



KELLS
SAFETY CENTRE

STUDENT HANDBOOK

KELLS SAFETY CENTRE

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PRE-COURSE ASSESSMENT

Prior to commencing a course, each student will be required to undergo a short and basic assessment to ensure that he or she has the necessary language, literacy and numeracy skills to complete the course.

The Pre-Course Assessment will help us identify if a student needs any support with his or her language, literacy or numeracy skills to complete a course. If we identify anything that we feel should be addressed with a student, we will contact the student to discuss what may be needed for the student to complete the course successfully (this could involve directing the student to courses to improve his or her language, literacy or numeracy skills).

UNIQUE STUDENT IDENTIFIER (USI)

Each student must provide Kells Safety Centre (**Kells**) with a valid USI before Kells will be able to issue the student with AQF certification documentation upon completion of the relevant training program, unless the student is exempt from being required to do so under the *Student Identifiers Act 2014 (Cth)*.

If an exemption does apply, it is important for the student that is exempt to understand that the results of the training will not be accessible through the Commonwealth and will not appear on any authenticated VET transcript prepared by the Registrar.

FEES, TRANSFER AND REDUNDS POLICY AND OTHER TERMS

Where training is not Government funded, the following procedure is to be implemented for all training fees:

- A student who registers to complete any course with Kells will have the protection of all applicable rights as a consumer under consumer laws that apply to their state or territory.
- The applicable course fees are payable upon registration of that course.

- The following rules relate to transfers, cancellations and no shows:

A	Student wishes to transfer to a different course date by providing Kells with at least 3 business days' notice	No cost
B	Student wishes to transfer to a different course date by providing Kells with less than 3 business days' notice	Transfer fee of 25% of the course fee payable by the student or their employer to Kells
C	Student wishes to substitute themselves with another person to attend that same course date	No cost
D	Student seeks to cancel their course enrolment by providing Kells with at least 3 business days' notice	Refund is issued to the student or their employer less a 25% administration fee of the course fee is to be retained by Kells
E	Student seeks to cancel their course enrolment by providing Kells with less than 3 business days' notice	No refund is issued, or the full course fee is payable by the student or their employer, to Kells
F	Student does not attend the course without providing notice, or partial attends and leaves without a reasonable reason	No refund is issued, or the full course fee is payable by the student or their employer, to Kells

- Where a course fee has been paid by credit card, the student or their employer authorise Kells to charge that credit card for any fee identified above.
- Kells may move the dates of any scheduled course by providing notice to a student or their employer, and Kells must make at least one other course date available for the student to attend within 30 days otherwise the student or their employer are entitled to a full refund.
- Kells owns the absolute copyright in all assessment tools that are made available to a student, and such assessment tools can only be used by that student for the sole purpose of completing our course(s).

COMPLAINTS AND APPEALS PROCESS

Any person wishing to make a complaint about:

- a course;
- an employee of Kells;
- a student; or
- a third party

shall have access to this complaints procedure.

All formal written complaints will be heard and decided within 21 days of the receipt of the complaint by Kells. A Complaints Register is maintained by the CEO, which must document all complaints received, including actions taken to resolve them.

Kells is committed to the ethical and responsible management of complaints and appeals, to a transparent decision making process and to a visible, accessible and fair complaints process.

The person is to be informed in writing of the final decision, and a copy is to stay on file.

If a complaint takes longer than 30 calendar days to resolve, the CEO shall ensure the process is micromanaged and the complainant kept informed as to where the matter is up to.

What is a Complaint?

Within Kells, complaints have been categorized according to the circumstance / contexts in which they occur, as follows:

- a complaint about the action/s of another person/s in Kells, including complaints about administrative matters

- a complaint about the action/s of a person outside of Kells organisation but associated with training, such as contracted trainers, or vocational placement hosts.

A key principle underlying Kells' complaint process is that, wherever possible, complaints are dealt with and resolved informally by the person who first receives the complaint.

Where a person makes a complaint concerning the manner in which Kells conducts its responsibilities as a RTO, the following process shall occur.

Informal Complaints

Initially, the complainant should communicate directly with the Kells Trainer who will take action and record the outcome of the complaint.

If the person(s) is dissatisfied with the outcome of the complaint, they may then be directed to the CEO who will take action and record the outcome of the complaint in the Complaint Register.

If the complainant is still dissatisfied with the outcome, they are to be invited to make a formal complaint.

Formal Complaints

Formal complaints should only proceed once the informal complaint process has been finalised.

The complaint, actions and outcome must all be recorded in writing, using the Complaint Notification Form along with any written correspondence from the complainant.

Upon receipt of a formal complaint in writing (receipt of all complaints are to be acknowledged in writing), Kells shall adopt the principles of natural justice and procedural fairness by:

1. informing the relevant parties of which the complaint relates
2. providing all relevant parties with an opportunity to present their side of the matter
3. operating in a fair and unbiased way

The CEO shall attempt to resolve the complaint to the satisfaction of the complainant and being mindful of the business' needs.

If the complaint is unresolved, then the student has the right of appeal as follows.

Appeals

Unresolved complaints will be referred to the Community Justice Centre of the Local Court. As an alternate dispute resolution process, there must be a resolution using the court processes.

Both parties to the appeal agree to abide by the outcome of the court.

The complainant shall be given the opportunity to present their case to the committee and may be accompanied by another person to act as support or as representation.

Where applicable, the relevant staff member/s shall be given an opportunity to present their case to the committee and may be accompanied by one other person as support or as representation.

The Community Justice Centre mediator will make a decision on the complaint and propose a mediated solution. The agreed resolution is then put into court orders to ensure that the resolve is maintained.

The CEO will communicate its decision on the complaint to all parties, in writing, within 5 working days of making a decision.

Timeframes

Although Kells will endeavour to finalise all complaints and appeals within 60 calendar days, where more than 60 calendar days have been required to process a complaint or appeal, the complainant / appellant is to be advised in writing of the reason(s) for the extended time period, and regularly update each affected party in writing.

SKILLS RECOGNITION

Kells is committed to the principles of Recognition of Prior Learning/Recognition of Current Competency. These two principles are now collectively referred to as *Recognition Assessment*.

The purpose of this policy and associated procedures is to provide for the assessment and credit of various types of prior learning acquired through:

- life experiences
- formal education and other courses
- training in a work environment
- work experiences

The underlying principle of Recognition Assessment is that no student should be required to undertake a competency or element of a competency in a qualification for which they are already able to demonstrate satisfactory achievement of the performance outcomes stated in the endorsed training package or nationally recognised course.

This policy therefore aims to maximise the recognition of a student's prior skills and knowledge whilst at all times maintaining the integrity and standards of the defined learning outcomes of the specific qualification or course of study.

The major benefit of taking into account a range of prior learning experiences is that it ensures students build on their prior learning and avoid repetition of subjects or stages of courses that they may have already completed elsewhere.

Credit Transfer

Kells will recognize the AQF qualifications and Statements of Attainment issued by any other Registered Training Organisation.

Recognition Assessment Definitions

Assessment

Assessment is the process of collecting evidence and making judgments on the nature and extent of progress towards the performance requirements set out in a competency standard or a learning outcome, and making a judgment as to whether competency, learning outcome or the equivalent has been achieved.

Assessor

A person holding the Certificate IV in Training and Assessment qualification responsible for the management and assessment of Recognition Assessment applications, including: organisation and conduct of interviews, practical demonstrations, written tests, projects and obtaining additional documentation, if required.

Credit Transfer

Credit transfer means a student is granted credit for studies/units of competency already completed, which effectively means that the student will be exempt from equivalent competencies in the qualification for which they are enrolling.

Recognition Assessment Portfolio (where applicable)

A series of documents that provide evidence of learning experiences and link them to learning outcomes or elements of competency.

Evidence

Workplace documents that indicate current competence against competency standards and/or elements of competency standards in the qualification in which the student is enrolling. For example:

Finance

Budgets and financial reports that you have prepared and/or interpreted.

Customer Service

A report making recommendations following a survey of customers.

Productivity

Procedures manual.

Grievances and Disputes

A copy of your organisation's disciplinary policy and discussion of how it has been implemented.

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

Kells refrains from engaging in any form or type of discriminatory conduct in its dealings with staff and students. Kells believes that everyone has a contribution to make, and the rights of employees, students and other persons will be valued and respected.

Discrimination Defined

Discrimination in the workplace takes place when a person is treated less favourably, or potentially may be treated less favourably than others, because of that person's circumstances, characteristics or beliefs.

Kells is committed to providing a workplace free from discrimination. Under Commonwealth and State laws, discrimination in employment and in workplace practices is against the law.

The following are some (but not all) grounds for discrimination.

- Gender
- Age
- Pregnancy
- Family responsibilities
- Impairment
- Social origin
- Political beliefs and activities
- Sexuality
- Marital status
- Intellectual disability
- Parental status
- Religion
- Race
- National or ethnic origin
- Colour
- Political beliefs and activities
- Physical Disabilities
- Criminal record
- Trade Union membership and/or activity

Direct Discrimination

Direct discrimination includes actions by individuals and organisations, and takes place when a person or organisation or group of persons, is treated less fairly than others on the basis of stereotyped beliefs or views.

Indirect Discrimination

Indirect discrimination includes rules, practices or policies which appear to be non-discriminatory and equally applicable, but operate in such a way that certain groups of people are excluded without just cause.

Kells' EEO Policy:

Kells will not tolerate or permit any form of discrimination, and all complaints will be investigated immediately and treated seriously.

ACCESS AND EQUITY

Kells is firmly committed to achieving best practice in the provision of vocational education and training.

Kells acknowledges that such a commitment is dependent on the non-discriminatory access to services and comparable educational outcomes by all groups in society. By providing accessible and equitable vocational education and training, employment and youth services, all Australians will be able to develop knowledge and skills to enhance life and work opportunities.

Kells recognises that particular groups of people in society have experienced and continue to experience, institutional disadvantage and unequal educational outcomes. Target groups include women, Aboriginal and Torres Strait Islanders, people from other than English speaking backgrounds, people with physical or intellectual disabilities and the long term unemployed.

This policy aims, therefore, to assist Kells to achieve best practice by promoting the establishment of strategies and processes that effectively redress past disadvantage and improve the position of all groups in society.

This policy also provides a framework for the development of policies and strategies that are aimed at achieving equal educational and vocational outcomes for target groups.

Kells' Commitment

Kells' unreserved commitment to the principle of access and equity in vocational education and training seeks to achieve the goal of improving the knowledge, skills, and quality of life for Australians, having regard to the particular needs of target groups.

Kells staff will adhere to the principles and practices of Equity in Education and Training.

Kells' trainers, assessors and other staff are responsible for ensuring access and equity principles and practices apply when dealing with:

- students and other students;
- the community;
- employers;
- employees;
- trainees;

- Fee-for-Service Trainees; and,
- where appropriate, employment services job seekers.

Eligibility Criteria (Funded Programmes)

Students will be individually assessed on their eligibility for the service being provided, and selection will comply with equal opportunity legislation.

Students will not be denied access to services where they are deemed eligible for such a service, and where Kells has the appropriate resources to provide high quality services.

Any enquiries in relation to childcare arrangements will be referred to an appropriate community agency.

As an Equal Employment Opportunity employer, Kells and its staff will treat every student fairly and without discrimination in the training environment and/or in the workplace. Complaint / grievance procedures have been put in place to ensure any concerns during training or employment placements, are dealt with immediately and appropriately.

The vocational education and training access and equity policy also acknowledges Kells' legal obligations under State and Federal equal opportunity law, including:

Racial Discrimination Act 1975 (Cth);

Sex Discrimination Act 1975 (Cth);

Disability Discrimination Act 1992 (Cth);

Training and employment services will be made available to all students (and potential students) regardless of race, gender, age, marital status, physical or intellectual impairment, or sexual orientation. Support mechanisms are available to support the student, employer and employee.

In accordance with sex discrimination laws, sexual harassment will not be accepted in the workplace, or in the training environment. Professional development of staff will be reviewed at least annually, aimed at addressing this and other discriminatory behaviours.

Assessments of special needs requirements

Relevant stakeholders will be consulted to determine their training needs in order to make informed decisions about training needs, delivery and assessment strategies. This will include identifying any special needs of the student so that any adjustments to training and assessment strategies can be prepared for in advance. Where necessary, the needs will be reviewed during delivery.

Where a pre-requisite for training requires a particular level of literacy and numeracy, or other entry skills, an assessment will be undertaken. This initial assessment is designed to be a non-threatening experience. Kells staff member possessing special skills in the relevant area will carry out this assessment.

The assessment will help to establish entry to a course / training program or to employment, and where special training and support resources will be required prior to or during the program.

Specialist testing for entry to industry requirements

Where there are essential literacy and numeracy requirements, requiring more specific testing, the applicant will be required to undertake a further assessment of skills and an appointment will be arranged.

There are a number of testing programs which can be accessed for this more formal assessment of reading, writing and speaking skills. In some qualification fields, there may be particular needs specified. For Australian residents, and those who have English as a second language and are moving into high-risk training areas (eg security industry), the State Training authority specifies assessment must be conducted using a particular assessment program. These assessments will be arranged by Kells with the assessment being conducted by a specialist from an approved provider list.

Reporting

Kells' enrolment form has been developed for use Australia wide that covers essential enrolment questions for AVETMISS compliance. This is the national VET management information system used for national statistical reporting.

SEXUAL HARASSMENT POLICY

Kells is committed to ensuring that the working environment at Kells is free from sexual harassment, and that adequate measures are in place to both prevent sexual harassment from occurring and to effectively manage any complaints of harassment should any be made.

Sexual harassment is unlawful and will not be tolerated under any circumstances. Disciplinary action will be initiated against any employee who engages in sexual harassment of any form in relation to any other Kells employee or personnel of Kells member or subscriber organisation.

Kells aims to:

- create an environment which is free from sexual harassment and where all members of staff and personnel of member and subscriber organisations are always treated with dignity, courtesy and respect;

- implement training and awareness raising strategies to ensure that all employees know their rights and responsibilities. The implementation of this Policy is one such measure;
- provide an effective procedure for complaints based on the principles of natural justice;
- treat all complaints in a sensitive, fair, timely and confidential manner;
- guarantee protection from any victimisation or reprisals;
- encourage the reporting of behaviour which breaches the sexual harassment policy; and
- promote appropriate and high standards of conduct at all times.

Sexual Harassment Defined

The Code of Practice on Sexual Harassment issued by the Human Rights and Equal Opportunity Commission defines sexual harassment as:

“an unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which makes a person feel offended, humiliated or intimidated, and where that reaction is reasonable in the circumstances.”

The General Principles relating to Sexual Harassment established by law are as follows:

- Sexual harassment can involve physical, visual, verbal or non-verbal conduct of a sexual nature which is uninvited and unwelcome;
- Sexual harassment is a legally recognised form of sex discrimination;
- Sexual harassment can be a breach of an employer’s common law duty to take reasonable care for the health and safety of employees;
- Sexual harassment can be a breach of occupational health and safety legislation;
- Sexual harassment can take various forms. It can involve:
 - behaviour which is accompanied by a direct or implied threat, benefit or promise;
 - behaviour which creates a sexually permeated or hostile working environment
 - behaviour which would also be an offence under the criminal law (for example, physical assault, indecent exposure, sexual assault, stalking or obscene communications).
- Sexual harassment is not sexual interaction, flirtation, attraction or friendship which is invited, mutual, consensual and reciprocated;

- The intention or motive of the alleged harasser is not relevant when determining whether the behaviour was unwelcome. Sexual harassment focuses on how the conduct in question was perceived and experienced by the recipient rather than the intention behind it;
- The unwelcome behaviour need not be repeated or continuous. A single incident can amount to sexual harassment;
- A complaint of sexual harassment will not be dismissed just because the person subjected to the behaviour did not directly inform the harasser that it was unwelcome. However, there does need to be some indication from the person's conduct or the surrounding circumstances that the behaviour was in fact unwelcome.
 - uninvited touching;
 - uninvited kisses or embraces;
 - smutty jokes or comments;
 - making promises or threats in return for sexual favours;
 - displays of sexually graphic material;
 - repeated invitations to go out after prior refusal;
 - "flashing" or sexual gestures;
 - sex-based insults, taunts, teasing or name-calling;
 - staring or leering at a person or at parts of their body;
 - unwelcome physical contact such as massaging a person without invitation or deliberately brushing up against them;
 - touching, or fiddling with a person's clothing e.g lifting up shirts or skirts, flicking bra straps or trouser flies, or putting hands in a person's pocket;
 - requests for sex;
 - sexually explicit conversation;
 - persistent questions or insinuations about a person's private life; offensive phone calls, letters or e-mail messages; and
 - stalking.

Kells' Policy

Kells will not tolerate or permit any form of illegal harassment and complaints will be investigated immediately, and treated very seriously.

WORK HEALTH AND SAFETY POLICY

Consistent with the provisions of safety laws, Kells is committed to work with all stakeholders to ensure the health, safety and welfare of all employees and to provide a safe and acceptable healthy environment for all students and others at our workplace(s), protecting them from work-caused injury and ill health by complying with all relevant safety legislation. To achieve the above statement and its occupational health and safety objectives Kells is committed to the following:

- Active involvement and commitment of staff to work health and safety at all levels in the workforce
- Strive to prevent accident and disease through the identification, removal and control of hazards
- Investigation and reporting of all accidents and dangerous incidents
- Participation of, and consultation with, employees on safety matters of significance;
- Provision of first aid and emergency procedures;
- Appointment of a First Aid Officer and WHS officer
- Provision of information, training and supervision as necessary for safety.

Kells' WHS policy

All of the staff at Kells comply with applicable safety laws and any specific policies and procedures that apply to its organisation.

PRIVACY POLICY

Why we collect your personal information

As a registered training organisation, Kells collects your personal information so we can process and manage your enrolment in a vocational education and training (VET) course with us.

How we use your personal information

We use your personal information to enable us to deliver VET courses to you, and otherwise, as needed, to comply with our obligations as an RTO.

How we disclose your personal information

We are required by law (under the *National Vocational Education and Training Regulator Act 2011 (Cth)* (NVETR Act)) to disclose the personal information we collect about you to the National VET Data Collection kept by the National Centre for Vocational Education Research Ltd (NCVER). The NCVER is responsible for

collecting, managing, analysing and communicating research and statistics about the Australian VET sector.

We are also authorised by law (under the NVETR Act) to disclose your personal information to the relevant state or territory training authority.

How the NCVET and other bodies handle your personal information

The NCVET will collect, hold, use and disclose your personal information in accordance with the law, including the *Privacy Act 1988 (Cth)* (Privacy Act) and the NVETR Act. Your personal information may be used and disclosed by NCVET for purposes that include populating authenticated VET transcripts; administration of VET; facilitation of statistics and research relating to education, including surveys and data linkage; and understanding the VET market.

The NCVET is authorised to disclose information to the Australian Government Department of Education, Skills and Employment (DESE), Commonwealth authorities, State and Territory authorities (other than registered training organisations) that deal with matters relating to VET and VET regulators for the purposes of those bodies, including to enable:

- administration of VET, including program administration, regulation, monitoring and evaluation
- facilitation of statistics and research relating to education, including surveys and data linkage
- understanding how the VET market operates, for policy, workforce planning and consumer information.

The NCVET may also disclose personal information to persons engaged by NCVET to conduct research on NCVET's behalf.

The NCVET does not intend to disclose your personal information to any overseas recipients.

For more information about how the NCVET will handle your personal information please refer to the NCVET's Privacy Policy at www.ncvet.edu.au/privacy.

If you would like to seek access to or correct your information, in the first instance, please contact your RTO using the contact details listed below.

DESE is authorised by law, including the Privacy Act and the NVETR Act, to collect, use and disclose your personal information to fulfil specified functions and activities. For more information about how the DESE will handle your personal information, please refer to the DESE VET Privacy Notice at <https://www.dese.gov.au/national-vet-data/vet-privacy-notice>.

Surveys

You may receive a student survey which may be run by a government department or an NCVET employee, agent, third-party contractor or another authorised agency. Please note you may opt out of the survey at the time of being contacted.

Contact information

At any time, you may contact OBCto:

- request access to your personal information
- correct your personal information
- make a complaint about how your personal information has been handled
- ask a question about this Privacy Notice

Data Quality

Kells will take reasonable steps to ensure that personal information is accurate, complete and up-to-date. Students are encouraged to help us keep their personal information accurate, complete and up-to-date by contacting us and informing us of any changes to details.

Data Security

Kells is committed to protecting the privacy of personal information. Kells takes reasonable steps to protect personal information from misuse, loss and from unauthorised access, modification or disclosure. Kells ensures this by having such security measures as:

- Individual password access to key systems and databases on Kells.
- All computer terminals must be **screen locked** when the user is absent from their desk.
- Secure file cabinets
- Ensuring private information is not left on desks or other areas where it can be viewed by unauthorised persons.

Kells will also take reasonable steps to destroy or permanently de-identify personal information if it is no longer required for any purpose.

Access and Correction

Students must be provided with the opportunity to access the personal information Kells holds about them and where appropriate, may be able to correct that information if they determine that it is incorrect.

Documents signed by a student or made available to Kells by the student are to be made available to them. Such documents are referred to as **Standard Access** documents.

However, staff must not make available the following information to the student (**Non Standard Access** documents);

- Information about third parties such as a spouse, children parents etc
- Information provided by a third party
- Medical or psychiatric records (other than those provided by the student)
- Psychological records.

Procedure for Standard Access

Student access *to or the updating* of Standard Access documents, can be dealt only with authorized staff. An obvious example of this might be the updating of a student's address and telephone details. Other examples might include a student now wanting copies of documents they have supplied to the site.

Procedure for Non- Standard Access

Any student who requests access to Non-Standard Access documents must be referred to the Training Manager (or delegated authority) who will need to ask the student for the request to be made in writing. The Training Manager (or delegated authority) should attempt to find out what the student is looking for, so that the request for access can be limited to those documents that meet the student's specific objectives.

Documents that must be handled in this way include:

- Request for information supplied by a third party or about a third party
- Requests to physically inspect the student file
- Requests involving any sensitive information (such as health information)

Any document over which there is a doubt as to its status should be initially treated as a Non-Standard Access document.

Best Practice is to involve Kells Training Manager in processing any Non-Standard access requests.

Students are to be advised that there will be a delay while the referral process is completed.

If the request for access is refused, the Training Manager must inform the student, including the reason for the refusal. However, every effort is to be made to provide the student with as much appropriate Standard Access information as is possible. If the process looks likely to result in a complaint, the Training Manager and CEO should be contacted immediately.

If a student wants to make an alteration or correction to a file which staff does not agree with, the change request will also have to be referred to the Training Manager for their consideration.

If a physical inspection of a file by the student has been approved, the inspection of the file by the student should be carefully supervised. This is to prevent alteration, tampering or removal of information.

Special Situations involving Police

At times, Police may approach Kells for information regarding our students. If Police want to interview a Student regarding law enforcement issues, staff is to advise the student's whereabouts and other contact details.

If Police want to inspect a student's file and other documentation, they should be asked to provide the necessary legal documents to obtain such access.

In both of the above cases, Police should be asked to put their requests in writing. If information or access is given, a note detailing the circumstances must be made on the file. Kells' CEO should also be contacted should assistance or advice be required.

Other Third Parties

Kells may receive requests from third parties requesting students' personal information.

Firstly, before any such information is released, a signed authorization from the student must be obtained. Secondly, if the signed authorization is not delivered in person by the student, staff are to confirm with the student that the authorization was not obtained under duress. Steps to obtain such confirmation would depend on the circumstances. A phone call may be in order if the private phone number is known and the staff member recognizes the student's voice.

Staff are to take all steps to ensure the information is directed to and received by the authorised party.

All formal requests for access to student files are to be reported to the CEO, including routine cases.

Resolving Privacy Concerns

Students are able to raise any concerns they may have regarding Kells' personal information handling practices by either discussing concerns with Training staff or by calling Kells Training Manager.

Assistance with Privacy queries

Further advice on privacy or information access issues can be obtained from Kells CEO. The CEO should also be consulted if any unusual situations arise.