

**RTO Code: 2293
CODE OF PRACTICE
POLICY & PROCEDURE**

CODE OF PRACTICE


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DOCUMENTS : Complaints Appeals Report Form Appendix 1
Complaint Appeal Register

REFERENCES : All Policies & Procedures
Training & Skills Commission (SA) Code of Practice
Age Discrimination Act 2004 (Cth)
Australian Human Rights Commission Act 1986 (Cth)
Australian Qualifications Framework
Disability Discrimination Act 1992 (Cth)
Equal Opportunity Act 1984 (SA)
Fair Work Act 2009 (Cth)
Fair Work Regulations 2009 (Cth)
Fit & Proper Persons Requirements (2011)
Freedom of Information Act 1982 (Cth)
Privacy Act 1988 (Cth)
Racial Discrimination Act 1975 (Cth)
Racial Vilification Act 1996 (SA)
Racial Discrimination Act 1975 (Cth)
Sex Discrimination Act 1984 (Cth)
VET Quality Framework
Standards for Registered Training Organisations (RTOs) 2015 (Cth)
National Vocational Education and Training Regulator Act 2011
GTS Privacy Procedure
Motor Trades Association of SA Inc Privacy Statement
Privacy Act 1988 & Australian Privacy Principles
Working with Children (Criminal Record Checking) Act 2004

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CONTENTS

PURPOSE	3
APPLICABLE STANDARDS	3
Standards for Registered Training Organisations 2015	3
Standard:	3
POLICY	3
RESPONSIBILITIES	4
CODE OF PRACTICE	5
Attachment A to Code of Practice - Pre-enrolment Materials	9
Pre-enrolment materials as per Standard 3.....	9
Clause 3.6	9
Pre-enrolment materials as per Standard 5:	9
Clause 5.1	9
Clause 5.2	9
Clause 5.3	10
Clause 5.4	11
Appendix 1	12



PURPOSE

The purpose of this policy is to highlight and confirm for all stakeholders how Motor Trade Association Group Training Scheme Registered Organisation (MTA RTO) will conduct its operations.

APPLICABLE STANDARDS

Standards for Registered Training Organisations 2015

Standard:

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

POLICY

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

The MTA RTO will:

- Abide by its Code of Practice, based on the Training & Skills Commission (SA) Code of Practice, at all times;
- Assure that all persons who are in a position to influence decisions within the RTO are fit and proper persons;
- At all times endeavour to identify any and all conflicts of interest that may arise from time to time for any person who is in a position to influence decisions;
- At all times conduct our operations transparently, equitably and with integrity;
- Practice zero tolerance of all behaviours and activities that diminish the importance of individuals;
- Observe the standards prescribed by the Australian Quality Framework, VET Quality Framework, Training & Skills Commission/Department of State Development (DSD) and other governing and regulatory bodies as is required from time to time;
- Establish policies and procedures that meet the requirements of the Children's Protection Act 1993 and enhance the development of a Child Safe Environment;
- Establish policies which fulfill our obligations to all stakeholders and which comply with all legislative and governance requirements;



- Strive for continuous improvement of all facets of our operation and service provision;
- Take responsibility for professional development of all persons involved in the provision of our services;
- Make every endeavour to assure that the MTA RTO is eco friendly.
- Utilise the expertise and knowledge of industry experts to:
 - inform and enhance our learning and assessment tools, resources and practices, and the relevancy of trainer/assessor qualifications;
 - maintain the relevance and currency of learning and assessment for our students;
 - augment the relevance and currency of our training/assessing staff.

RESPONSIBILITIES

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

CODE OF PRACTICE

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

1. INTRODUCTION

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

2. PROVISION OF TRAINING AND ASSESSMENT SERVICES

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

Where an applicant student does not meet the requirements of the assessment and MTA is unable to provide the learning required MTA will assist the student to access a quality and appropriate provider.
- 2.2. MTA has policies and management practices which maintain high professional standards in the delivery of training and assessment services, and which safeguard the interests and welfare of students and/or clients.
- 2.3. MTA maintains a learning environment that is conducive to the success of students.
- 2.4. MTA has the capacity to deliver and assess the vocational qualifications for which it has been registered, provide adequate facilities, and use methods and materials appropriate to the learning and assessment needs of students.
- 2.5. MTA monitors and assesses the performance and progress of its students.
- 2.6. MTA ensures that teaching staff are not only suitably qualified but are also sensitive to the cultural and learning needs of students, and it provides training for our staff as required.

- 2.7. MTA ensures that assessments are conducted in a manner which meets the endorsed components of the relevant Training Package(s) and/or accredited courses.
- 2.8. MTA is committed to access and equity principles and processes in the delivery of its services.

3. ISSUANCE OF QUALIFICATIONS

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

4. RECOGNITION OF QUALIFICATIONS ISSUED BY OTHER RTOS

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

5. MARKETING OF TRAINING AND ASSESSMENT SERVICES

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

6. FINANCIAL STANDARDS

- 6.1. MTA has measures to ensure that students and clients receive a refund of fees for services not provided, including services not provided as a result of the financial failure of the organisation.
- 6.2. MTA has a refund policy that is fair and equitable and this policy is made available to all students and clients prior to enrolment.
- 6.3. MTA ensures that the contractual and financial relationship between the student/client and the organisation is fully and properly documented, and that copies of the documentation are made available to the student/client.

- 6.4. Documentation includes: the rights and responsibilities of students, costs of training and assessment services and issuance of Qualifications, payment arrangements, refund conditions and any other matters that place obligations on students or clients.

7. PROVISION OF INFORMATION

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

8. RECRUITMENT

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

9. SUPPORT SERVICES

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

10. COMPLAINTS & APPEAL MECHANISM

MTA ensures that students and clients have access to a fair and equitable process for dealing with complaints and appeals and provides an avenue for students to appeal against decisions which affect the students' progress. Every effort is made by MTA to resolve students'/clients' complaint or appeal.

For this purpose, MTA has complaint and policies where a member of staff is identified to students and clients as the reference person for such matters. In addition, the complaint and appeal mechanisms as a whole are made known to students at the time of enrolment.

Where a complaint cannot be resolved internally, MTA advises students and clients of the appropriate body where they can seek further assistance.



11. RECORD KEEPING

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

12. QUALITY CONTROL

MTA seeks feedback from our students and clients on their satisfaction with services they have received and seeks to improve its services in accordance with their expectations.

MTA encourages and invites our apprentice employers and other industry experts' involvement as guest lecturers.

MTA's Training & Assessment Committee oversees all learning and assessment activities and resources and includes industry representatives as part of its membership to ensure relevance and currency of learning and assessment for our students.

13. CHILDREN'S PROTECTION

In the event that MTA determines to engage minor children students MTA will implement policy and procedure that will ensure the requirements of the Children's Protection Act 1993 and in particular 8B-8D Child Safe Environments and criminal history assessment for people working with children are met; ensure that only fit and proper people are employed in positions that have regular contact with children; enhance the opportunity to develop a child safe environment.

MTA's staff recruitment process includes Criminal History Check Assessments and reference checks utilising the services of Department for Child Protection and to conduct comprehensive reference checks.

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CHIEF EXECUTIVE OFFICER

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DATE

Attachment A to Code of Practice - Pre-enrolment Materials

Pre-enrolment materials as per Standard 3

Clause 3.6

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

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

Pre-enrolment materials as per Standard 5:

Clause 5.1

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

Clause 5.2

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

- a) the code, title and currency of the training product to which the learner is to be enrolled, as published on the National Register;
- b) the training and assessment, and related educational and support services the RTO will provide to the learner including the:
 - i) estimated duration;
 - ii) expected locations at which it will be provided;
 - iii) expected modes of delivery;

- iv) name and contact details of any third party that will provide training and/or assessment, and related educational and support services to the learner on the RTO's behalf; and
- v) any work placement arrangements.
- c) the RTO's obligations to the learner, including that the RTO is responsible for the quality of the training and assessment in compliance with these Standards, and for the issuance of the AQF certification documentation.
- d) the learner's rights, including:
 - i) details of the RTO's complaints and appeals process and
 - ii) if the RTO, or a third party delivering training and assessment on its behalf, closes or ceases to deliver any part of the training product that the learner is enrolled in;
- e) the learner's obligations:
 - i) in relation to the repayment of any debt to be incurred under the VET FEE-HELP scheme arising from the provision of services;
 - ii) any requirements the RTO requires the learner to meet to enter and successfully complete their chosen training product; and
 - iii) any materials and equipment that the learner must provide; and
- f) information on the implications for the learner of government training entitlements and subsidy arrangements in relation to the delivery of the services.

Clause 5.3

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

- a) all relevant fee information including:
 - iv) fees that must be paid to the RTO; and
 - v) payment terms and conditions including deposits and refunds;
- b) the learner's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies;

- c) the learner's right to obtain a refund for services not provided by the RTO in the event the:
 - vi) arrangement is terminated early; or
 - vii) the RTO fails to provide the agreed services.

Clause 5.4

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

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

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



CODE OF PRACTICE POLICY & PROCEDURE



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