessor must be confident that the student is currently competent against the endorsed industry or enterprise competency standards or outcomes specified in Australian Qualifications Framework accredited courses. The evidence may take a variety of forms and could include certification, references from past employers, testimonials from clients and work samples. The Trainer & Assessor must ensure that the evidence is authentic, valid, reliable, current, and sufficient.

The RPL process will be offered to and explained to all students.

Students who believe they have already obtained current skills and knowledge that would otherwise be covered in the qualification/unit of competence for which they intend to study, should apply for RPL at the time of enrolment. The student's skills and knowledge will be assessed and validated, and where appropriate, units of competency acknowledged, and training reduced. If you do not apply for RPL at enrolment, you may still apply at any time during the induction process by approaching your Trainer & Assessor.

As part of the Fresh Start Education enrolment procedure, Trainers & Assessors will advise students of the availability of RPL, explain what the process involves via email and face to face and how it relates to the attainment of the qualification in some circumstances.

To be awarded RPL for a unit of competency you will need to provide evidence of your existing industry skills and knowledge.

This evidence can be in the form of a portfolio, which may contain the following:

- Current resume
- Certified copies of existing qualifications, awards, workplace tickets/licences
- Letters detailing the type of work, positions held and other relevant information of employment
- Provide contact details for two referees who can confirm your industry knowledge and skills in context
- Any other supporting documents listed in the qualification's *Evidence Guide*, relating to your claim for any unit of competency

To have your skills formally recognised the Trainer & Assessor must ensure your knowledge, skills and supporting evidence address all the requirements of the unit of competency, qualification, and training package rules.

Records

Fresh Start Education has a clearly documented quality administrative and records management system in place to secure the accuracy, integrity and currency of records, to keep documentation up-to-date and to secure any confidential information obtained by Fresh Start Education and committees, individuals or organisations acting on its behalf.

Data is collected and stored in accordance with the processes outlined in this document. Record management procedures ensure timely and accurate records inform the continuous improvement processes of Fresh Start Education. In addition, these records management procedures will ensure that all documentation providing evidence of compliance to the essential standards of registration is accurately maintained.

Record Keeping Procedures

Upon enrolment, student's details will be entered into Fresh Start Education's database. This process initiates the establishment of the student's individual file which is then used to record all future details pertaining to the student. Documents pertaining to students currently enrolled are stored in secure, individual student files which are managed by Fresh Start Education's staff. The file is retained by Fresh Start Education and management of the file will be in accordance with Fresh Start Education's *Records Management Policy*.

Fresh Start Education will retain student records for a period of thirty (30) years. These records include:

- Records of assessment results
- Records of attainment of units of competency and qualifications
- Copies of Certificates and Statement of Attainment
- Student enrolment documentation
- Fees paid and refunds given

Fresh Start Education will also maintain records of staff profiles detailing qualifications and industry experience and other documentation necessary to develop, implement and maintain Fresh Start Education's quality system.

Completed Assessments

Each assessment submitted by every student will be retained for a minimum period of six (6) months. Individual student records will be stored in a lockable steel filing cabinet in a locked secure office area.

Results of Assessment Records

Student assessment results will be recorded electronically within the Fresh Start Education database system and will be retained for thirty (30) years. This information may be used to provide annual competency completion reports and/or AVETMISS reports, as required and will provide sufficient information to re-issue the testamur, if required.

A copy of each testamur issued is scanned and retained in Adobe PDF format. If requested, the testamur may be re-printed at any time within the thirty (30) year period after issue. This method ensures the original format, design, signature, date and units of competency are re-printed accurately and with a minimum of effort and expense.

AVETMISS Reporting

AVETMISS stands for the *Australian Vocational Education and Training Management Information Statistical Standard*. It is a national data standard that ensures consistent and accurate capture and reporting of VET information about students. The NCVET is the custodian of the standard.

Fresh Start Education submits AVETMISS reports to NCVET at least monthly. These reports include all student and training data including:

- Age, sex, and other demographic information
- Indigenous and disability information
- Geographic location
- Type of provider (for example, government or private)
- Location of training delivery
- Enrolment in units of competency, as part of a qualification, and modules as part of courses
- How it was studied (for example, classroom, workplace or online)
- The results obtained for unit/module (outcome)

This reporting is made under the authority of the *Data Provision Requirements* that are established by agreement of Training Ministers across Australia under the *National Vocational Education and Training Regulator Act 2011*.

Access to Records

Fresh Start Education has implemented a record management system that ensures that all students have access to accurate information regarding their learning in a timely fashion. To ensure this, employees are informed of their responsibilities for record keeping and the process is monitored through the continuous improvement process and improved where necessary. This section outlines the data management procedures that support this records management system.

Access to individual student training records will be limited to those such as:

- Trainers & Assessors to access and update the records of the students whom they are working with
- Management staff as required to ensure the smooth and efficient operation of the business
- Officers of ASQA or their representatives for activities required under the Standards for RTOs'

Fresh Start Education's Trainers & Assessors will maintain accurate and current records of each student's progress and achievement of competencies in their study. These records will be entered on the Fresh Start Education's database system during training and assessment or immediately at the completion of training and assessment.

As students complete each competency, the Trainer & Assessor will check the achievements against the relevant qualification packaging rules and sign off successfully completed competencies. All details of full or partially completed competencies will be recorded and stored on the student's file.

Upon completion of all relevant competencies within a qualification, the student will be entitled to receiving the full qualification. The Certificate and Statement of Results and/or Statement of Attainment will be produced and presented to the student. A scanned electronic copy of all signed qualifications issued will be converted to PDF format and secured in the student's file.

Student Access to Records

Students have the right to request information about or have access to their own individual records. Fresh Start Education Trainers & Assessors or administration staff will provide the requested information or access. Students also have the right to request a hard copy of their own individual file that can be supplied as a printout from records retained within the data management system.

The *Fresh Start Education Student Portal* enables you to view your progression through the course to see what units of competency have been completed and remain to be finalised and/or trained and assessed. Alternatively, you can request a report from the Fresh Start Education Administration Team. Please allow two (2) business days for administration to process your request.

Ceasing Operation

Should Fresh Start Education cease to operate, its records will be transferred to ASQA in the appropriate format and detail as specified at the time of ceasing RTO operations. All other records including training records, taxation records, business and commercial records will be retained for a period of at least seven (7) years. Fresh Start Education will ensure that any confidential information acquired by the business, individuals, or committees or organisations acting on its behalf is securely stored.

Privacy

Fresh Start Education considers student privacy to be of utmost importance and will practice a high standard of care and concern regarding maintaining student privacy in all aspects of business operations. Any persons external to the organisation acting on behalf of Fresh Start Education are made aware of the confidentiality procedures and privacy policies prior to commencing work with Fresh Start Education.

Fresh Start Education will comply with all legislative requirements including the *Privacy Act 1988 (Commonwealth)* and the *Australian Privacy Principles (2014)*. Fresh Start Education ensures no student information is disclosed without the student's consent, except as required by law or in adherence to the Standards for RTOs.

Personal information collected as a result of your enrolment will be used by the Department of Education Small Business and Training (DESBT), New South Wales Department of Education, Northern Territory Department of Employment, Education and Training, Australian Skills Quality Authority (ASQA) and the Student Identifiers Registrar (SIR) for general student administration, vocational education and training administration and regulation, as well as for planning, communication, research, evaluation, auditing and marketing activities by these bodies. Only authorised officers have access to this information.

Your personal information, attendance details, progress and results may be disclosed to:

- ASQA
- DESBT - Queensland
- Department of Education - NSW
- Department of Employment, Education and Training - NT
- Your Employer

No further access to your enrolment information will be provided to any other organisation or persons without your consent, or unless authorised or required by law in accordance with the *Privacy Act 1988*. Student consent must be obtained in writing from the student, unless the student is under the age of 18 years, in which case written consent from their parent or guardian must be obtained. Consent to disclosure of information forms and/or letters will be recorded.

All Fresh Start Education students are obligated to ensure:

- Information provided to Fresh Start Education is accurate and up to date

- No document is removed or accessed from Fresh Start Education without first obtaining permission
- Student's do not access or remove another student's information

Privacy Principles

The Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Privacy Amendment Act) made many significant changes to the *Privacy Act 1988* (Privacy Act). These changes commenced on 12 March 2014. The *Privacy Regulation 2013*, made under the *Privacy Act*, also commenced on 12 March 2014.

Privacy Principles that are strictly applied to all aspects of Fresh Start Education's operations include:

- **Collection:** Fresh Start Education will only collect necessary information pertaining to one or more specific operations. The student will be informed as to the purpose for which details are being collected.
- **Use and Disclosure:** Fresh Start Education will ensure student personal information is not used or disclosed for secondary purposes without obtaining explicit consent from the student unless a prescribed exception applies.
- **Data Quality:** Fresh Start Education will take all reasonable measures to ensure that all students' personal information that is collected, used, or disclosed is accurate, current and complete.
- **Data Security:** Fresh Start Education will take all reasonable measures to ensure all collected students' personal information is protected from misuse, loss, or damage, and that all data and record storage is secure from unauthorised access, modification or disclosure.
- **Openness:** Fresh Start Education will maintain documentation which detail how students' personal information is collected, managed, and used. When a student makes an enquiry in relation to information collected, Fresh Start Education will explain what information is held, for what purpose it is held and what procedures outline the collection and use of information.
- **Access and Correction:** Fresh Start Education will allow students access to personal information held in all circumstances unless prescribed exceptions apply. If the student identifies errors within the information, Fresh Start Education will correct and update to file.
- **Anonymity:** Fresh Start Education will provide students the opportunity to interact with the business without requiring the student to make their identity known in any circumstances it is practical and possible to do so.
- **Trans-border Data Flows:** Fresh Start Education privacy protection principles apply to the transfer of data throughout Australia.
- **Sensitive Information:** Fresh Start Education will request specific consent from a student in circumstances where it is necessary to collect sensitive information. Sensitive information may include but is not limited to; information relating to a student's health, criminal record, racial or ethnic background.
- **Copyright:** Provisions under Part VB of The Copyright Act 1968 allow all educational institutions to copy and communicate third party material to distribute to students, within the limitations of the Statutory Education license. The Copyright Agency Ltd (CAL) administers the Statutory Education license on behalf of the Attorney General's Department.

Any RTO electing to hold this license is legally allowed to introduce a wide variety of material into its training environment, both in hardcopy and digital format, without having to obtain direct permission from the owner.

The Statutory Education license facilitates compliance and good governance across the industry, while at the same time ensuring the freedom and flexibility of sharing information without infringing copyright legislation.

Without this license, an educational institution is generally not allowed to reproduce any third-party material from any source, other than where there is a direct license/subscription in place or permission has been granted by the creator of the work.

Security

Fresh Start Education ensures further security of records by complying with the storage requirements detailed in ASQA's General directive: *Retention requirements for completed student assessment items*, 22 June 2012. This directive includes requirements for storage including: safeguard against unauthorised access, fire, flood, termites, or any other pests, and to ensure that copies of records can be produced if the originals are destroyed or inaccessible. Fresh Start Education enhances its compliance with this directive by protecting electronic files with up-to-date virus protection, firewall and spy ware protection software.

The data management system is Cloud based and offers the security and integrity expected of a reputable Cloud storage system. In addition, electronic records are copied to a portable hard drive, every four (4) week period. The portable hard drive is stored off site in a fireproof secure location.

Fresh Start Education software and hardcopy systems will retain student's results for a period of no less than thirty (30) years. If requested, enrolment information, training and assessment information or results of assessment will be provided in electronic format wherever possible.

Paper based records will be scanned and saved in Adobe PDF format. Paper records will be securely shredded every six (6) months in accordance with Fresh Start Education's *Archiving, Destruction, Retrieval Policy & Procedure*.

Complaints & Appeals

Fresh Start Education strives to ensure that each student is satisfied with their learning experience and outcome. It is anticipated that issues of concern can be resolved by meaningful and respectful communication that is encouraged by Fresh Start Education. In the unlikely event that this is not the case, all students have access to rigorous, fair and timely complaint and appeal processes which are outlined in this section of the policy and procedures document.

Fresh Start Education has a defined and transparent complaints and appeals process based on the principles of natural justice and fairness that will ensure student's complaints and appeals are addressed effectively and efficiently. Fresh Start Education's *Complaints & Appeals Policy* ensures students understand their rights and the responsibilities of the RTO.

Any complaints or appeals will be reviewed as part of the continuous improvement process and where corrective action has been highlighted, it will be implemented as a priority. This approach ensures that outcome of the complaints process provides a positive and constructive contribution to the operations of Fresh Start Education.

Complaints

A student may lodge a complaint regarding the RTO; Third Party; Subcontractor; another student or Trainer & Assessor. There is also provision for all interested stakeholders to make a complaint if they feel aggrieved. For example, a Trainer & Assessor may lodge a complaint against a student.

The Complaints & Appeals Procedure is available to all persons wishing to make a complaint, appeal, or any other manner of objection in relation to the conduct of Fresh Start Education. The complaints procedure will address both formal and informal complaints. All formal complaints must be submitted in writing to Fresh Start Education management and will be heard and addressed, including a response to the aggrieved person, within five (5) working days of receipt.

Fresh Start Education will maintain a *Complaints Register* to document the course of action and resolution of all formal complaints. All complaints substantiated by this procedure will be reviewed as part of the Fresh Start Education *Continuous Improvement Procedure*.

It is the responsibility of Fresh Start Education management to ensure adherence to the complaint procedure and that resolution is sought in all reasonable circumstances. This includes informing and assisting students with the complaint's procedure and supply of forms.

Appeals

The Fresh Start Education appeals process is concerned with a student's right to request a change to decisions or processes of an official nature, usually in relation to academic or procedural matters.

In the case of a student's appeal against specific assessment decisions, the student should first discuss the decision(s) with the relevant Trainer & Assessor and request re-evaluation. The Trainer & Assessor will hear the student's appeal, make fair judgement to the best of their ability as to whether change(s) are required and then discuss their final decision with the student.

If the student is still dissatisfied with the Trainer & Assessor's decision, they have the right to take the appeal to the management team. The formal notice of appeal is required to comply with the following principles upon submission to management:

- The notice of appeal should be in writing, addressed to the CEO of Fresh Start Education and submitted within five (5) days of notification of the outcome of the Trainer & Assessors re-evaluation process.
- The notice of appeal must be submitted within the specified timeframe otherwise the original result will stand. If a student's appeal needs to be deferred due to emergency circumstances, such as in the case of serious illness or injury, a medical certificate supporting the case must be forward to management. The notice of deferral must be submitted within three (3) working days of the conclusion date displayed on the medical certificate.

It is the responsibility of Fresh Start Education management to ensure adherence to the appeal procedure and that resolution is sought in all reasonable circumstances. This includes informing and assisting students with the appeal procedure and supply of appeal forms.

All appeals will be reviewed at the monthly management meeting and, if appropriate, result in a continuous improvement process.

Where the appellant remains dissatisfied with the outcome of the appeals handling procedure, the appellant may after exhausting Fresh Start Education's *Complaints & Appeals Procedure* make a complaint to the National VET Regulator ASQA, via the online complaint lodgement process.

Complaints & Appeals Procedure

All persons wishing to make a complaint, appeal or any other manner of objection in relation to the conduct of Fresh Start Education or any third party (such as other students, outsourced Trainers & Assessors, subcontractors and staff) have access to the following procedure.

Informal Complaint/Appeal

- An initial complaint or appeal will involve the student communicating directly with Fresh Start Education verbally or by other appropriate means.
- All persons identified or subject to a complaint will be notified in writing of the content of the complaint and/or allegation and afforded all-natural justice and procedural fairness response mechanisms
- Fresh Start Education management will decide, discuss their judgement with the student and record the outcome of the complaint or appeal
- Students dissatisfied with the outcome of Fresh Start Education's decision may initiate the following formal complaint procedure

Formal Complaint/Appeal

- It is normal procedure that all formal complaints proceed only after the initial informal complaint or appeal procedure has been finalised
- The formal complaint or appeal is to be submitted in writing, and the procedure and outcome recorded by Fresh Start Education management
- On receipt of a formal complaint, the CEO, or a nominated senior management person independent of the complaint will notify the complainant in writing that they have received the submission
- The CEO will convene the complaint committee to hear the complaint
- The complaint committee will consist of a panel of members with no previous involvement or vested interest in the outcome of the complaint or appeal. Members of the committee should include:
 - A representative of Fresh Start Education management
 - A Fresh Start Education staff member
 - A person independent of Fresh Start Education (i.e., representative from Resolution Institute)
- The complainant/appellant shall be given an opportunity to present the case to the committee and may be accompanied by one (1) other person as support or as representation
- Staff member(s) involved shall be given an opportunity to present their case to the committee and may be accompanied by one (1) other person as support or as representation
- The complaint committee will reach a decision on the complaint or appeal after consideration of each case presented
- The complaint committee will inform all parties involved of the outcome in writing within five (5) working days of making the decision

All complaints and appeals will be reviewed at Fresh Start Education monthly management meeting. Continuous improvement procedures may be actioned when the complaint/appeal procedure results in identification of factors appropriate for improvement to internal operations. When the initial causative factor of the complaint identifies a problem with current Fresh Start Education policies and/or procedures, the *Continuous Improvement Procedure* will ensure changes are made to prevent reoccurrence of the problem.

Delayed Processes

In the unusual circumstances where a delay in the complaint or appeal process occurs, where longer than sixty (60) calendar days are required to process and finalise the complaint or appeal, Fresh Start Education will inform the complainant or appellant in writing. In line with the importance that Fresh Start Education places on open and transparent processes and communication, the first written communication will be made at five (5) days. From that point, the complainants or appellant will be regularly updated on the progress of the matter. Including reasons why more time is required.

Legislative Requirements

Registered Training Organisations are subject to legislation pertaining to training and assessment, as well as business practice. Fresh Start Education will comply with relevant legislation and regulatory requirements and will inform all staff and clients of the requirements that affect their duties or participation in vocational education and training.

Fresh Start Education recognises that compliance with legislative requirements underpins the effective implementation of its operations and ensures accountability and transparency of activities of both management and staff.

Examples of legislation relevant to the training business, its staff and students includes but is not limited to:

Commonwealth Legislation

- Copyright Act 1968
- Commonwealth Privacy Act 1988/Privacy Amendment Act 2012/Privacy Regulation 2013
- Commonwealth Sex Discrimination Act 1984
- Commonwealth Racial Discrimination Act 1975
- Commonwealth Age Discrimination Act 2004
- Commonwealth Disability Discrimination Act 1992
- National Vocational Education and Training Regulator Act 2011:
 - Standards for VET Regulators 2015
 - Standards for Registered Training Organisations 2015

Queensland Legislation

- Child Protection Reform Amendment Act 2014
- Disability Services Act 2006
- Anti-Discrimination Act 1991
- Fair Trading Act 1989
- Further Education and Training Act 2014
- Work Health and Safety Act 2011

State Training Authorities/Regulators

- National VET Regulator (NVR)
- Queensland Department of Employment, Small Business and Training (DESBT)
- New South Wales Department of Education (Training Services NSW)
- Northern Territory Department of Employment, Education and Training (DEET)
- Australian Skills Quality Authority (ASQA)
- Council of Australian Governments Industry and Skills Council (COAGISC)

Vocational Education and Training Regulations

The Framework established by the *National Vocational Education and Training Regulator Act 2011*. The legislative framework established by the *National Act 2011* and related legislation:

- Gives ASQA the power to audit an RTO at any time
- Gives ASQA the power to apply sanctions (including applying conditions to, suspending, or cancelling a registration)
- Allows providers to seek a review of ASQA decisions

AQF Issuance Policy

Fresh Start Education will comply with the *Australian Qualifications Framework Issuance Policy* to reduce the fraudulent activity of the reproduction and use of the AQF Qualification and/or Statement of Attainment, which has been issued by another RTO or issued by Fresh Start Education, including:

- Recognising all AQF Qualification Testamurs, Record of Results and Statement
- When enrolling a student and viewing issued Qualification Testamur or a Statement of Attainment, Fresh Start Education will seek verification of the certification from the relevant RTO where there is some ambiguity. The student is to provide the original Qualification testamur or Statement of Attainment for sighting or provide a certified copy of the record with enrolment. Fresh Start Education will then certify the document to ensure its validity
- Qualification Testamur or Statement of Attainment's will only be issued to students for qualifications and units of competency registered on Fresh Start Education's Scope of Registration
- A Qualification Testamur will be issued to a student who has completed all the requirements of the qualification
- Qualification Testamur and Statement of Attainment issued by Fresh Start Education will have the required wording as indicated in the Standards for RTO's User Guide including; correct identity of the entitled person, the correct code and title of the qualification, occupation stream, industry descriptor (if applicable) and the Nationally Recognised Training logo
- A Statement of Attainment will be issued to students who have completed an accredited unit of competency/s in partial completion of an AQF qualification/course
- The Statement of Attainment will be in a form that cannot be mistaken for a Qualification Testamur and will include the wording '*A Statement of Attainment is issued when an individual has completed one or more accredited unit of competency*'
- Fresh Start Education will use its company logo, name and RTO code, date awarded and authorising signature on specialised paper to reduce fraudulent reproduction of a Qualification Testamur and/or Statement of Attainment
- Replacement of a Qualification Testamur or Statement of Attainment is to be printed on the same paper as the original along with the Fresh Start Education logo and authorising signature.

As per the *Standards for VET Regulators*, Fresh Start Education will issue AQF certification documentation within 30 calendar days of the learner's final assessment being completed or upon exiting the course, provided all fees have been paid.

Work, Health and Safety Policy

The *Work Health and Safety Act 2011* outlines the requirements of an RTO in establishing and maintaining workplace health and safety standards. The requirements of an RTO as specified in the above mentioned Act are to:

- Secure the health, safety and welfare of employees and other persons at work
- Eliminate, at the source, risks to health, safety or welfare of employees and other persons at work
- Ensure that the health and safety of members of the public is not placed at risk by the conduct of undertakings by employers and self employed persons
- Provide for the involvement of employees, employers, and organisations representing those persons, in the formulation and implementation of health, safety and welfare standards.

It is an obligation under legislation that all Fresh Start Education employees and management contribute to and assist in maintaining workplace health and safety and risk management operations as part of their role within the RTO. Fresh Start Education management is responsible for providing the following standards as part of its commitment to employees and students:

- A safe workplace, with a safe system of work
- Adequate workplace health and safety professional development for Fresh Start Education students, employees, management, and stakeholders
- Properly maintained facilities and equipment
- A clean, tidy, suitably designed workplace with the safe storage of goods.

Fresh Start Education has initiated procedures, policies, guidelines, and work instructions, practicing an ongoing commitment to workplace health and safety including each site used for training delivery.

The following procedures and standards are observed by Fresh Start Education to achieve a safe working and learning environment:

- Maintain a safe, clean, and efficient working environment
- Evacuation plan (fire, bomb, major incident)
- Emergency control
- Accident/Incident reporting
- Rehabilitation
- Risk identification reporting
- PPE/chemicals (storage)
- Manual handling techniques and training
- Store and dispose of waste according to WHS regulations
- Equipment checks and maintenance
- Equipment safe storage
- Fire hazards identified and fire prevention
- Student safety
- Unsafe situations identified and reported
- First aid and safety procedures displayed, for all Fresh Start Education staff and students to see

Harassment and Discrimination Policy

Under Australian law it is a requirement of every workplace to ensure it provides an environment free from all forms of harassment and discrimination, including victimisation and bullying. In doing so, all staff and students are treated fairly and can feel safe, valued, and respected.

Discrimination is where a person treats or proposes to treat, a person with an attribute less favourably than another person without the attribute is or would be treated under the same circumstances. Examples include but are not limited to discrimination by age, disability, employment, nationality, religion, gender, and sexual orientation.

Harassment is any unwelcome and uninvited comment or action that results in a person being intimidated, offended, humiliated, or embarrassed.

Bullying is any unwelcome and offensive behaviour that intimidates, humiliates, and/or undermines a person or group. Bullying involves a persistent pattern of behaviour over a period of time and may include verbal abuse, physical assault, unjustified criticism, sarcasm, insults, spreading false or malicious rumours, isolating or ignoring a person, putting people under unnecessary pressure and sabotaging someone's work or their ability to complete their work.

At Fresh Start Education it is made known that in the event that a person considers that he or she has been or is being harassed, this person should be encouraged to inform the other party that their behaviour is objectionable and should not be continued, provided they are comfortable with confronting the offender. In instances where the person is not comfortable discussing the matter with the offending party, a Trainer & Assessor or other Fresh Start Education staff member should be informed of the situation. In this case it becomes the responsibility of the relevant staff member to follow Fresh Start Education policy and procedures to rectify the situation.

The following principles and processes are implemented by Fresh Start Education to achieve a working and learning environment that is free from harassment and discrimination:

- It is the right of all staff and students to work and study in an environment free of any form of harassment and discrimination
- All reports of harassment and discrimination will be treated seriously, in an unbiased, respectful, and sensitive manner. Any form of harassment and discrimination is considered unacceptable behaviour and will not be tolerated by Fresh Start Education
- When Fresh Start Education management is informed of any event involving harassment or discrimination, it is their responsibility to take immediate and appropriate action to address it
- In dealing with all complaints, the rights of all individuals involved should be respected and confidentiality should be maintained
- It is the intention of Fresh Start Education management that a process of discussion, cooperation and conciliation will resolve all complaints. The aim is to achieve an acceptable outcome for the involved parties while minimising any potential damage to the organisation
- Both the person making the complaint and the person against whom the complaint has been made will receive information, support, and assistance in resolving the issue from Fresh Start Education management
- Victimisation is unacceptable and will not be tolerated. No person making a complaint or assisting in the investigation of a complaint should be victimised
- Harassment or discrimination should not be confused with legitimate comment and advice (including constructive feedback) given appropriately by management or Trainers & Assessors. Managers and Trainers & Assessors should be conscious of how they present their feedback to ensure the message is not misinterpreted
- Staff and students should not make any frivolous or malicious complaints. All staff and students are expected to participate in the complaint resolution process in confidence that the procedures are designed to ensure fair resolution

Working with Persons Under 18 Years of Age

There is no single national framework setting out the requirements for obtaining Working with Children Checks or Police Checks. Each state and territory have their own procedures and it is necessary to fulfil the requirements in the jurisdiction(s) in which you are working. Relevant legislation and state and territory screening programs are available at <https://aifs.gov.au>

In Queensland, the *Working with Children Check (Risk management and screening) Act 2000* applies. Individuals are required to apply for a working with children check known as a "Blue Card".

Students under 18 years of age may enrol with Fresh Start Education. According to the law, a child is considered any individual less than 18 years of age.

Fresh Start Education management will undertake the appropriate mandatory pre-employment Police and Working with Children checks in those cases where staff are required to train and assess students under the age of 18.

Fresh Start Education will ensure that all students are protected from all forms of harm, including bullying, harassment, discrimination, and intimidation. All staff are required to report to Fresh Start Education management any behaviour that can reasonably be considered harmful or potentially harmful to students, or where it is reasonable to believe that a student has been harmed or requires protection from harm.

In cases where allegations or information indicate it is reasonable to believe a student has suffered from or may require protection from harm, Fresh Start Education will report to situation the relevant authorities.