



**PARTICIPANT
HANDBOOK**

The title "PARTICIPANT HANDBOOK" is displayed in large, bold, white capital letters. The word "PARTICIPANT" is on a light green background bar, and "HANDBOOK" is on a darker green background bar. A solid dark blue horizontal bar is positioned below the word "HANDBOOK".

June 2017

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GENERAL INFORMATION

INTRODUCTION

So you want to study with Builders Academy Australia! Excellent, you have made the first step towards enhancing your career pathway and work opportunities.

Simonds Homes was the first Victorian construction company to become a Registered Training Organisation (RTO) that is registered to deliver and assess accredited training programs. Builders Academy Australia as one of the Simonds Group of Companies, delivers nationally recognised training programs and issues qualifications under the Australian Qualifications Framework (AQF).

Builders Academy Australia delivers training in the areas of Customer Service, Business, Management, Building and Construction, and Transport and Logistics and provides professional development short courses and workshops designed to enhance professional skills and business outcomes.

The Builders Academy Australia team is made up of qualified trainers and leaders from a variety of industries. Our team has employer and management experience and understands all facets of training delivery and the construction industry.

Service is our focus, delivering punchy, upbeat, interactive training that does make a difference. Our programs are tailored to meet the needs of the Simonds Group of Companies, big brand partners and sub-contractors with an emphasis on improving employees' skills; this enhances department/business performance by adopting a value added workplace culture which enables our graduates to make a real difference.

What we stand for

Our Vision is to build a learning culture that empowers workforce capacity development.

Our Mission is to be a learning organisation that embeds learning and development into all areas of business planning and goals enabling all staff to participate in developing the workforce together.

STATEMENT OF PRINCIPLES AND OBLIGATIONS

Builders Academy Australia is fair and honest when dealing with the individuals it trains, with other RTOs, with industry and community representatives and with governments. Our operations demonstrate a commitment to the following principles and obligations:

- Commitment to serving the public interest;
- Responsiveness to government and the needs of the community;
- Accountability and transparency;
- Integrity and fairness; and
- Putting participants first.

Ask your Trainer or Assessor if you wish to receive a full outline of how Builders Academy Australia demonstrates and meets these principles and obligations.

COMPLIANCE

Builders Academy Australia is registered as an RTO, under the *National Vocational Education and Training Regulator Act 2011* to undertake nationally recognised training services, having

met and maintaining compliance with the *VET Quality Framework* standards and requirements.

Builders Academy Australia is audited by ASQA to these requirements on an ongoing basis. As the Commonwealth Government established regulator, ASQA has the authority to manage, audit and deregister RTOs.

Australian Qualifications Framework

The *Australian Qualifications Framework (AQF)* is the national policy for qualifications in the Australian education and training system. Builders Academy Australia complies with the AQF as a condition of its RTO entities' registration.

The AQF recognises Builders Academy Australia's RTOs as 'authorised issuing organisations', able to issue AQF qualifications and statements of attainment to participants that have satisfied the relevant competency requirements.

AQF Recognition

One of the most important features of the *VET Quality Framework* is the recognition of training organisations and AQF qualifications, including Statements of Attainment.

Builders Academy Australia accepts testamurs issued by another registered training organisation and ensures that all Certificates and Statements of Attainment issued by any other registered training organisation are accepted as valid. A testamur may be a Statement of Attainment for specific topics or units of competency, or it may be a complete Qualification such as Certificate or Diploma.

Quality Indicators

The national Quality Indicators have been designed to help RTOs conduct evidence-based and outcomes-focused continuous quality improvement, and assist ASQA and other government authorities to assess the risk of a RTOs' operations.

Builders Academy Australia is required to collect and use data on three Quality Indicators: *Participant Engagement, Employer Satisfaction and Competency Completion*.

Legislation

Builders Academy Australia ensures it complies with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations. Our operations are subject to a variety of legislation related to training and assessment, as well as general business practice.

This includes, but is not limited to, compliance with:

- The *National Vocational Education and Training Regulator Act 2011*, and the legislative instruments it enables;
- Workplace health and safety legislation and regulations;
- Anti-discrimination legislation and regulations; and
- Consumer protection requirements.

Builders Academy Australia ensures our personnel and clients are informed of any changes to legislative and regulatory requirements that affect services delivered, through internal communication activities.

UNIQUE STUDENT IDENTIFIER

Builders Academy Australia applies for or verifies participants' USI's at the time of enrolment.

Builders Academy Australia only issues a qualification or statement of attainment to a participant after you have provided your verified USI or we have applied for a USI on their behalf.

WORK HEALTH & SAFETY

Builders Academy Australia places a high priority on the health and safety of its personnel and clients. The well-being of individuals can directly affect their job satisfaction, motivation and overall morale in the work environment.

Builders Academy Australia is committed to providing a safe and healthy work environment for all individuals. Builders Academy Australia makes every reasonable effort to prevent accidents, protect individuals from injury and promote the health, safety and welfare of all individuals.

All individuals:

- Have a responsibility to comply with all occupational health and safety procedures;
- Must take reasonable care of themselves and others on the premises;
- Must not interfere with or misuse items or facilities provided in the interest of health and safety; and
- Must report any incidents, actual or potential hazards and "near misses" to their relevant Builders Academy Australia contact.

Child Safety

All participants under eighteen (18) years of age who are supported by Builders Academy Australia have a right to feel and be safe. Builders Academy Australia is committed to the safety and well-being of young people accessing our services.

Builders Academy Australia complies with relevant child safety legislation across jurisdictions of operations and commits to establishing and maintaining child safe environments following the *Keep Them Safe: A Shared Approach to Child Wellbeing* framework.

All Builders Academy Australia personnel are required to undertake, as a component of the recruitment process, a *National Criminal Check* to ensure suitability in meeting Builders Academy Australia's legislative and contractual obligations. Relevant state jurisdiction *Working with Children Checks* are also completed as required on a state by state basis.

PRIVACY

Builders Academy Australia is committed to maintaining the privacy and confidentiality of its personnel and participant records. Builders Academy Australia complies with the *Privacy Act 1988 including the 13 Australian Privacy Principles (APPs)* as outlined in the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*. Providing an overall framework for our privacy practices, Builders Academy Australia has developed and implemented this APP Privacy Policy.

Our Privacy policy is designed to maintain requirements with additional state jurisdictional requirements including:

- Information Privacy Act 2014 (ACT);

- Privacy and Personal Information Protection Act 1998 (NSW);
- Information Act 2003 (NT);
- Information Privacy Act 2009(QLD);
- Information Privacy Act 2000 (VIC); and
- Personal Information Protection Act 2004 (TAS).

Builders Academy Australia manages personal information in an open and transparent way. This is evident in the implementation of practices, procedures and systems we outline in this policy, that ensure our compliance with the APPs and any binding registered APP code, and provide suitable procedures for our personnel to be able to deal with related inquiries and complaints that may be received from time to time.

AUSTRALIAN PRIVACY PRINCIPLES

The following sections of this policy outline how Builders Academy Australia manages personal information.

Australian Privacy Principle 1 – Open and transparent management of personal information

Purposes for information collection, retention, use and disclosure

Builders Academy Australia retains a record of personal information about all individuals with whom Builders Academy Australia undertakes any form of business activity. Builders Academy Australia must collect, hold, use and disclose information from our clients and stakeholders for a range of purposes, including but not limited to:

- Providing services to clients;
- Managing employee and contractor teams;
- Promoting products and services;
- Conducting internal business functions and activities; and
- Requirements of stakeholders.

As a government registered training organisation, regulated by the Australian Skills Quality Authority, Builders Academy Australia is required to collect, hold, use and disclose a wide range of personal and sensitive information on participants in nationally recognised training programs. This information requirement is outlined in the *National Vocational Education and Training Regulator Act 2011* and associated legislative instruments. In particular, the legislative instruments:

- *Student Identifiers Act 2014;*
- *Standards for Registered Training Organisations 2015;* and
- *Data Provision Requirements 2012.*

Builders Academy Australia is also bound by various State Government Acts requiring similar information collection, use and disclosure (particularly *Education Act(s)*, *Vocational Education & Training Act(s)* and *Traineeship & Apprenticeships Act(s)* relevant to state jurisdictions of Builders Academy Australia operations).

Builders Academy Australia delivers services through a range of Commonwealth and State Government funding contract agreement arrangements, which also include various information collection and disclosure requirements.

Individuals are advised that due to these legal requirements, Builders Academy Australia discloses information held on individuals for valid purposes to a range of entities including:

- Governments (Commonwealth, State or Local);
- Australian Apprenticeships Centres;

- Employers (and their representatives), Job Network Providers, Schools, Guardians; and
- Service providers such as RTO Management Services for data management, credit agencies and background check providers.

Kinds of personal information collected and held

The following types of personal information are generally collected, depending on the need for services delivery:

- Contact details;
- Employment details;
- Educational background;
- Demographic Information;
- Course progress and achievement information; and
- Financial billing information.

The following types of sensitive information may also be collected and held:

- Identity details;
- Employee details & HR information;
- Complaint or issue information;
- Disability status & other individual needs;
- Indigenous status; and
- Background checks (such as National Criminal Checks or Working with Children checks).

Where Builders Academy Australia collects personal information of more vulnerable segment of the community (such as children), additional practices and procedures are also followed.

How personal information is collected

Builders Academy Australia's usual approach to collecting personal information is to collect any required information directly from the individuals concerned. This may include the use of forms (such as registration forms, enrolment forms or services delivery records) and the use of web based systems (such as online enquiry forms, web portals or internal operating systems).

Builders Academy Australia receives solicited and unsolicited information from third party sources in undertaking services delivery activities. This may include information from such entities as:

- Governments (Commonwealth, State or Local);
- Australian Apprenticeships Centres;
- Employers (and their representatives), Job Network Providers, Schools, Guardians; and
- Service providers such as credit agencies and background check providers.

How personal information is held

Our usual approach to holding personal information includes robust storage and security measures at all times. Information on collection is:

- As soon as practical converted to electronic means;
- Stored in secure, password protected systems, such as financial system, learning management system and participant management system; and
- Monitored for appropriate authorised use at all times.

Only authorised personnel are provided with login information to each system, with system access limited to only those relevant to their specific role. Builders Academy Australia ICT systems are hosted internally with robust internal security to

physical server locations and server systems access. Virus protection, backup procedures and ongoing access monitoring procedures are in place.

Destruction of paper based records occurs as soon as practicable in every matter, through the use of secure shredding and destruction services at all Builders Academy Australia sites. Individual information held across systems is linked through a Builders Academy Australia allocated identification number for each individual.

Retention and Destruction of Information

Builders Academy Australia maintains a *Retention and Disposal Schedule* documenting the periods for which personal information records are kept. Specifically for our RTO records, in the event of our organisation ceasing to operate the required personal information on record for individuals undertaking nationally recognised training with us would be transferred to the Australian Skills Quality Authority, as required by law.

Accessing and seeking correction of personal information

Builders Academy Australia confirms all individuals have a right to request access to their personal information held and to request its correction at any time. In order to request access to personal records, individuals are to make contact with:

Builders Academy Australia Privacy Officer
1300 LEGEND
privacy@buildersacademy.com.au
Locked Bag 4002
South Melbourne VIC 3205

A number of third parties, other than the individual, may request access to an individual's personal information. Such third parties may include employers, parents or guardians, schools, Australian Apprenticeships Centres, Governments (Commonwealth, State or Local) and various other stakeholders.

In all cases where access is requested, Builders Academy Australia ensures that:

- Parties requesting access to personal information are robustly identified and vetted;
- Where legally possible, the individual to whom the information relates will be contacted to confirm consent (if consent not previously provided for the matter); and
- Only appropriately authorised parties, for valid purposes, will be provided access to the information.

Complaints about a breach of the APPs or a binding registered APP code

If an individual feels that Builders Academy Australia may have breached one of the APPs or a binding registered APP code, please refer to the *Privacy Complaints Procedure* below for further information on what actions may be taken.

Likely overseas disclosures

Builders Academy Australia confirms that individuals' personal information is not disclosed to overseas recipients, for any purpose.

Making our APP Privacy Policy available

Builders Academy Australia provides our APP Privacy Policy available free of charge, with all information being publicly available from the Privacy link on our website at

www.buildersacademy.com.au/about-builders-academy. This website information is designed to be accessible as per web publishing accessibility guidelines, to ensure access is available to individuals with special needs (such as individuals with a vision impairment). In addition, this APP Privacy Policy is available for distribution free of charge on request, as soon as possible after the request is received, including in any particular format requested by the individual as is reasonably practical. If, in the unlikely event the APP Privacy Policy is not able to be provided in a particular format requested by an individual, Builders Academy Australia will explain the circumstances around this issue with the requester and seek to ensure that another appropriate method is provided.

Review and Update of this APP Privacy Policy

Builders Academy Australia reviews this APP Privacy Policy:

- On an ongoing basis, as suggestions or issues are raised and addressed, or as government required changes are identified;
- Through our internal audit processes on at least an annual basis;
- As a part of any external audit of our operations that may be conducted by various government agencies as a part of our registration as an RTO or in normal business activities; and
- As a component of each and every complaint investigation process where the complaint is related to a privacy matter.

Where this policy is updated, changes to the policy are widely communicated to stakeholders through internal personnel communications, meetings, training and documentation, and externally through publishing of the policy on our website and other relevant documentation.

Australian Privacy Principle 2 – Anonymity and pseudonymity

Builders Academy Australia provides individuals with the option of not identifying themselves, or of using a pseudonym, when dealing with us in relation to a particular matter, whenever practical. This includes providing options for anonymous dealings in cases of general course enquiries or other situations in which an individual's information is not required to complete a request.

Individuals may deal with us by using a name, term or descriptor that is different to the individual's actual name wherever possible. This includes using generic email addresses that does not contain an individual's actual name, or generic user names when individuals may access a public component of our website or enquiry forms.

Builders Academy Australia only stores and links pseudonyms to individual personal information in cases where this is required for services delivery (such as system login information) or once the individual's consent has been received.

Individuals are advised of their opportunity to deal anonymously or by pseudonym with us where these options are possible.

Requiring identification

Builders Academy Australia must require and confirm identification however in services delivery to individuals for nationally recognised course programs. Builders Academy Australia is authorised by Australian law to deal only with individuals who have appropriately identified themselves. That

is, it is a *Condition of Registration* for all RTOs under the *National Vocational Education and Training Regulator Act 2011* that Builders Academy Australia identifies individuals and their specific individual needs on commencement of services delivery, and collect and disclose Australian Vocational Education and Training Management of Information Statistical Standard (AVETMISS) data on all individuals enrolled in nationally recognised training programs. Other legal requirements, as noted earlier in this policy, also require considerable identification arrangements.

There are also other occasions within our services delivery where an individual may not have the option of dealing anonymously or by pseudonym, as identification is practically required for us to effectively support an individual's request or need.

Australian Privacy Principle 3 – Collection of solicited personal information

Builders Academy Australia only collects personal information that is reasonably necessary for our business activities. Builders Academy Australia only collects sensitive information in cases where the individual consents to the sensitive information being collected, except in cases where Builders Academy Australia is required to collect this information by law, such as outlined earlier in this policy.

All information Builders Academy Australia collects is collected only by lawful and fair means. We only collect solicited information directly from the individual concerned, unless it is unreasonable or impracticable for the personal information to only be collected in this manner.

Australian Privacy Principle 4 – Dealing with unsolicited personal information

Builders Academy Australia may from time to time receive unsolicited personal information. Where this occurs we promptly review the information to decide whether or not we could have collected the information for the purpose of our business activities. Where this is the case, we may hold, use and disclose the information appropriately as per the practices outlined in this policy.

Where Builders Academy Australia could not have collected this information (by law or for a valid business purpose) we immediately destroy or de-identify the information (unless it would be unlawful to do so).

Australian Privacy Principle 5 – Notification of the collection of personal information

Whenever Builders Academy Australia collects personal information about an individual, Builders Academy Australia takes reasonable steps to notify the individual of the details of the information collection or otherwise ensure the individual is aware of those matters. This notification occurs at or before the time of collection, or as soon as practicable afterwards.

Our notifications to individuals on data collection include:

- Builders Academy Australia's identity and contact details, including the position title, telephone number and email address of a contact who handles enquiries and requests relating to privacy matters;
- The facts and circumstances of collection such as the date, time, place and method of collection, and whether the

information was collected from a third party, including the name of that party;

- If the collection is required or authorised by law, including the name of the Australian law or other legal agreement requiring the collection;
- The purpose of collection, including any primary and secondary purposes;
- The consequences for the individual if all or some personal information is not collected;
- Other organisations or persons to which the information is usually disclosed, including naming those parties;
- Whether Builders Academy Australia is likely to disclose the personal information to overseas recipients, and if so, the names of the recipients and the countries in which such recipients are located.
- A link to this APP Privacy Policy on our website or explain how it may be accessed; and
- Advice that this APP Privacy Policy contains information about how the individual may access and seek correction of the personal information held by us; and how to complain about a breach of the APPs, or any registered APP code, and how we will deal with such a complaint.

Where possible, Builders Academy Australia ensures that the individual confirms their understanding of these details, such as through signed declarations, website form acceptance of details or in person through questioning.

Collection from third parties

Where Builders Academy Australia collects personal information from another organisation, we:

1. Confirm whether the other organisation has provided the relevant notice above to the individual; or
2. Whether the individual was otherwise aware of these details at the time of collection; and
3. If this has not occurred, we will undertake this notice to ensure the individual is fully informed of the information collection.

Australian Privacy Principle 6 – Use or disclosure of personal information

Builders Academy Australia only uses or discloses personal information it holds about an individual for the particular primary purposes for which the information was collected, or secondary purposes in cases where:

- An individual consented to a secondary use or disclosure;
- An individual would reasonably expect the secondary use or disclosure, and that is directly related to the primary purpose of collection; or
- Using or disclosing the information is required or authorised by law.

Requirement to make a written note of use or disclosure for this secondary purpose

If Builders Academy Australia uses or discloses personal information in accordance with an 'enforcement related activity' we will make a written note of the use or disclosure, including the following details:

- The date of the use or disclosure;
- Details of the personal information that was used or disclosed;
- The enforcement body conducting the enforcement related activity;

- If the organisation used the information, how the information was used by the organisation;
- The basis for our reasonable belief that we were required to disclose the information.

Australian Privacy Principle 7 – Direct marketing

Builders Academy Australia does not use or disclose the personal information that it holds about an individual for the purpose of direct marketing, unless:

- The personal information has been collected directly from an individual, and the individual would reasonably expect their personal information to be used for the purpose of direct marketing; or
- The personal information has been collected from a third party, or from the individual directly, but the individual does not have a reasonable expectation that their personal information will be used for the purpose of direct marketing; and
- Builders Academy Australia provides a simple method for the individual to request not to receive direct marketing communications (also known as 'opting out').

On each of our direct marketing communications, Builders Academy Australia provides a prominent statement that the individual may request to opt out of future communications, and how to do so. An individual may also request us at any stage not to use or disclose their personal information for the purpose of direct marketing, or to facilitate direct marketing by other organisations. We comply with any request by an individual promptly and undertake any required actions for free.

Builders Academy Australia also, on request, notifies an individual of our source of their personal information used or disclosed for the purpose of direct marketing unless it is unreasonable or impracticable to do so.

Australian Privacy Principle 8 – Cross-border disclosure of personal information

Before Builders Academy Australia discloses personal information about an individual to any overseas recipient, we take reasonable steps to ensure that the recipient does not breach any privacy matters in relation to that information.

Australian Privacy Principle 9 – Adoption, use or disclosure of government related identifiers

Builders Academy Australia does not adopt, use or disclose a government related identifier related to an individual except:

- In situations required by Australian law or other legal requirements;
- Where reasonably necessary to verify the identity of the individual;
- Where reasonably necessary to fulfil obligations to an agency or a State or Territory authority; or
- As prescribed by regulations.

Australian Privacy Principle 10 – Quality of personal information

Builders Academy Australia takes reasonable steps to ensure that the personal information it collects is accurate, up-to-date and complete. We also take reasonable steps to ensure that the personal information we use or disclose is, having regard to the purpose of the use or disclosure, accurate, up-to-date, complete and relevant. This is particularly important:

- When we initially collect the personal information; and
- When we use or disclose personal information.

Builders Academy Australia takes steps to ensure personal information is factually correct. In cases of an opinion, we ensure information takes into account competing facts and views and makes an informed assessment, providing it is clear this is an opinion. Information is confirmed up-to-date at the point in time to which the personal information relates.

Quality measures in place supporting these requirements include:

- Internal practices, procedures and systems to audit, monitor, identify and correct poor quality personal information (including training personnel in these practices, procedures and systems);
- Protocols that ensure personal information is collected and recorded in a consistent format, from a primary information source where possible;
- Ensuring updated or new personal information is promptly added to relevant existing records;
- Providing individuals with a simple means to review and update their information on an on-going basis through our online portal;
- Reminding individuals to update their personal information at critical services delivery points (such as completion) when we engage with the individual;
- Contacting individuals to verify the quality of personal information where appropriate when it is about to be used or disclosed, particularly if there has been a lengthy period since collection; and
- Checking that a third party, from whom personal information is collected, has implemented appropriate data quality practices, procedures and systems.

Australian Privacy Principle 11 — Security of personal information

Builders Academy Australia takes active measures to consider whether Builders Academy Australia is able to retain personal information we hold, and also to ensure the security of personal information we hold. This includes reasonable steps to protect the information from misuse, interference and loss, as well as unauthorised access, modification or disclosure.

Builders Academy Australia destroys or de-identifies personal information held once the information is no longer needed for any purpose for which the information may be legally used or disclosed.

Access to Builders Academy Australia offices and work areas is limited to our personnel only - visitors to our premises must be authorised by relevant personnel and are accompanied at all times. With regard to any information in a paper based form, we maintain storage of records in an appropriately secure place to which only authorised individuals have access.

Regular personnel training and information bulletins are conducted with Builders Academy Australia personnel on privacy issues, and how the APPs apply to our practices, procedures and systems. Training is also included in our personnel induction practices.

Builders Academy Australia conducts ongoing internal audits (at least annually and as needed) of the adequacy and currency of security and access practices, procedures and systems implemented.

Australian Privacy Principle 12 — Access to personal information

Where Builders Academy Australia holds personal information about an individual, we provide that individual access to the information on their request. In processing requests, we:

- Ensure through confirmation of identity that the request is made by the individual concerned, or by another person who is authorised to make a request on their behalf;
- Respond to a request for access:
 - Within 14 calendar days, when notifying our refusal to give access, including providing reasons for refusal in writing, and the complaint mechanisms available to the individual; or
 - Within 30 calendar days, by giving access to the personal information that is requested in the manner in which it was requested.
- Provide information access free of charge.

Australian Privacy Principle 13 – Correction of personal information

Builders Academy Australia takes reasonable steps to correct personal information we hold, to ensure it is accurate, up-to-date, complete, relevant and not misleading, having regard to the purpose for which it is held.

Individual Requests

On an individual's request, Builders Academy Australia:

- Corrects personal information held; and
- Notifies any third parties of corrections made to personal information, if this information was previously provided to these parties.

In cases where Builders Academy Australia refuses to update personal information, we:

- Give a written notice to the individual, including the reasons for the refusal and the complaint mechanisms available to the individual;
- Upon request by the individual whose correction request has been refused, take reasonable steps to associate a statement with the personal information that the individual believes it to be inaccurate, out-of-date, incomplete, irrelevant or misleading;
- Respond within 14 calendar days to these requests; and
- Complete all actions free of charge.

Correcting at Builders Academy Australia's initiative

Builders Academy Australia takes reasonable steps to correct personal information we hold in cases where Builders Academy Australia is satisfied that the personal information held is inaccurate, out-of-date, incomplete, irrelevant or misleading (that is, the information is faulty). This awareness may occur through collection of updated information, in notification from third parties or through other means.

REQUEST FOR RECORDS ACCESS

Individuals or third parties may at any stage request access to records held by Builders Academy Australia relating to their personal information. The following procedure is followed on each individual request for access:

1. A request for access is provided by the requester, with suitable information provided to be able to:
 - a. Identify the individual concerned;

- b. Confirm their identity; and
 - c. Identify the specific information that they are requesting access to.
2. This request may be in any form, or preferably using Builders Academy Australia's *Records Access or Update Request Form*.
3. Upon receiving a request for access, Builders Academy Australia then:
 - a. Confirms the identity of the individual or party requesting access;
 - b. Confirms that this individual or party is appropriately authorised to receive the information requested;
 - c. Searches the records that we possess or control to assess whether the requested *personal information* is contained in those records; and
 - d. Collates any personal information found ready for access to be provided.

Confirming identity

Builders Academy Australia personnel must be satisfied that a request for personal information is made by the individual concerned, or by another person who is authorised to make a request on their behalf. The minimum amount of personal information needed to establish an individual's identity is sought, which is generally an individual's name, date of birth, last known address and signature.

When meeting the requesting party in person, identification may be sighted.

If confirming details over a telephone conversation, questions regarding the individual's name, date of birth, last known address or service details must be confirmed before information is provided.

4. Once identity and access authorisation is confirmed, and personal information is collated, access is provided to the requester within 30 calendar days of receipt of the original request. We will provide access to personal information in the specific manner or format requested by the individual, wherever it is reasonable and practicable to do so, free of charge.

Where the requested format is not practical, we consult with the requester to ensure a format is provided that meets the requester's needs.

5. If the identity or authorisation access cannot be confirmed, or there is another valid reason why Builders Academy Australia is unable to provide the personal information, refusal to provide access to records will be provided to the requester, in writing. Our notification will include reason(s) for the refusal, and the complaint mechanisms available to the individual. Such notifications are provided to the requester within 30 calendar days of receipt of the original request.

REQUEST FOR RECORDS UPDATE

Individuals or third parties may at any stage request that their records held by Builders Academy Australia relating to their personal information be updated. The following procedure is followed on each individual request for records updates:

1. A request for records update is provided by the requester, with suitable information provided to be able to:
 - a. Identify the individual concerned;
 - b. Confirm their identity; and
 - c. Identify the specific information that they are requesting be updated on their records.

This request may be in any form, or preferably using Builders Academy Australia's *Records Access or Update Request Form*.

2. Upon receiving a request for records update, Builders Academy Australia then:
 - a. Confirms the identity of the individual or party to whom the record relates;
 - b. Searches the records that we possess or control to assess whether the requested *personal information* is contained in those records; and
 - c. Assesses the information already on record, and the requested update, to determine whether the requested update should proceed.

Assessing Update

Builders Academy Australia personnel assess the relevant personal information we hold, and the requested updated information, to determine which version of the information is considered accurate, up-to-date, complete, relevant and not misleading, having regard to the purpose for which it is held.

This may include checking information against other records held by us, or within government databases, in order to complete an assessment of the correct version of the information to be used.

3. Once identity and information assessment is confirmed, personal information is:
 - a. Updated, free of charge, within 14 calendar days of receipt of the original request; and
 - b. Notified to any third parties of corrections made to personal information, if this information was previously provided to these parties.
4. If the identity of the individual cannot be confirmed, or there is another valid reason why Builders Academy Australia is unable to update the personal information, refusal to update records will be provided to the requester in writing, free of charge, within 14 calendar days.

Our notification will include the reasons for the refusal and the complaint mechanisms available to the individual.

5. Upon request by the individual whose correction request has been refused, we will also take reasonable steps to associate a 'statement' with the personal information that the individual believes it to be inaccurate, out-of-date, incomplete, irrelevant or misleading. This statement will be applied, free of charge, to all personal information relevant

across Builders Academy Australia systems within 30 calendar days of receipt of the statement request.

PRIVACY COMPLAINTS

If an individual feels that Builders Academy Australia has breached its obligations in the handling, use or disclosure of their personal information, they may raise a complaint. We encourage individuals to discuss the situation with their Builders Academy Australia representative in the first instance, before making a complaint.

The complaints handling process is as follows:

1. The individual should make the complaint including as much detail about the issue as possible, in writing to Builders Academy Australia:

Builders Academy Australia Privacy Officer
privacy@buildersacademy.com.au
Builders Academy Australia
Locked Bag 4002
South Melbourne VIC 3205

2. Builders Academy Australia will investigate the circumstances included in the complaint and respond to the individual as soon as possible (and within 30 calendar days) regarding its findings and actions following this investigation.

3. After considering this response, if the individual is still not satisfied they may escalate their complaint directly to the Information Commissioner for investigation:

Office of the Australian Information Commissioner
www.oaic.gov.au
Phone: 1300 363 992

When investigating a complaint, the OAIC will initially attempt to conciliate the complaint, before considering the exercise of other complaint resolution powers.

4. Alternatively, if the complaint relates to a non-privacy matter, or should individuals choose to do so, a complaint may also be lodged with the ASQA complaints handling service for complaints against RTOs:

Australian Skills Quality Authority
www.asqa.gov.au
Phone: 1300 701 801

ACCESS AND EQUITY

In line with obligations under Commonwealth legislation, Builders Academy is committed to promoting a fair and equitable environment for personnel and clients that is free from discrimination, harassment and vilification.

Access and equity means policies and approaches aimed at ensuring that VET is responsive to the individual needs of clients whose age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or remote location may present a barrier to access, participation and the achievement of suitable outcomes.

Access and Equity principles include:

- Equity for all people through the fair and appropriate allocation of resources;
- Equality of opportunity for all people without discrimination;
- Access for all people to appropriate quality training and assessment services; and
- Increased opportunity for people to participate in training.

Builders Academy Australia is committed to complying with Commonwealth and State legislation and policies regarding access, equity and cultural diversity. This legislation includes the *Disability Discrimination Act (1992)* and the *Anti-discrimination Act (1998)*.

Builders Academy Australia also maintains compliance with the *Disability Standards for Education (2005)* including processes relating to:

- Enrolment;
- Participation;
- Curriculum development, accreditation and delivery;
- Participant support services; and
- Elimination of harassment and victimisation.

Builders Academy Australia strives to maximise opportunities for access, participation and outcomes for all participants within the vocational education, training and employment system.

Builders Academy Australia undertakes to identify and, where possible, remove barriers that prevent individuals from accessing and participating in our services. Builders Academy Australia is committed to treating all prospective and actual participants *on the same basis*.

On the same basis

A person with a disability is able to seek admission to, or apply for enrolment in, an institution on the same basis as a prospective participant without a disability if the person has opportunities and choices in admission or enrolment that are comparable with those offered to other prospective participant without disabilities.

Builders Academy Australia ensures we treat prospective participants with a disability on the same basis as prospective participants without a disability as it makes any decisions about admission or enrolment on the basis that *reasonable adjustments* will be provided.

An *adjustment* is a measure or action (or a group of measures or actions) taken by Builders Academy Australia that has the effect of assisting a participant with a disability:

- In relation to an admission or enrolment — to apply for the admission or enrolment;
- In relation to a course or program — to participate in the course or program; and
- In relation to facilities or services — to use the facilities or services;

On the same basis as a participant without a disability, and includes an aid, a facility, or a service that the participant requires because of his or her disability.

Reasonable adjustments

An adjustment is reasonable in relation to a participant with a disability if it balances the interests of all parties affected. In assessing whether a particular adjustment for a participant is

reasonable, Builders Academy Australia has regard to all the relevant circumstances and interests, including the following:

- The participant’s disability;
- The views of the participant or the participant’s associate;
- The effect of the adjustment on the participant, including the effect on the participant’s:
 - Ability to achieve learning outcomes; and
 - Ability to participate in courses or programs; and

- Independence;
- The effect of the proposed adjustment on anyone else affected, including Builders Academy Australia, personnel and other participants; and
- The costs and benefits of making the adjustment.

Your Rights and Builders Academy Australia Responsibilities

Your Rights	Builders Academy Australia Responsibilities
Enrolment	
<ul style="list-style-type: none"> ▪ Right to seek admission and enrol on the same basis as prospective participants without disability including the right to reasonable adjustments. 	<ul style="list-style-type: none"> ▪ Take reasonable steps to ensure that the enrolment process is accessible. ▪ Consider participants with disability in the same way as participants without disability when deciding to offer a place. ▪ Consult with the prospective participants or their associates about the effect of the disability on their ability to seek enrolment; and any reasonable adjustments necessary.
Participation	
<ul style="list-style-type: none"> ▪ Right to access courses and programs; use services and facilities; and have reasonable adjustments, to ensure participants with disability are able to participate in education and training on the same basis as participants without disability. 	<ul style="list-style-type: none"> ▪ Take reasonable steps to ensure participation. ▪ Consult with the participant or their associate about the effect of the disability on their ability to participate. ▪ Make a reasonable adjustment if necessary. ▪ Repeating this process over time as necessary.
Curriculum Development, Accreditation and Delivery	
<ul style="list-style-type: none"> ▪ Right to participate in courses and relevant supplementary programs that are designed to develop their skills, knowledge and understanding, on the same basis as participants without disability and to have reasonable adjustments to ensure they are able to participate in education and training. 	<ul style="list-style-type: none"> ▪ Enable participants with disability to participate in learning experiences (including assessment and certification). ▪ Consult with the participant or their associate. ▪ Take into consideration whether the disability affects the participant’s ability to participate in the learning experiences.
Participant Support Services	
<ul style="list-style-type: none"> ▪ Right to access participant support services provided by education institutions, on the same basis as participants without disability. Participants with disability have the right to specialised services needed to participate in the educational activities they are enrolled in. 	<ul style="list-style-type: none"> ▪ Ensure that participants with disability are able to use general support services. ▪ Ensure that participants have access to specialised support services. ▪ Facilitate the provision of specialised support services.
Harassment & Victimisation	
<ul style="list-style-type: none"> ▪ Right to education and training in an environment that is free from discrimination caused by harassment and victimisation on the basis of their disability. 	<ul style="list-style-type: none"> ▪ Implement strategies to prevent harassment or victimisation. ▪ Take reasonable steps to ensure that personnel and participants are informed about their obligation not to harass or victimise participants with disability. ▪ Take appropriate action if harassment or victimisation occurs. ▪ Ensure complaint mechanisms are available to participants.

SUPPORT SERVICES

The following support services are available and accessible for all participants studying with Builders Academy Australia. We

provide participants with contact details to refer any matters that require further follow up with relevant professionals.

Personal / Social Issues

There are many issues that may affect a participant's social or personal life, and some participants may require gaining advice and guidance on personal issues. A counselling service can be suggested if applicable.

Referral Services Available	
<p>Lifeline Phone: 13 11 14</p> <p>Lifeline provides all Australians experiencing a personal crisis with access to online, phone and face-to-face crisis support and suicide prevention services. Find out how these services can help you, a friend or loved one.</p>	<p>Kids Helpline Phone: 1800 551 800</p> <p>If you're between 5 and 25 and you're feeling depressed, worried, sad, angry or confused about things like your studies, personal relationships, Kids Helpline offers free 24 hour, 7 day telephone counselling support (anonymous if you prefer).</p>
<p>Sexual Assault Crisis Line Phone: 1800 806 292 www.sacl.com.au</p> <p>The Sexual Assault Crisis Line Victoria (SACL) is a state-wide, after-hours, confidential, telephone crisis counselling service for victim/survivors of both past and recent sexual assault.</p>	<p>Women's Domestic Violence Crisis Service Phone: 1800 015 188 (Toll Free) or (03)93223555 www.wdvcs.org.au</p> <p>The Women's Domestic Violence Crisis Service is the Victorian State-wide service for women experiencing violence and abuse from a partner or ex-partner, another family member or someone else you are close to.</p>
<p>Reach Out www.reachout.com.au</p> <p>Reach Out is a web-based service that inspires young people to help themselves through tough times, and find ways to boost their own mental health and wellbeing. Their aim is to improve young people's mental health and wellbeing by building skills and providing information, support and referrals in ways they know work for young people.</p>	<p>Drug Info Phone: 1300 85 85 84 www.druginfo.adf.org.au/contact-numbers/help-and-support</p> <p>DrugInfo is a service provided by the Australian Drug Foundation that offers information about alcohol and other drugs and prevention of related harms.</p>

Workplace Issues

Participants may have questions/ concerns in direct reaction to their place of employment. Builders Academy Australia cannot assist in this area; however they may be referred to the following services to contact if applicable.

Referral Services Available	
<p>Worksafe Victoria www.worksafe.vic.gov.au Phone: 1800 136 089 (toll free) Email: info@worksafe.vic.gov.au</p>	<p>Fair Work Ombudsman www.fairwork.gov.au Phone: 13 13 94</p>
<p>Fair Work Australia www.fwa.gov.au/index.cfm Phone: 1300 799 675</p> <p>Fair Work Australia is the national workplace relations tribunal. It is an independent body with power to carry out a range of functions relating to minimum wages, employment conditions, termination of employment and other workplace matters.</p>	

Academic Issues

Participants may have concerns with their attendance, academic performance or other related issues that are placing them at risk of not achieving the requirements of their course.

All participants' progress is monitored and guidance and support provided where non satisfactory results are identified. A participant is able to access the participant support officer to discuss any academic, or other related issues to studying with Builders Academy Australia at any time. The participant support officer will be able to provide advice and guidance, or referral (local to where the participant is located), where required.

Referral Services Available	
<p>Reading and Writing Hotline Phone: 1300 655 506 www.readingwritinghotline.edu.au</p> <p>For the price of a local call anywhere in Australia, the Hotline can provide you with advice and a referral to one of 1200 providers of courses in adult literacy and numeracy.</p>	<p>LNSUPPORT Victoria trainingsupport.skills.vic.gov.au/curriculumDisplay.cfm?courseCode=3720</p> <p>Provides assistance and help with Language, Literacy & Numeracy.</p>
<p>Student Literacy and Numeracy Support Tasmania Phone: (03) 6336 2722</p> <p>Where a participant in a Skills Tasmania funded training program is identified as requiring literacy or numeracy support, to assist the student to successfully complete the program Builders Academy Australia access assistance through the Literacy and Numeracy Pathways program managed by the Skills Institute.</p>	<p>KipOnline Tutoring http://www.kiponline.com.au/</p> <p>Provides individual assessment and tutoring for students online to develop literacy and numeracy skills required for the course level.</p> <p>Fee for service direct to Kiponline \$55 per hour of tutoring.</p>

General Issues

Participants may have general concerns/ questions that they need addressed. The following are a list of general contracts that may be required.

Referral Services Available	
<p>Australian Centre for Disability Law Phone: (02) 9370 3135 www.disabilitylaw.org.au</p> <p>Australian Centre for Disability Law promotes and protects the human and legal rights of people with disability and their supporters through legal advocacy. They do this by providing free legal advice and representing people with disability discrimination cases.</p>	<p>Centrelink Phone: 1800 057 111 www.humanservices.gov.au/customer/dhs/centrelink</p>
<p>Australian Apprenticeship Centres (AAC) Phone : 13 38 73 australianapprenticeships.gov.au</p> <p>Australian Apprenticeship Centres handle all matters related to traineeships and apprenticeships. If you are a trainee or apprentice, some language, literacy and numeracy courses attract government subsidies. Talk to your AAC about this now.</p>	<p>Legal Aid Victoria Phone: 1300 792 387 www.legalaid.vic.gov.au</p> <p>Victoria Legal Aid helps people with their legal problems and focuses on helping and protecting the rights of socially and economically disadvantaged Victorians. It can provide assistance in the areas criminal law, family law and some civil law matters. Legal representation is subject to policy guidelines and means tests in most cases. They have lawyers in offices in most major metropolitan and country regions.</p>

Medical Issues

The emergency phone number for an ambulance in Australia is '000'.
This number should only be used in an emergency and when you require ambulance, police, or fire attendance.

BULLYING & HARRASSMENT

Bullying is repeated, unreasonable behaviour directed towards an individual or a group of individuals that creates a risk to health and safety and is unlawful. Repeated behaviour refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

Unreasonable behaviour means behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating intimidating or threatening. Examples of bullying may include (but are not limited to):

- A manager or supervisor using a management style that is harsh, involves shouting, constant criticism or humiliation of an individual or group of individuals in private or in front of their peers;
- An individual being treated less favourably by another individual or group of individual, including, but not limited to, bullying or intimidation; forcing an individual to participate in an “initiation” process; the playing of practical jokes or forcing an individual to undertake demeaning tasks;
- Sniggering or gossiping behind someone’s back;
- Laughing at someone which is intended to make them feel uncomfortable or distressed;
- A manager setting unreasonable timelines or constantly changing deadlines for an individual to meet, or setting tasks that are unreasonably below or beyond a person’s skill level; and/or
- Continuously and deliberately excluding someone from workplace activities including ignoring or keeping individuals isolated from relevant communications about work issues.

Builders Academy Australia is committed to providing a workplace and client services which are free from bullying, harassment and unlawful discrimination. Builders Academy Australia aims to ensure all those participating in the workplace and services are treated with respect, dignity and fairness with an aim of creating an environment which promotes positive working relationships.

Builders Academy Australia ensures that all stakeholders understand what will be regarded as bullying, how complaints of bullying can be made and how claims will be treated. This applies to all personnel, agents and clients engaging in Builders Academy Australia’s services.

Our expectations are not limited to the workplace or working hours, and will include all work related events which includes, but is not limited to; lunches, client functions, meetings and conferences as well as social events.

Our expectations relate to, but are not limited by the following types of communication:

- Verbal communication either over the telephone or in person in the workplace, and outside of it;
- Written communication including; letters, notes, minutes of meetings etc.;
- Internal and external electronic communication including:
 - Email;
 - Instant messaging services;
 - Internal intranet;
 - Faxes;

- Social media and networking forums including; Facebook, LinkedIn, Twitter and other forms of social media; and
- Communications via text message.

In line with Builders Academy Australia’s commitment to creating a workplace which is free from workplace health and safety risks and one which strives to create positive working relationships, all individuals are expected to observe the following minimum standards of behaviour, including:

- Being polite and courteous to others;
- Being respectful of the differences between people and their circumstances;
- Ensuring they do not engage in any bullying behaviour(s) towards others in, or connected with the workplace which includes all individuals;
- Ensuring they do not assist, or encourage others in the workplace, or in connection with the workplace to engage in bullying behaviour(s) of any type;
- Adhering to the complaint procedure if they experience any bullying behaviour(s) personally;
- Reporting any bullying behaviour(s) they see happening to others in the workplace, or connected with the workplace in line with the complaint procedure; and
- Keeping information confidential if involved in any investigation of bullying.

Fair and reasonable management action taken in order to counsel an individual for instances of underperformance, investigating complaints made against personnel, discipline for misconduct and other work directions in line with business needs does not amount to bullying.

All individuals are expected to adhere to the standards of behaviour contained herein at all times. Any individual who is found to have breached these expectations will be disciplined accordingly, which may lead up to, and include termination of employment. If a contractor of Builders Academy Australia is found to have breached these expectations, their contract stands to be terminated, or may not be renewed in the future.

EQUITY & BULLYING COMPLAINTS

Any individual who believes that they have been subject to actions or words that may constitute discrimination or bullying should act upon such bullying as soon as possible by following the procedure set out below. Individuals who believe they have witnessed discriminatory or bullying behaviour by another individual in the workplace are also able to make complaints.

In the first instance, the aggrieved individual should, wherever practicable and if they feel comfortable doing so, attempt to amicably resolve the matter with the individual(s) who are alleged to have engaged in bullying. When confronting the issue, the individual should clearly state the offensive behaviour experienced, explain that the behaviour is unwelcome and offensive and ask that the behaviour does not continue. The person may not be aware that their behaviour or conduct was causing offense or was unwelcome.

This is not a compulsory part of the complaint procedure, and if an individual does not wish to confront the person directly, then this is not encouraged.

Where the alleged bullying involves the individual’s direct manager and it is not practical for them to directly resolve the

matter, they shall immediately notify the Chief Human Resources Officer who, with the individual's approval will endeavour to investigate and resolve the matter on an informal basis in accordance with the procedure set out below.

Informal Complaint Procedure

An informal complaint procedure includes a range of alternatives which can be applied in a flexible manner in order to address different complaints in consideration of the relevant circumstances. The informal complaint procedure is intended to be used for less serious allegations of bullying and instances which generally do not warrant disciplinary action being taken. An individual who is unsure of whether or not to make a formal or informal complaint may make an informal complaint first and decide if they want to escalate the complaint to a formal complaint.

Different options for handling informal complaints may include, but are not limited to:

- Builders Academy Australia relevant manager having a conversation with the alleged bully about the behaviour complained of; and
- Builders Academy Australia relevant manager having a meeting with the individuals concerned in an attempt to reach a resolution.

Formal Complaint Procedure

Where an individual wishes to lodge a formal complaint, they will be required to do so by communicating this in writing to the General Manager.

A written complaint shall include the names of individuals concerned, details of the incident(s) and the names of any witnesses present.

Where a written complaint has been lodged, a formal investigation procedure will commence immediately. Formal investigations may be conducted by the General Manager or an external person who is appointed by Builders Academy Australia e.g. an independent mediator.

Regardless of whether the investigation is carried out by a Builders Academy Australia personnel member, or by an independent body/person, the investigator will aim to follow the procedure set out below:

- Clarify details of what took place and ensure that all necessary information is obtained;
- Identify the outcome the complainant is seeking;
- Discuss with the complainant their legal rights, including lodging a formal complaint with the relevant state or federal tribunal;
- Discuss the complaint made with the person/s accused of bullying; and
- Making a determination as to whether the alleged behaviour occurred and if it constituted bullying.

If Builders Academy Australia feels it is appropriate in the interests of health and safety of individuals concerned, and / or the efficiency of the investigation process, individuals may be requested to refrain from attending work / course services for a period of time whilst the investigation is underway. Alternatively, individuals may be given different duties or work to perform while the investigation is being conducted. Employees who are requested to do either of these will be paid at their normal rate of pay during this period.

Where it becomes apparent that the complaint made relates to conduct which constitutes misconduct or otherwise warrants disciplinary action, the investigator is to refer to the *Discipline* section of this handbook for further action and resolution.

Whilst the investigator will endeavour to preserve the confidentiality of the complainant and the person complained of, it may be necessary to speak with other workers or people involved to determine what happened and to maintain the integrity of the investigation process.

Where potentially unlawful conduct has occurred, Builders Academy Australia will alert the appropriate authorities. Those people who are involved in the complaint (including the complainant, witnesses etc.) are also under a duty to maintain confidentiality and display a commitment to uphold the integrity of the investigation process. If the complainant chooses to bring a support person with them to any meetings, they too are bound by confidentiality.

Gossiping and/or the spreading of rumours as a result of, or in connection with, a process followed under this policy will not be tolerated under any circumstances and may lead to further disciplinary action for those concerned.

Outcomes

The outcomes of a formal or informal complaint procedure will depend on the nature of the complaint, its severity and what is deemed appropriate in the relevant circumstances.

Where the results of an investigation procedure suggest that an individual is guilty of bullying, appropriate disciplinary procedures will be followed in line with the Discipline Policy. The disciplinary action will depend on the nature and severity of the behaviour and may include termination of employment, which may be instant dismissal where serious misconduct is deemed to have occurred.

Where the complaint involves a contractor or agent of Builders Academy Australia and an investigation process reveals that a person has engaged in unlawful conduct or other behaviour which is prohibited by this policy, those concerned may face termination of their contracts immediately, or will not be renewed in the future.

In addition to the remedies provided above, other action may be deemed necessary to resolve or remedy the behaviour complained of, including but not limited to:

- Providing training to employees concerned regarding bullying;
- Requiring employees who have breached this policy to apologise to appropriate person(s);
- Adjusting working arrangements where appropriate;
- Providing counselling to employees (complainant and the person complained of);
- Placing employees on performance improvement plans to ensure improved behaviour; and/or
- Providing coaching and mentoring.

Appeals Procedure

If any parties involved are unhappy with the outcome, or the way the complaint handling procedure was managed by Builders Academy Australia please contact the Builders Academy Australia General Manager to discuss your concerns.

Once notified the General Manager will conduct a review of the procedure followed, and the outcome issued, and make a final determination on the issue. Once this determination is made, the person who has made the appeal will be notified of the outcome and this determination will be final.

The following external bodies can also provide further information:

Jurisdiction	Contact Details
Australian Capital Territory	ACT Human Rights Commission 02 6205 2222 http://www.hrc.act.gov.au
New South Wales	Anti-Discrimination Board of NSW 02 9268 5544 http://www.antidiscrimination.lawlink.nsw.gov.au
Northern Territory	Northern Territory Anti-Discrimination Commission 1800 813 846 http://www.adc.nt.gov.au
Queensland	Anti-Discrimination Commission Queensland 1300 130 670 http://www.adcq.qld.gov.au
South Australia	Equal Opportunity Commission SA 08 8207 1977 http://www.eoc.sa.gov.au
Tasmania	Office of Anti-Discrimination Commissioner Tasmania 03 6165 7515 http://www.antidiscrimination.tas.gov.au
Victoria	Victorian Human Rights Commission 1300 292 153 http://www.humanrightscommission.vic.gov.au
Western Australia	Equal Opportunity Commission WA 08 9216 3900 http://www.eoc.wa.gov.au
National	Australian Human Rights Commission 1800 620 241 https://www.humanrights.gov.au

PERSONNEL

As a registered training organisation, Builders Academy Australia operates in a regulated environment and requires minimum competency requirements for a number of designated roles.

Trainers and Assessors

To ensure its ongoing provision of training that reflects current industry practice and valid assessment, Builders Academy Australia's roles that are designated as *trainers and assessors* must maintain the currency of skills and knowledge in the industry area personnel operate in, and in vocational education and training.

Industry experts may also be involved in the assessment judgement, working alongside the trainer and/or assessor to conduct the assessment.

Continuing Professional Development

Professional development is highly regarded within Builders Academy Australia. It serves several purposes not least of which is that it assures that Builders Academy Australia remains abreast of our industry's developments and evolution, and assists in maintaining our ASQA registration. All Builders Academy Australia personnel are involved in continuing professional development activities relevant to their role.

Builders Academy Australia ensures that all trainers and assessors undertake professional development in VET, and specifically in competency based training and assessment. This includes trainers and assessors employed or contracted by Builders Academy Australia and those engaged by any third party delivering training and assessment on behalf of Builders Academy Australia.

Third Party Engagements

Builders Academy Australia may engage a range of third parties from time to time in order to support the delivery of its services.

Third party arrangements do not include arrangements for the hiring of trainers and/or assessors as contractors or arrangements for advertising of Builders Academy Australia services. Arrangements also do not apply where an individual contributes evidence of competency, such as workplace supervisors in traineeship or apprenticeship arrangements.

Builders Academy Australia is responsible for all services delivered under its registration, regardless of where these are conducted, including in other countries. This responsibility applies to all RTO obligations, including:

- Providing data;
- Cooperating with ASQA;
- Complying with advertising and marketing standards;
- Informing prospective participants;
- Dealing with complaints and appeals;
- Collecting fees; and
- Recordkeeping.

Client Information

Builders Academy Australia informs prospective participants (and any employer if applicable) prior to enrolment that a subcontracting arrangement exists including:

- Providing details of the sub-contractor, including the Department's sub-contracting approval number;
- Identifying the units of competency that are to be delivered by the sub-contractor; and
- That it remains Builders Academy Australia's responsibility to:
 - Ensure the quality of the training and assessment;
 - Administer fees and additional costs (if applicable);

- Develop and issue the Training Plan;
- Issue Certificates, Qualifications or Statements of Attainment; and
- Of the roles and the responsibilities of both Builders Academy Australia and the subcontractor including providing assistance and support to the participant.

If at any stage after enrolment a subcontractor is appointed, Builders Academy Australia informs relevant participants (and employers if applicable) of the above immediately.

INDUSTRY ENGAGEMENT

Builders Academy Australia's training and assessment practices are developed and maintained as relevant to the needs of industry and informed by industry engagement.

To provide training relevant to employers and to maximise participants' opportunities for employment, advancement or further education, Builders Academy Australia engages with relevant industry stakeholders to establish appropriate contexts, methods, resources and *trainers and assessors* to deliver training and to conduct assessment.

Engaging with industry stakeholders (such as employers) is critical to ensuring Builders Academy Australia's training and assessment is aligned to current methods, technology, products and performance expectations for the workplace tasks specified in the training package or VET accredited course.

CONSUMER PROTECTION

AUSTRALIAN CONSUMER LAW

Builders Academy Australia maintains compliance with the national *Competition and Consumer Act 2010* and associated *Australian Consumer Law (ACL)* requirements as specified in the Act and enacted in various state legislation across Australia. The ACL protects clients and ensures fair trading in Australia. Under the ACL clients have the same protections, and businesses have the same obligations and responsibilities, across Australia.

Builders Academy Australia has implemented this *Consumer Protection Policy* and aligned *Consumer Protection Strategy* to protect the needs and interests of all clients. A designated *Consumer Protection Officer* has also been implemented:

National Compliance Manager
enquiries@buildersacademy.com.au

Phone: 1300 LEGEND
Locked Bag 4002
South Melbourne VIC 3205

GUARANTEE

As a course services provider, Builders Academy Australia supplies services and guarantees that these services will be:

- Provided with due care and skill;
- Fit for the specified purpose; and
- Provided within a reasonable time.

Builders Academy Australia ensures it uses an acceptable level of skill or technical knowledge and takes all necessary care to avoid loss or damage when providing course services.

CONSUMER PROTECTION STRATEGY

Builders Academy Australia Obligations

Builders Academy Australia ensures it:

- Provides the training and support necessary to allow participants to achieve competency;
- Provides a quality training and assessment experience for all participants;
- Provides a clear and accessible feedback and consumer protection system, including a designated and identified consumer protection officer;
- Maintains procedures for protecting consumers' personal information – please refer to the *Privacy* section of this handbook for further information;
- Has established, documented and accessible consumer feedback and complaints handling policies and procedures; and
- Provides clients with details of these pathways for resolving or escalating complaints.

Clients' Rights and Obligations

Builders Academy Australia clients have the right to:

- Expect that the quality of your training meets the standards, regulations and requirement set down by the Australian Skills Quality Authority (ASQA) and relevant government subsidy body (where applicable);
- Be informed about the collection of personal information and be able to review and correct that information; and
- Access Builders Academy Australia's consumer protection complaints process.

Clients' obligations include:

- Providing accurate information to Builders Academy Australia; and
- Behaving in a responsible and ethical manner.

NSW Smart & Skilled

Builders Academy Australia includes the Smart and Skilled website details and 1300 number on all NSW relevant public information, enrolment forms and client induction material so that all participants are aware of their rights and options for making a complaint or providing feedback about their training. www.smartandskilled.nsw.gov.au

Phone: 1300 77 21 04

UNSOLICITED CONSUMER AGREEMENTS

Builders Academy Australia or its contracted third party representatives may, from time to time, engage in marketing promotions that result in *unsolicited consumer agreements*. Such promotions may include telephoning prospective participants for course service offerings or approaching prospective participants in public areas outside of Builders Academy Australia premises.

Our representatives who make unsolicited contact with potential participants in order to sell them course services comply with:

- Limited hours for contact;
- Disclosure requirements when making an agreement;
- Criteria for the agreement, including that it must be in writing; and
- Restrictions on supplying services above a certain value, and on requesting payment during the cooling-off period.

Cooling Off Period

Specifically for unsolicited consumer agreements, clients have 10 business days to change their mind and cancel the course services agreement. During the cooling-off period Builders

Academy Australia does not provide any services or accept any payment.

For agreements negotiated by telephone, the cooling-off period begins on the first business day after the client receives the agreement document. For other agreements, the cooling-off period begins on the first business day after the agreement was made.

A client may terminate an agreement verbally or in writing. The termination date is when the client gives or sends the notice.

COURSE SERVICES AGREEMENT

Builders Academy Australia's *Course Services Agreement* is transparent – expressed in plain language, legible and clear - and clearly states:

- The client's cooling-off and termination rights;
- The full terms of the agreement;
- The total fees payable, including fees for all additional items;
- The relevant Builders Academy Australia RTO entities'
 - Business address (not a post box number);
 - Australian Business Number (ABN) or Australian Company Number (ACN); and
 - Fax number and email address, where they have these.
 - National Code for the individual RTO entity delivering the services

CONSUMER PROTECTION COMPLAINTS

If an individual feels that Builders Academy Australia or one of its third party representatives has breached its obligations in the undertaking of marketing and sales activities, they may raise a complaint. We encourage individuals to discuss the situation with their Builders Academy Australia representative in the first instance, before making a complaint.

The complaints handling process is as follows:

1. The individual should make the complaint including as much detail about the issue as possible, in writing to Builders Academy Australia:

Builders Academy Australia Consumer Protection Officer
enquiries@buildersacademy.com.au
 Builders Academy Australia
 Locked Bag 4002
 South Melbourne VIC 3205

2. Builders Academy Australia will investigate the circumstances included in the complaint and respond to the individual as soon as possible (and within 30 calendar days) regarding its findings and actions following this investigation.
3. After considering this response, if the individual is still not satisfied they may escalate their complaint directly to the Consumer Protection Agency in the relevant jurisdiction for investigation:

Jurisdiction	Contact Details
Australian Capital Territory	ACT Office of Regulatory Services 02 62073000 fair.trading@act.gov.au
New South Wales	NSW Office of Fair Trading 13 32 20 www.fairtrading.nsw.gov.au <i>Smart & Skilled Participants</i> Smart & Skilled Participants can also contact the Smart and Skilled customer support centre to seek assistance, ask for advice, make a complaint or provide feedback. 13 28 11 or 1300 77 21 04 enquiries@smartandskilled.nsw.gov.au Support is also available in person at a State Training Services Centre: www.training.nsw.gov.au/about_us/sts_contacts.html
Northern Territory	NT Consumer Affairs 1800 01 93 19 consumer@nt.gov.au
Queensland	QLD Office of Fair Trading 13 74 68 www.fairtrading.qld.gov.au/lodge-your-complaint
South Australia	SA Office of Business and Consumer Services 13 18 82 www.cbs.sa.gov.au
Tasmania	TAS Consumer Affairs & Fair Trading 1300 65 44 99 www.consumer.tas.gov.au/fair_trading
Victoria	Consumer Affairs Victoria 1300 55 81 81 www.consumer.vic.gov.au
Western Australia	WA Department of Commerce 1300 30 40 54 www.commerce.wa.gov.au

4. Alternatively, a complaint may also be lodged with the ASQA complaints handling service for complaints against RTOs:

Australian Skills Quality Authority
www.asqa.gov.au
 Phone: 1300 701 801

MARKETING & ADVERTISING

Builders Academy Australia enables informed choice for clients and participants by providing clear and factual information, whether this is done directly or by a third party. Builders Academy Australia is responsible for all marketing or other material disseminated on its behalf, regardless of the channel or method used.

Builders Academy Australia is conscious of the national requirements for the marketing of nationally recognised training and ensures that the information used is accurate, clear and managed ethically. Builders Academy Australia is subject to all relevant consumer protection law that applies in any jurisdiction where it operates and ensures it honours all commitments it makes.

Our marketing or advertising material is consistent with its training and assessment strategies. We ensure our marketing of AQF qualifications to prospective participants is ethical, factual and accurately represents the services it provides and the training products on its scope of registration.

General Marketing Collateral Requirements

All Builders Academy Australia marketing materials are required to include the following requirements:

- Marketing collateral makes clear where a third party is recruiting prospective participants for Builders Academy Australia on its behalf;
- Builders Academy Australia only advertises or markets a non-current training product while it remains on the RTO's scope of registration;
- Builders Academy Australia only advertises or markets that a training product it delivers will enable participants to obtain a licensed or regulated outcome where this has been confirmed by the industry regulator in the jurisdiction in which it is being advertised

No Guarantee

Builders Academy Australia does not provide any guarantee that:

- A participant will successfully complete a training product on its scope of registration; or
- A training product can be completed in a manner which does not meet the requirements of the *Standards for RTOs 2015*; or
- A participant will obtain a particular employment outcome where this is outside the control of Builders Academy Australia.

Testimonials and other References

Where Builders Academy Australia makes reference to another person or organisation (such as testimonials or photos) in marketing or advertising material, it has gained consent from the person or organisation for the use of that reference. This includes references via text, statements, logos and photos. Builders Academy Australia ensures all testimonials are true and correct before using them to endorse products.

All participants provide consent to the use of photos and other images that are taken at Builders Academy Australia learning activities and events, through the relevant release clause in the Builders Academy Australia *Enrolment Application Form*. Usage in these instances is generally one off, group images for general operational and promotional purposes.

You are able to 'opt out' of this release if you wish.

GOVERNMENT LOAN, FUNDING, SUBSIDY OR OTHER SUPPORT

Where participants would be accessing VET FEE-HELP or VET student loans or any other government loan or subsidy, Builders Academy Australia provides details of these arrangements. Details include:

- Any costs associated (including interest or similar costs);
- Any debt that will be incurred; and
- Any loss of entitlement from the participant undertaking a course at Builders Academy Australia.

This includes, in the cases of limited entitlement schemes, where participants are only able to access one course or there are restrictions on what courses may be subsidised after completing their study at Builders Academy Australia.

PRE-ENROLMENT INFORMATION

Builders Academy Australia provides extensive current and accurate information about its course services via publishing publicly on its website. This public information includes the relevant handbook for each stakeholder group that contains information about:

- Builders Academy Australia itself;
- Participant rights & responsibilities;
- General regulatory and legislative compliance;
- Participant attendance and behaviour expectations;
- Equity commitment;
- Work health and safety requirements;
- Privacy arrangements;
- Fees, charges and refunds;
- Language, literacy and numeracy arrangements;
- Recognition of prior learning (RPL) and credit transfer;
- Competency-based training and assessment processes;
- Complaints and appeals processes;
- Records, release of information and access to participant records;
- Cheating, plagiarism and discipline arrangements;
- Evaluation and feedback arrangements; and
- Further information contact details.

Course Services Information

Once a course information request, client expression of interest or course registration and application for enrolment has been received, Builders Academy Australia provides further current and accurate information to prospective participants to enable them to decide if Builders Academy Australia as a training organisation and the relevant course service of interest is suitable for them, taking into account their existing skills and knowledge and any specific individual needs.

Builders Academy Australia ensures information provision for all course services is accurate and conforms to the planned training and assessment described in Builders Academy Australia's training and assessment strategies.

Prior to enrolment, Builders Academy Australia provide clear information to prospective clients via the *Course Guide* including the following:

- Full course code and title of the training product(s) of interest;
- Any relevant currency information, such as whether a qualification has been superseded or removed from a training package;

- Where the training and/or assessment will be undertaken, how long it will take and mode/s involved;
- Information regarding any entry requirements and/or specific requirements they need to meet to successfully complete the course program of interest;
- Any requirements of the client to provide any materials and/or equipment;
- Information about educational and support services available to participants and any cost associated with them;
- Any limitations regarding access to educational and support services and resources;
- Whether the training includes mandatory work placements. If mandatory work placements are part of the training, clients are provided with clear information on who will arrange this, the duration and schedule applicable and what outcomes are expected of the work placement;
- Builders Academy Australia is responsible for the quality of the training and assessment during all course services in compliance with the *VET Quality Framework* and the *Standards for RTOs 2015*; and
- Builders Academy Australia is responsible for the issuance of AQF certification documentation the participant is entitled to as course services are undertaken.

Fee Information

Builders Academy Australia provides fee information to clients

Third Party Arrangements

Where a third party is involved in the provision of training and/or assessment services, Builders Academy Australia ensures clients have clear information regarding this engagement via the *Course Services Agreement*.

Builders Academy Australia provides the name and contact details of any third party involved in the provision of training and/or assessment services, or related educational and support services on its behalf to the client. Clients are able to contact both Builders Academy Australia and the third party at any time.

Consumer Rights

Builders Academy Australia informs prospective clients about their rights as a consumer in accordance with relevant state and territory laws. This includes information on cooling-off periods where relevant.

Builders Academy Australia informs prospective clients about its complaints and appeals processes that may be relevant for course services and other business activities. These processes include provisions for the lodgement of a complaint or appeal against any relevant third party engaged by Builders Academy Australia, and are outlined in the Builders Academy Australia relevant handbook for each stakeholder group.

Builders Academy Australia notifies clients as soon as practical after any change occurs that may affect the course services being provided. This includes changes of significant impact including:

- Any changes to, or new third party arrangements Builders Academy Australia puts in place, for the delivery of services to specific clients; and
- A change in ownership of an RTO entity should that occur.

Notification occurs in writing, via letter, email or an amended *Course Services Agreement* in cases where this is relevant.

ALCOHOL AND OTHER DRUG AWARENESS

Builders Academy Australia is committed to supporting the prevention and minimisation of drug and alcohol problems in the community.

In line with this commitment, we provide awareness through information and training to its personnel and to participants on:

- Provision of key contacts for information and advice on the prevention and minimisation of drug and alcohol problems;
- The impact on health, workplaces, resources, families and communities of drug and alcohol abuse;
- Strategies to assist people in minimisation of harm from drug and alcohol use and abuse; and
- Provision of key contacts for information and advice on drug and alcohol problems.

STUDENT ADVICE & SELECTION

STUDENT ENTRY PROCEDURE

On application for enrolment, Builders Academy Australia ensures that all participants are able to seek admission to a course program *on the same basis*. Where participants have particular needs, these are discussed in open consultation with the participant, and where appropriate, reasonable adjustments will be made in order to facilitate the participant's enrolment.

Builders Academy Australia provides high quality course services, including training and assessment that is suitable and appropriate for each participant.

- *Suitable* means the training and assessment meets the individual's needs, links to likely job and/or participation outcomes and minimises duplication of the individual's existing competencies; and
- *Appropriate* means the training and assessment is delivered to regulatory and industry standards, uses delivery modes and durations optimised for the individual's needs and includes reasonable support to facilitate the individual's participation and attainment.

Builders Academy Australia focuses on supporting a prospective participant to understand how their options may affect their future and, ultimately, helping them to choose the right training. This includes being prepared to suggest, in some instances, that none of its offerings are right for an individual. Where this is the case, Builders Academy Australia refers prospective participants to relevant government websites in their jurisdiction as a good place to start to determine more suitable course options. Some example sites include:

Course Gateways
NSW Smart & Skilled https://smartandskilled.nsw.gov.au
QLD Skills Gateway http://www.skillsgateway.training.qld.gov.au
SA Skills for All Gateway http://www.skills.sa.gov.au
Victorian Skills Gateway http://www.education.vic.gov.au/victorianskillsgateway
WA Future Skills http://www.futureskillswa.wa.gov.au

ACADEMICALLY SUITED

Builders Academy Australia has implemented this student entry procedure to ensure that students are confirmed to be academically suited to undertake the particular course they wish to study.

To ensure students are academically suited, Builders Academy Australia's student application and enrolment processes include the requirements that:

1. The student satisfies minimum academic admission requirements; and
2. The student satisfies any other specified entry requirements for the particular VET course of study; and
3. Builders Academy Australia reasonably believes that the student is academically suited to undertake the VET course of study.

Participant Identification Requirements

A number of Builders Academy Australia projects require identification to be confirmed and verified identification evidence to be retained on file on admission to any nationally recognised course program. This may include:

- Evidence of participant identity (for example, photo identification);
- Evidence of participant eligibility to participate (for example, citizenship); and
- Evidence of pre-requisites being met (for example, previous qualifications/study).
- Evidence of residency where State government subsidies are being sought.

Course Information

During the *Pre-Training Review* process, general and course specific pre-enrolment information, including the relevant *Course Guide* is explained in further detail and participant queries answered. This generally includes:

- Explanation of course content, competency standards, timelines and stakeholders;
- Duration of course and the delivery mode of course;
- Identification of specific resource requirements for the course;
- Explanation of assessment procedures relevant to course;
- Builders Academy Australia's procedures and processes; and
- Fees, charges and refunds information.

IDENTIFYING INDIVIDUAL PARTICIPANT'S NEEDS

Prior to enrolment Builders Academy Australia provides advice to the prospective client about the training product(s) appropriate to meeting the participant's needs, taking into account the individual's existing skills and competencies.

As a part of this process, Builders Academy Australia ascertains and considers the individual's existing educational and vocational attainment, other demonstrated capabilities, career aspirations and general interests.

To maximise the chance of participants successfully completing their training, Builders Academy Australia:

- Identifies any support individual participants need prior to their enrolment; and
- Provides access to that support throughout their training.

Participant Enrolment Information Collection

All prospective participants must complete and provide relevant enrolment information and personal data as a part of their enrolment application. This includes relevant AVETMISS data collection information and relevant student identifiers including the USI.

Prospective participants have the option of commencing their enrolment information process online, by completing an online registration form for their initial course of interest. This online registration form once received is printed out and forms the basis of the participant's enrolment information.

For prospective participants that do not start the enrolment information process online, a hard-copy *Enrolment Application Form* will be completed by the prospective participant as a part of the Pre-Training Review.

Either online print out or hard copy version of the *Enrolment Application Form* is signed by the participant as a part of the Pre-Training Review process, to confirm that the information being provided is a true and accurate record relating to their individual situation. This confirms the application process, but does not constitute formal acceptance of the participant's enrolment into the course.

Participants' Needs

As a component of this process, Builders Academy Australia determines the amount of training it will provide to each participant with regard to:

- The existing skills, knowledge and the experience of the participant;
- The mode of delivery; and
- Where a full qualification is not being delivered, the number of units and/or modules being delivered as a proportion of the full qualification.

Builders Academy Australia provides a range of educational and support services to its participants that include, but are not limited to:

- Pre-enrolment materials;
- Study support and study skills programs;
- Language, literacy and numeracy (LLN) programs or referrals to these programs;
- Equipment, resources and/or programs to increase access for participants with disabilities and other participants in accordance with access and equity;
- Learning resource centres;
- Mediation services or referrals to these services;
- Flexible scheduling and delivery of training and assessment;
- Counselling services or referrals to these services;
- Information and communications technology (ICT) support;
- Learning materials in alternative formats, for example, in large print;
- Learning and assessment programs contextualised to the workplace; and
- Any other services that Builders Academy Australia considers necessary to support participants to achieve competency.

Support services are made available either directly or via arrangements with a third party.

Builders Academy Australia's individual needs process includes:

- Identifying particular requirements such as literacy, numeracy, English language or physical capabilities participants would need to complete each course;
- Participant learning styles and identification of any special learning needs; and
- Developing strategies to make support available where gaps are identified.

ACADEMIC SUITABILITY - LANGUAGE, LITERACY, AND NUMERACY (LLN) ASSESSMENT

As a component of the Pre-Enrolment Review process, Builders Academy Australia reviews all enrolment applications to ensure course admission requirements relating to the student's academic suitability are being met prior to acceptance of a student into a course.

Where a course has specific academic suitability admission requirements, as part of the Pre-Enrolment Review students are required to complete an *Australian Core Skills Framework (ACSF) aligned Language, Literacy, and Numeracy (LLN) Assessment* to ensure that the student has the ability to complete the course.

For all students in all course application processes, Builders Academy Australia requires the assessment process to be conducted with honesty and integrity.

General VET Courses – Academic Suitability

General arrangements for students wishing to enrol in a VET course require the student to complete a Builders Academy Australia designed LLN Quiz relevant to their course application.

That is, students are required to complete a LLN Quiz mapped directly to ACSF Level 1, 2 or 3 requirements, at the ACSF level that has been confirmed relevant to the specific ACSF level of the course to which the application relates.

For students undertaking the Builders Academy Australia designed LLN Quiz as part of the Pre-Enrolment Review, this assessment will be undertaken:

- Via paper-based or online quiz depending on the student's application preference;
- Individually by the student after identification has been confirmed; and

Reasonable Adjustment

There may be times and situations in which a student may require 'reasonable adjustment' of the training and assessment methods implemented by Builders Academy Australia to meet their specific individual needs. Please refer to the *Access and Equity* section for further information.

CREDIT TRANSFER

Builders Academy Australia ensures participants are not required to repeat any unit or module in which they have already been assessed as competent, unless a regulatory requirement or license condition (including industry licensing schemes) requires this.

Credit transfer is a process that provides participants with credit outcomes for components of a qualification based on identified equivalence in content and learning outcomes from previous studies.

Where a participant provides suitable evidence they have successfully completed a unit or module at any RTO, Builders Academy Australia provides credit for that unit or module. In some cases, licensing or regulatory requirements may prevent a unit or module being awarded through a credit process.

Note that providing credit for previous studies is not a Recognition of Prior Learning (RPL) process. RPL is a form of assessment of the competence of a person, while providing credit is recognising the equivalence of studies previously undertaken and completed successfully.

Verification of Documentation

Builders Academy Australia recognises verified testamurs from other Registered Training Organisations. This applies to all cases, including participants seeking credit transfer for previous study, and personnel documentation.

Before providing credit on the basis of a qualification, statement of attainment or record of results, Builders Academy Australia authenticates the information in the document.

Participant Request for Credit Transfer

If a participant wishes to apply for Credit Transfer it is *mandatory* that they complete the *Credit Transfer / RPL Application Form* and include appropriate evidence to support the Credit Transfer application.

All Credit Transfer applications must be supported by the appropriate evidence. This may be in the form of Nationally Recognised Qualification or Statement of Attainment indicating exactly the same code and title as those included in the participant application, or other documents of equivalence.

Where Credit Transfer is not granted, the participant will be notified in writing of the outcome within five working days of completion of the assessment. The written communication to the participant includes a reason for refusal, and information on how to lodge a complaint or appeal if desired.

RECOGNITION OF PRIOR LEARNING

Recognition of Prior Learning (RPL) means an assessment process that assesses the competency/s of an individual that may have been acquired through formal, non-formal and informal learning to determine the extent to which that individual meets the requirements specified in the training package or VET accredited courses.

- *Formal learning* refers to learning that takes place through a structured program of instruction and is linked to the attainment of an AQF qualification or statement of attainment (for example, a certificate, diploma or university degree);
- *Non-formal learning* refers to learning that takes place through a structured program of instruction, but does not lead to the attainment of an AQF qualification or statement of attainment (for example, in-house professional development programs conducted by a business); and
- *Informal learning* refers to learning that results through experience of work-related, social, family, hobby or leisure activities (for example the acquisition of interpersonal skills developed through several years as a sales representative).

RPL assesses this prior learning against the requirements of a qualification, in respect of both entry requirements and

outcomes to be achieved. RPL encourages an individual to continue upgrading their skills and knowledge through structured education and training towards formal qualifications and improved employment outcomes. RPL keeps the system of qualifications open to recognition of the value of learning achieved outside the formal system, as part of everyday living in a continuum of learning throughout one's life.

In order to recognise prior learning it is necessary to:

- Compare the informal or non-formal learning the individual has achieved against the learning outcomes or performance criteria of the course or qualification for which the participant is using as a basis for seeking entry or the award of credit; and
- Determine appropriate evidence to support the claim of prior learning.

The processes used to assess RPL applications may take several (not mutually exclusive) forms, for example:

- Participation in exactly the same or modified versions of the assessment the participant would be required to complete as part of the full course;
- Assessment based on a portfolio of evidence;
- Direct observation of demonstration of skill or competence;
- Reflective papers, journals or portfolios that relate past learning to the learning or competency outcomes of the current course or qualification;
- Provision of examples of the participant's work drawn from the workplace, social, community or other setting in which the participant applies their learning, skill or competence;
- Testimonials of learning, skill or competence; and
- Combinations of any of the above.

RPL Process

Builders Academy Australia implements a robust RPL process to ensure that:

- The uptake of RPL is encouraged and RPL processes are reviewed to streamline the RPL application process;
- Where possible, the participant is able to complete the qualification in less time;
- RPL information is provided to participants prior to enrolment and prior to commencement of formal training delivery in a course program;
- RPL processes offered provide adequate information, support and opportunities for participants to engage in the RPL process;
- RPL decisions are made prior to the commencement of the course, subject or unit for which the RPL is being claimed; and
- RPL assessment processes and procedures meet the same delivery and quality assurance requirements as all other assessment arrangements.

RPL Requirements

To achieve RPL, participants must:

- Apply for RPL;
- Provide appropriate RPL evidence (including documents, demonstrations and interviews as may be relevant); and
- Have this evidence assessed as meeting all of the requirements of the entire Unit of Competency.

Where participants have gaps, or require additional mentoring and support, RPL is not applicable. In these cases *learning* is occurring, and a 'Competent' result is achieved on completion of assessment.

RPL Applications

It is *mandatory* that participants wishing to achieve RPL with Builders Academy Australia complete a *Credit Transfer / RPL Application Form* and provide this form with their evidence submission for assessment. This application form ensures:

- The Application for RPL is recorded effectively;
- The start date for each Unit of Competency is correctly identified; and
- The appropriate declarations of authenticity of prior work are recorded.

EMPLOYER ENGAGEMENT

Builders Academy Australia ensures that employers or other parties who contribute to each participant's course services and outcome are informed and engaged in the training and assessment on the development, delivery and monitoring of training and assessment. This may include course services involving work placements, employer sponsored courses and apprenticeship or traineeship arrangements.

All employers involved in Builders Academy Australia course services receive the *Employer Handbook* that provides a range of important information for employer involvement including:

- Employer and RTO responsibilities;
- Participant attendance and behaviour expectations;
- Equity commitment;
- Work health and safety requirements;
- Privacy arrangements;
- Language, literacy and numeracy arrangements;
- Participant support services;
- Recognition of Prior Learning (RPL) and Credit Transfer;
- Competency-based training and assessment process;
- Complaints and appeals processes;
- Evaluation and feedback arrangements;
- Further information contact details; and
- Any relevant required release from work or study.

Builders Academy Australia ensures all participants involved in workplace delivery have a range of processes and mechanisms implemented to engage the employer in the training and assessment process. This includes but is not limited to:

- Consultation prior to and during enrolment, and subsequent training and assessment sessions to gain input from the employer in areas such as the development of the training plan;
- Providing employer guidance on how to assist participants to achieve competency through undertaking specific workplace tasks. This is undertaken through various contact and employer specific information and documents;
- Ensuring the assessment process is supported with supplementary evidence from the employer to contribute to the assessment outcome (such as *Third Party Reports*);
- Regular contact with the employer to confirm the participant's progress; and
- Formal evaluation processes to gain further feedback on the training and assessment processes provided.

GOVERNMENT SUBSIDY / SUPPORT ELIGIBILITY ASSESSMENT

As a component of the *Pre-Training Review* process, Builders Academy Australia undertakes an eligibility assessment on particular government subsidy or support initiatives that the participant may be eligible to access.

On appropriately qualified and trained Builders Academy Australia representatives who have received a *Delegation of Authority* from the Builders Academy Australia General Manager are able to undertake government subsidy eligibility assessments.

NON-ACCEPTANCE OF ENROLMENT APPLICATION

Should the prospective participant not be accepted into the course program they have applied for, the individual will be provided with formal notice of this non-acceptance:

- In writing;
- With reasons provided for this non-acceptance;
- With any alternate options or actions recommended by Builders Academy Australia; and
- With relevant information on how the prospective participant may raise a complaint or seek to have the decision reviewed.

FEES, CHARGES AND REFUNDS

Builders Academy Australia undertakes to provide course services as outlined in client *Course Services Agreements*.

FEES AND CHARGES

Prior to enrolment, Builders Academy Australia notifies clients of a range of fee information in a *Statement of Fees*. This fee information includes:

- All fees payable to Builders Academy Australia, clearly describing all costs involved with the course;
- How and when fees must be paid;
- How to request a refund;
- The conditions under which a refund would be provided; and
- The participant's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies.

This information forms part of the *Course Services Agreement*. Information provided to clients is consistent with Builders Academy Australia course services arrangements.

Where a participant is being enrolled under any loan or delayed payment arrangement (including VET FEE-HELP), the terms of the arrangement are clearly stated, including:

- Any debt that may be incurred;
- When repayment is required;
- Under what conditions; and
- Any associated fees, indexation or interest.

Fee Arrangements

Builders Academy Australia fees are designed to minimise the impact of fees and charges, through flexible payment plans, dependent on service type. Builders Academy Australia is committed to cost efficiency for Recognition of Prior Learning (RPL) applications, and will at all times seek to complete RPL applications at the same cost or lower than normal course delivery costs.

Course Services Fees

All course services fees are published and available on the Builders Academy Australia website. Published fees information includes fee rates for each training product, including full fee for service, subsidised, concession and exemption fee rates for each course and relevant government jurisdiction.

Participant Support Services Fees

If any specific participant support options available attract an additional cost to the client, Builders Academy Australia makes this clear in pre-enrolment information and as a part of the *Course Services Agreement*. Similarly, if there are limitations to the support Builders Academy Australia is able to provide to particular client cohorts, these limitations are also made clear in information provided to potential participants.

Incidental Expenses

There may be some instances of a personal cost to a participant over and above the general course fees. These costs include:

- *Essential equipment* and other items that the participant has the choice of acquiring from Builders Academy Australia, or from another supplier, that become the physical property of the participant, are retained by the participant on completion of training, and are not consumed during the training.
Example: tool kit.
- An *optional charge for an item* that is not essential for the participant to complete the training.
- An *optional charge for an alternative form of access* to an item or service that is an essential component of the training, but is otherwise made readily available at no additional fee by Builders Academy Australia.
- *Field trips and food, transport and accommodation costs* associated with the provision of field trips that form part of the training.
- Any *textbook* the participant requires for their course that is retained by the participant after completion of the qualification.

Embedded qualifications

In some cases a qualification may include all the units of competency required to complete a lower level qualification, an 'embedded' qualification. The participant may wish to be issued with a testamur for the lower level qualification in addition to the higher one they enrolled in.

In this case the participant has paid the fee for the higher level qualification. Builders Academy Australia charges an administrative fee to produce the additional testamur (set at \$385 GST exempt) but the participant is required to pay additional participant fees for the lower level qualification.

Repeated Assessment

Participants are able to attempt assessment to complete a unit of competency on three (3) occasions within their initial participant course fee. Builders Academy Australia does not levy additional fees for these attempts.

Withdrawal without penalty

Builders Academy Australia advises prospective participants, prior to any fees being paid, of the 'withdrawal with no penalty' cut-off date. That is, the date by which the participant can withdraw and be refunded any fees paid on enrolment. This date is generally before 20% of the scheduled unit of competency hours have been delivered.

Government Loan, Funding, Subsidy and Support Entitlements

In cases where participants are accessing any government funding entitlement that may reduce their ability to access such funding in the future (such as arrangements that limit funding to one qualification for a person), Builders Academy Australia also provides advice on these arrangements prior to enrolment, via the *Course Services Agreement*.

The total course fee for a government subsidised course is divided into two components:

- The Fee (to the participant / employer / client); and
- The Subsidy (paid by the relevant government body).

In cases of government funding or subsidy, the *Statement of Fees* also includes the approximate value of the contribution from government towards the qualification(s) in which the participant is considering enrolment.

Third Party Fee Arrangements

Builders Academy Australia third party representatives do not collect fees on behalf of Builders Academy Australia.

Notifications and Guarantee

Builders Academy Australia notifies clients as soon as practical after any change occurs that may affect the course services being provided. This includes changes of significant impact including:

- Any changes to, or new third party arrangements Builders Academy Australia puts in place, for the delivery of services to those specific clients; and
- A change in ownership of an RTO entity should that occur.

Builders Academy Australia guarantees that no additional charges will be imposed during the period covered by the *Course Services Agreement*.

Recovery of Outstanding Participant Fees

Builders Academy Australia collects all fees to be paid by the participant by the time they complete their subsidised training. Builders Academy Australia retains participant fees that it collects.

Builders Academy Australia has a robust process for the recovery of outstanding fees from a participant. The failure by a participant to pay a fee owing is considered to be a breach of discipline and can lead to penalties being imposed on the participant under *Discipline* arrangements.

One of the penalties that may be considered is the delay in release of results or testamur(s) as relevant to the participant until all fees are recovered. For significant participant debts, formal debt collection actions may also be undertaken.

VET FEE-HELP AND VET STUDENT LOANS – TUITION FEES

Setting Tuition Fees

Builders Academy Australia determines one tuition fee for each VET unit of study it offers in a year. As VET FEE-HELP may only cover tuition fees, any other fees and charges must be borne by the student. Students are able to complete the requirements of their course without the imposition of fees that are additional to tuition fees.

Fee Periods for the Charging of Tuition Fees

Builders Academy Australia ensure that students do not incur a VET FEE-HELP debt for the whole course upfront.

Builders Academy Australia fee-periods are equivalent to one third of the total VET course of study duration as advised to a person at the time of enrolment. For the purpose of the charging of tuition fees for a VET course of study, a VET course of study has three sequential fee-periods.

Each fee-period includes at least one VET unit of study with one census date.

Builders Academy Australia only charges a student one third of the total VET course of study tuition fees in any one fee-period.

Please note that the VET FEE-HELP scheme is not available to new students from 1 January 2017. From 1 January 2017, the VET Student Loan scheme replaced the VET FEE-HELP loan scheme.

Schedule of Tuition Fees

Builders Academy Australia publishes its schedule of VET tuition fees and census dates (schedule) for all VET units of study that it provides or proposes to provide, for both full fee-paying and state government-subsidised students, on or before the earliest enrolment date for units of study, enabling students to access information about fees before they enrol.

FEE PROTECTION

Builders Academy Australia does not collect more than \$1,500 in prepaid fees (fees in advance) from participants at any time for any course service. As such, no further fee protection arrangements are required. The requirements that apply to prepaid fees include all fees that a participant is required to pay, including enrolment fees, tuition fees, materials fees and any other fee component that is a mandatory payment for the course.

Builders Academy Australia is only required to protect prepaid fees from individual participants and prospective participants. These requirements do not apply for other clients - for example, where an employer engages Builders Academy Australia to provide training and/or assessment to its personnel.

STATEMENT OF TUITION ASSURANCE

Builders Academy Australia complies with tuition assurance requirements.

This requirement is to protect students in the event that Builders Academy Australia ceases to provide a course of study in which a student is enrolled.

In the event that Builders Academy Australia ceases to provide a course of study in which a student is enrolled the student will have the choice, for each VET unit of study (each affected unit) forming part of the course that the student is enrolled in at that time, of:

- A. The “**VET Course Assurance Option**” that is an offer of a place in a similar VET course of study that:
 - comprises VET units of study that is being undertaken as part of a *VET course of study that meets any requirements set out in the Higher Education Support (VET) Guideline 2015; and
 - is undertaken with a second provider without any requirement to pay the second provider any VET tuition fees for any replacement units.

OR

- B. The “**VET Tuition Fee Repayment Option**” that involves:
 - refunding the student’s up-front VET payments (if any) for any affected units; and
 - re-crediting the student’s FEE-HELP or VET Student Loan balance in respect of any affected units.

Builders Academy Australia has met the tuition assurance requirements of the HESA through its current membership of the Australian Student Tuition Assurance Scheme (ASTAS) operated by the Australian Council for Private Education and Training (ACPET). Contact details for ACPET are:

ACPET

PO Box 551
 EAST MELBOURNE VIC 8002
 03 9412 5900
acpet@acpet.edu.au
www.acpet.edu.au

If Builders Academy Australia ceases to provide a course of study, ACPET will send a student enrolled in the course of study a Written Tuition Assurance Offer (the Offer) advising the student of the options available under the tuition assurance requirements. The Offer will include directions that the student must follow in order to notify ACPET of the choice they have made for each affected unit. ACPET will provide this Offer within twenty *Business Days* after it knows, or should know by reasonable enquiries that the Builders Academy Australia has ceased to provide the course or study.

A student may choose either:

The VET Course Assurance Option:

Under the course assurance option, a student will be offered a place in a similar course of study by ACPET. If the student accepts this option, ACPET will make all necessary arrangements to ensure a student is able to enrol with the other provider in the similar course of study. This offered course will lead to the same or a comparable qualification without any requirement on the part of the student to pay the provider any student contribution or tuition fee for any replacement units (that is, units that the student had commenced but not completed because the course ceased to be offered). A student will receive full credit from the other higher education provider for any units of study successfully completed at Builders Academy Australia.

The other provider nominated by ACPET may have different contribution amounts or tuition fees to the amounts or fees the student would have paid for units of study which were part of the course of study the Builders Academy Australia ceased to provide but which the student had not yet started studying.

A student is not obliged to enrol in a course of study with the other provider offered by ACPET under the Course Assurance Option. However, if he/she enrolls with any other provider there is no obligation on that provider to offer full credit transfer for the units of study completed with Builders Academy Australia or to offer replacement/s unit free of charge.

OR

The VET Tuition Fee Repayment Option:

Under the VET Tuition Fee Repayment Option, ACPET undertakes to pay the student the total of any up-front

payments already paid by the student for any units of study the student has commenced but not completed because the course ceased to be offered. Students selecting this option will also have their FEE-HELP or VET Student Loan balance re-credited for the uncompleted units.

FEE CONCESSIONS AND EXEMPTIONS

Fee concessions and exemptions apply to a range of publicly funded vocational education and training course services provided by Builders Academy Australia across jurisdictions. Fee concession and exemption arrangements do vary depending on the jurisdiction and government support program available. Please discuss your particular situation with your Builders Academy Australia representative for further information.

Evidence of Eligibility

Eligibility for a fee exemption or concession is assessed at enrolment and cannot be adjusted after enrolment. Eligibility evidence is retained on each participant's course file.

Where the evidence, provided by the participant, is a copy of the original, the copy must be an 'original copy' certified by a person who is on the list of approved witnesses who can verify documents. A list of approved witnesses is available at the Commonwealth Attorney General's Department website at: www.ag.gov.au/Publications/Pages/Statutorydeclarationsignatorylist.aspx.

REFUNDS

Builders Academy Australia holds a Tuition Assurance Scheme for protection of student fees paid in advance. From time to time however a refund may be required for specific participant cases. Refund information and arrangements are made available to clients prior to enrolment through:

- Builders Academy Australia's relevant handbook for each stakeholder group;
- Builders Academy Australia website; and
- As a part of the *Course Services Agreement* completed with the client prior to enrolment.

Refunds may be paid automatically, or sought and negotiated on an individual basis with Builders Academy Australia, on a case by case basis.

Builders Academy Australia has publicly published on its website, and makes participants aware of this *Refund* policy before enrolment.

Refunds Prior to Course Services Commencement or Services Termination

Builders Academy Australia's general refund arrangements for all clients and all course services are as follows:

Refund Arrangements	
Withdrawal Census Date / Withdrawal with No Penalty Cut-off Date Builders Academy Australia's withdrawal/census date is set at 20% of the duration of the unit, and is the last day which	Full refund of course services fees paid.

students can withdraw from a unit and be eligible for a full refund of their unit fee. The withdrawal/census date applies to each individual unit of study and not to the course as a whole.	
Withdrawal after Withdrawal Census Date / Withdrawal with No Penalty Cut-off Date	Refund of pro rata course services fees paid.

Refunds Due to Non-Provision of Services

Course fees are to be refunded in full if Builders Academy Australia is unable to commence the course service as agreed due to a lack of minimum participant numbers or unforeseen circumstances.

Where Builders Academy Australia or a third party representative is unable to complete the course services due to unforeseen circumstances or closure, any course services fees are refunded on a pro-rata basis, with comparison of the course fees paid against the units of competency where services have been delivered.

Where there is an instance of Builders Academy Australia default due to unforeseen circumstances, Builders Academy Australia will endeavour arrange for another course, or part of a course, to be provided to participants at no (extra) cost to the participant as an alternative to a refund. Where the participant agrees to this arrangement, Builders Academy Australia will not refund fees paid.

Refund Arrangements	
Recognition of Prior Learning and/or Credit Transfer has been granted.	Pro-rata refund paid based on a calculation of the number of units that have received RPL or CT results and the fees paid to date.
Builders Academy Australia is unable to commence the course for which the original enrolment and payment has been made.	Full refund or alternative placement in a course, as per the clients' preference.
Builders Academy Australia is unable to continue to deliver the course as agreed.	Partial refund or alternative placement in a course, as per the clients' preference.

Refunds Due to Client Request / Hardship Application

Participants may have extenuating circumstances that prevent them from attending scheduled course dates that may include but are not limited to illness, family or personal matters, or other reasons that are out of the ordinary. Where evidence can be successfully provided to support the participant's circumstances, course service fees may either be transferred to the next available course where applicable, or a refund of unused course fees will be issued.

This decision of assessing the extenuating circumstances rests with the General Manager and shall be assessed on a case by case situation.

Where delivery has commenced, course fees have been paid and a client believes a special circumstance refund is warranted, the client may apply for a refund using the *Refund Application Form*. This form is available from any relevant Builders Academy Australia personnel and is also available within the relevant handbook for each stakeholder group.

Once completed, the *Refund Application Form* should be submitted to the General Manager via email at: enquiries@buildersacademy.com.au or via post to:

Chief Executive Officer
Builders Academy Australia

Locked Bag 4002
South Melbourne VIC 3205

All refund applications are assessed and processed within fourteen (14) days of the application being placed. The client will be advised in writing of the outcome of their application, including reasons for refusing a refund in cases where this occurs.

Builders Academy Australia does not typically provide a refund in cases where a participant has withdrawn from a qualification but has completed all the requirements for a lower level qualification, which attracted a lower participant fee.

All clients have the right to appeal a refund decision made by Builders Academy Australia. Please refer to the *Complaints* section for further information.

Third Party Refunds

If course services fees have been paid to Builders Academy Australia by a third party, any refunds payable will be remitted to that third party.

VET FEE-HELP AND VET STUDENT LOANS - RE-CREDITING AND REMISSION OF LOAN BALANCES

Students who have accessed VET FEE-HELP or VET Student Loans to cover all or part of their tuition fees incur the liability and therefore the debt for their tuition fees after the census date. Students may find they have to withdraw from their studies after the census date or they have been unable to complete their studies due to certain circumstances. Students in this situation may apply to have their FEE-HELP balance re-credited.

If Builders Academy Australia determines that a student's VET government loan balance is to be re-credited, Builders Academy Australia repays any amounts of VET FEE-HELP or VET Student Loan it received for the VET unit of study to the Commonwealth. Any VET FEE-HELP or VET Student Loan debt the student incurred for the VET unit of study is taken to be remitted.

THE RE-CREDITING PROCESS

Builders Academy Australia re-credits a student's student loan balance with an amount equal to the amounts of student loan the student received for a VET unit of study if:

- The student has been enrolled in the VET unit of study with Builders Academy Australia; AND
- The student has not completed the requirements for the VET unit of study in the period the student undertook, or was to undertake the VET unit of study; AND
- Builders Academy Australia is satisfied that special circumstances apply to the student; AND
- The student applies in writing to Builders Academy Australia for re-crediting of the FEE-HELP balance; AND
- Either:
 - The application is made within 12 months of the student withdrawing from the VET unit of study or if the student has not withdrawn, within 12 months of the end of the period in which the VET unit of study was, or was to be, undertaken; OR
 - Builders Academy Australia waives the requirement the application be made before the end of the 12 months, on the ground that it would not be, or was not, possible for the application to be made before the end of the 12 months.

Builders Academy Australia ensures that it takes reasonable steps to ensure that Students, who withdraw from a VET unit of study after the census date, are aware they may apply, in writing to Builders Academy Australia, for a re-credit of their FEE-HELP balance. Reasonable steps include:

- Relevant information in Builders Academy Australia's *student Handbook*;
- Providing information on Builders Academy Australia's website; and
- Relevant information in the material provided to students.

APPLYING FOR A RE-CREDIT AND REMISSION

A student may apply to Builders Academy Australia for a re-credit of their student loan balance if they withdraw from their VET unit of study after the census date or the student has not completed the requirements for the VET unit of study.

An application for a re-credit or a remission must be made in writing. Where Builders Academy Australia allows a student to

defer completion of their studies, the twelve-month period applies from the end of the extended period. Builders Academy Australia has the discretion to waive this requirement if it is satisfied the application could not be made within the time limits.

The student's application should include any independent supporting documents, for example, a letter from the student's doctor or counsellor, to support the student's claims. Each application is examined and determined on its merits. Builders Academy Australia considers the student's claims, together with any independent supporting documentary evidence that substantiates these claims.

Special Circumstances

Builders Academy Australia re-credits a student's student loan balance if it is satisfied that special circumstances apply to the student that were:

- Beyond the student's control; AND
- Did not make their full impact on the student until on, or after, the census date for the VET unit of study; AND
- Made it impracticable for the student to complete the requirements for the VET unit of study in the period the student undertook, or was to undertake, the VET unit of study.

Special circumstances do not include, for example:

- A lack of knowledge or understanding of requirements for VET FEE-HELP or VET Student Loans; or
- A student's incapacity to repay a student loan debt, as repayments are income contingent and the student may apply for a deferral of a compulsory repayment in certain circumstances.

For special circumstances to apply, the circumstances must have made it impracticable for the student to complete the requirements of the VET unit of study. Special circumstances do not have to be the sole reason for not being able to complete the VET unit of study, but there must be a reason. If the student was unable to complete the VET unit of study before the circumstances arose, Builders Academy Australia may make a decision not to re-credit the related student loan balance. For example, if a student was required to obtain a pass mark for all assessment and the student failed an exam for reasons unrelated to the circumstances, the student would not be able to claim special circumstances if they fell ill after the exam.

Special circumstances beyond a student's control

Circumstances could be considered beyond a student's control if a situation occurs that a reasonable student would consider is not due to the student's action or inaction, either direct or indirect, and for which the student is not responsible. This situation would generally be expected to be unusual, uncommon or abnormal.

For example, a lack of knowledge of how VET FEE-HELP or VET Student Loans works or the requirements regarding census dates would not be considered beyond a student's control.

Special circumstances that do not make full impact until on or after the census date

Circumstances could be considered not to make their full impact on the student until on or after the census date for the VET unit of study if the student's circumstances occurred:

- Before the census date, but worsen after that day;

- Before the census date, but the full effect or magnitude did not become apparent until after that day; or
- On or after the census date.

Students do not need to demonstrate they were unable to withdraw from the VET unit of study prior to the census date.

Special circumstances arising from pre-existing conditions

A circumstance that first occurred before the census date may satisfy the special circumstances requirement where it worsens after that day or the full effect or magnitude does not become apparent until after that day.

For example, a student may have an illness or other underlying, pre-existing condition or incapacity prior to the census date for a VET unit of study, but that condition may worsen, or that student may suffer from an aggravation, deterioration or episode, after the census date.

Alternatively, the full implications of a student's condition may not have been apparent until after the census date. This may be because recovery does not go to plan, or the degree of disability or incapacity for study are not fully realised until after the census date.

Builders Academy Australia considers whether the student's circumstances changed on or after the census date and when the full effect or magnitude of the circumstances became apparent, taking into account any additional circumstances, including continuation of a pre-existing condition, that may have affected the student on or after the census date

Special circumstances that made it impracticable for the student to complete the VET unit of study

The term impracticable is defined as 'not practicable, that which cannot be put into practice with the available means'. Builders Academy Australia keeps this definition in mind when deciding whether a student's circumstances made it impracticable for them to complete a VET unit of study.

Circumstances that make it impracticable for the student to complete the requirements for their VET unit of study may include:

- Medical circumstances, for example where a student's medical condition has changed to such an extent that he or she is unable to continue studying;
- Family/student circumstances, for example death or severe medical problems within a family, or unforeseen family financial difficulties, so that it is unreasonable to expect a student to continue studies;
- Employment related circumstances, for example where a student's employment status or arrangements have changed so the student is unable to continue their studies, and this change is beyond the student's control; or
- Course related circumstances, for example, where Builders Academy Australia has changed the VET unit of study it had offered and the student is disadvantaged by either not being able to complete the VET unit of study, or not being given credit towards other VET units of study or courses.

Consideration is also given to whether at the time the student's special circumstances emerged it was already not practicable for the student to meet the requirements of the VET unit of study.

A student is unable to complete the requirements for a VET unit of study, for example, if the student is unable to:

- Undertake the necessary private study required, or attend sufficient lectures or tutorials or meet other compulsory

attendance requirements to meet their compulsory course requirements; or

- Complete the required assessable work to the required standard; or
- Sit the required examinations and obtain a required mark; or
- Complete any other course requirements because of their inability to meet the above.

UNACCEPTABLE CONDUCT

A student may apply for their student loan balance to be re-credited because of circumstances involving unacceptable conduct. Unacceptable conduct includes any circumstances where Builders Academy Australia and/or its agent or associate engaged in the following activities:

Inappropriate marketing

- Any marketing, advertising or promoting that suggested that, if the student enrolled in the unit or course, a thing will:
 - be provided to the student or another student; or
 - be otherwise available for the student to use; and
 - it is reasonably likely that this suggestion induced the student to:
 - enrol in the unit or course; and
 - make the request for Commonwealth assistance; and
 - the student's use of the thing was required or necessary for the student to externally complete all or part of the unit or course (having regard to the learning objectives and outcomes of the unit or course).
- Cold-called a student, or caused a student to be cold-called, when marketing, advertising or promoting the unit or course; and
 - in doing so, or as a result of doing so, the Builders Academy Australia suggested, or caused to be suggested, that VET FEE-HELP assistance (however described) could be available if the student were to enrol in the unit or course; and
 - it is reasonably likely that this suggestion induced the student to:
 - enrol in the unit or course; and
 - make the request for Commonwealth assistance.

Provision of information

- Did not provide the student with the required VET Student Loan information

Failure to comply with student requests

- Before the end of the census date for the unit, the student requested, in writing, Builders Academy Australia to:
 - cancel the student's enrolment in the unit or course; or
 - withdraw the student's request for Commonwealth assistance relating to the unit or the course; and
 - Builders Academy Australia:
 - failed to comply with the request before the end of the census date; or
 - charged the student a fee, or imposed a penalty, (however described) in order for the Builders Academy Australia to comply with the request.
- After the student withdrew from the unit or course, the Builders Academy Australia:

- enrolled the student in a further VET unit of study without the student's written permission given after the withdrawal; or
- failed to confirm with the student whether the student wished to continue any enrolment in any other VET unit of study forming part of the course.

Accepting requests for Commonwealth assistance etc. when student not entitled

- The student is not entitled to VET FEE-HELP or VET Student Loan assistance for the unit, but the Builders Academy Australia treated the student as being so entitled.

Failure to advise about requests

- Enrolled the student in the unit less than 2 business days before the census date for the unit; and
- Before enrolling the student in the unit:
 - the student's request for Commonwealth assistance relating to the course had not already been given to an appropriate officer of the Builders Academy Australia and Builders Academy Australia failed to advise the student that the student would not be able to receive student loan for the unit.
- The student's request for Commonwealth assistance relating to the unit or course was given to an appropriate officer of the Builders Academy Australia less than 2 business days after the student enrolled in the unit and before enrolling the student in the unit:
 - Builders Academy Australia failed to advise the student that student loan for the unit could only be received if the request was given at least 2 business days after enrolling; or
 - Builders Academy Australia encouraged the student to give the request so that it would be given less than 2 business days after enrolling.

Failure to apportion fees appropriately

- Charged the student VET tuition fees for the unit; and
- The VET tuition fees were not charged in accordance with VET Student Loan fee requirements.

Failure to publish fees

- Charged the student VET tuition fees for the unit; and
- On the day before the student enrolled in the unit, the VET tuition fees were not available on the Builders Academy Australia's website in a way that was readily accessible by the public.

Requirements for Making Decisions

Builders Academy Australia considers the student's application as soon as practicable and notifies the student of its decision and the reasons for making the decision.

Decisions regarding re-crediting a student's student loan balance are reviewable. In addition to notifying a student of its decision and the reasons for making the decision, Builders Academy Australia also advises the student of their rights for a review of the decision if the student is unsatisfied with the outcome. The student must be advised the time limit for applying for a review of a decision is 28 days from the day the student first received notice of the decision.

Notifying the Department of the Decision

Where a decision results in the re-crediting of a student's student loan balance, the remission of a student's HELP debt, and/or the refund of a student's upfront payments, Builders Academy Australia notifies the department through the

Revisions File. Builders Academy Australia is required to repay to the Commonwealth any amounts of VET FEE-HELP Builders Academy Australia received from the Commonwealth on the student's behalf.

Re-crediting a Student's student loan Balance

Where Builders Academy Australia is satisfied that special circumstances apply, Builders Academy Australia re-credits a student's student loan balance with an amount equal to the amount of used including any applicable loan fees for applicable Units of Study. Builders Academy Australia has the discretion to refund any upfront payments the student made in respect of the VET unit of study in line with its own policies, which should be accessible to the student.

Students who withdraw on or before the census date, for any reason, do not incur a student loan debt, and accordingly, it is not necessary for them to seek a re-credit or establish special circumstances.

Reviewable VET Decisions

Decisions regarding re-crediting a student's student loan balance are reviewable. A review of a decision may be requested by the student affected by the original decision or without a request if Builders Academy Australia is satisfied there is sufficient reason to do so.

Requests for review can be made by calling Builders Academy Australia or in writing:

Phone: 1300 LEGEND
 Locked Bag 4002
 South Melbourne VIC 3205
enquiries@buildersacademy.com.au

There is no fee or charge to students relating to applications for the review process.

In circumstances where an application is made outside the application period the student will be advised the application has been refused on the basis the student has not satisfied one of the threshold criteria. The applicant will also be provided with written reasons why the application period was not waived.

In these circumstances, it is not necessary for Builders Academy Australia to address whether the special circumstances test has been satisfied. A decision made on this basis will be a reviewable decision under HESA and there is an obligation to inform the student of this and provide the student with the opportunity to seek reconsideration of the decision.

Review by the AAT

A student may apply to the Administrative Appeals Tribunal (AAT) for review of a review officer's decision and may supply additional information to the AAT they did not previously supply to Builders Academy Australia, including the review officer.

The department will receive notification from the AAT that a student has lodged an application for a review of a review officer's decision. The department is the respondent for cases that are before the AAT.

Once the department has received notification from the AAT the student has applied for the reconsideration under section 37 of the *Administrative Appeals Tribunal Act 1975*, the department must lodge the following documents with the AAT within 28 days:

- A statement setting out the findings on material questions of fact, referring to the evidence or other material on which those findings were based and giving the reasons for the decision; and
- Every document or part of a document that is in the reviewer's possession or under the reviewer's control and is considered by the reviewer to be relevant to the review of the decision by the AAT.

The department will notify Builders Academy Australia, in writing, that an appeal has been lodged. To enable the department to meet the 28-day timeframe, Builders Academy Australia must, within a further five business days of being requested, provide the department with copies of all the documents it holds that are relevant to the appeal. These documents should be sent by courier or express post to meet the five-business day requirement. Builders Academy Australia will keep any originals and copies of the documents in line with its normal recording keeping practices. Once receiving the documents the department may choose to review the original decision.

Builders Academy Australia's review officer may also reconsider the decision even though an appeal has been made to the AAT at any time up until the AAT makes a final decision. If a decision is made to re-credit a student's FEE-HELP balance Builders Academy Australia must advise the department.

However, until a student withdraws their AAT appeal or the appeal is dismissed or otherwise dealt with by the AAT, the department is still required to comply with the requirement under section 37 of the *Administrative Appeals Tribunal Act 1975* to lodge the statement, and relevant documents described in the two dot points above, with the AAT. Therefore, Builders Academy Australia must still forward all relevant documents to the department within five business days, unless advised not to do so by the department. The department will deal with cases from that point and advise Builders Academy Australia of the outcome.

VET FEE-HELP AND VET STUDENT LOANS – NOTICES TO STUDENTS

All students who have requested VET FEE-HELP or VET Student Loans receive two types of notices.

An Invoice Notice which provides notification including unit of study tuition fees to be incurred, and the Commonwealth Assistance Notice (CAN), to be provided after census dates, provides information including debts incurred, acting like a receipt.

Invoice Notice

Builders Academy Australia issues Invoice notices to students':

- Personal email address as advised by the student to the VET provider at the time of enrolling in the unit; and/or
- Personal mail address as advised by the student to the VET provider at the time of enrolling in the unit.

Commonwealth Assistance Notice (CAN)

Builders Academy Australia issues Commonwealth Assistance Notices to students':

- Personal email address as advised by the student to the VET provider at the time of enrolling in the unit; and/or
- Personal mail address as advised by the student to the VET provider at the time of enrolling in the unit.

The notice is issued within the period:

- Starting on the earliest census date for a VET unit of study included in the notice; and
- Ending 28 days after that census date.

ENROLMENT AND INDUCTION

Builders Academy Australia assesses all potential participant enrolment applications to ensure they meet the enrolment requirements of the course and to confirm their ability to complete the requested training product.

Where the enrolment of the participant would require unreasonable adjustments to the course program, the participant's admission for enrolment will not be processed. Decisions on the acceptance or otherwise of participant enrolment applications are free from bias and discrimination.

Confirmation of Enrolment

A participant's enrolment application into a course program is accepted and enrolment confirmed once:

- All pre-enrolment information has been provided and discussed;
- Participant identity has been confirmed;
- Participant individual needs assessment has been completed;
- Enrolment information collection has been completed and confirmed;
- Course entry requirements and admission requirements have been reviewed and confirmed;
- Any government subsidy or support eligibility process has been undertaken and concluded;
- Any final Pre Training Review processes are conducted; and
- A *Course Services Agreement*, including *Statement of Fees*, has been completed and signed by all parties.

The date on which the *Course Services Agreement* is completed and signed by all parties is confirmed as being the official date of enrolment.

INDUCTION

Builders Academy Australia induction sessions with participants may be individual or in groups, and include:

- Further explanation of course content, competency standards, timelines and stakeholders;
- Preparation and signing of the Training Plan; and
- Provision of initial course resources, information or activities.

TRAINING PLANS

Builders Academy Australia documents course services information on training and assessment in a *Training Plan* for all participants.

A copy of the endorsed (hardcopy or electronic) training plan is provided to each participant. This information ensures that

both Builders Academy Australia and the participant are making informed decisions about the course services required and the respective obligations in the delivery of these course services.

Amendments to the Training Plan

Builders Academy Australia routinely negotiates amendments to the Training and Assessment Plan approach with all participants. Where a major amendment occurs (e.g. delivery mode / change of unit selection):

- An amended training plan is prepared in negotiation with the participant(s); and
- All parties sign off a new declaration on the amended training plan to confirm agreement.

Builders Academy Australia updates the *Training Plan* according to any changes mutually agreed throughout the course services. Builders Academy Australia monitors each participant's progress in satisfying the requirements of the qualification, in line with the *Training Plan*.

TRAINING SERVICES

Competency Based Training and Assessment (CBT&A) is a flexible form of training that aims to produce a workforce with the knowledge and skills which industry requires. Under CBT, we have competency standards. The concept of competency focuses on what is expected of an employee in the workplace rather than on the learning process, and embodies the ability to transfer and apply skills and knowledge to new situations and environments.

Competency is a broad concept that includes all aspects of work performance and not only narrow task skills. The *dimensions of competency* encompass:

- The requirement to perform individual tasks (task skills);
- The requirement to manage a number of different tasks within the job (task management skills);
- The requirement to respond to irregularities and breakdowns in routine (contingency management skills);
- The requirement to deal with responsibilities and expectations of the work environment (job role environment skills), including working with others.

Each Unit of Competency describes the work performed in the workplace. Participants undertaking training and assessment receive a competent result when successful workplace performance is demonstrated.

VOLUME OF LEARNING

Builders Academy Australia is required to develop and implement approaches, including providing access to suitable resources, facilities and trainers, to ensure participants gain all relevant skills and knowledge.

The Australian Qualifications Framework (AQF) provides a guide to the volume of learning which describes how long a participant who does not hold any of the competencies identified in the relevant units of competency or modules would take to develop all the required skills and knowledge.

The volume of learning includes all teaching and learning activities such as guided learning (classes, lectures, tutorials, online or self-paced study), individual study, research, learning activities in the workplace and assessment activities. The amount of training provided by Builders Academy Australia is part of the overall volume of learning and relates primarily to formal activities including classes and other activities as well as workplace learning.

Volume of Learning							
Certificate I	Certificate II	Certificate III*	Certificate IV**	Diploma	Advanced Diploma	Graduate Certificate	Graduate Diploma
0.5 – 1 year	0.5 – 1 year	1 – 2 years	0.5 – 2 years	1 – 2 years	1.5 – 2 years	0.5 – 1 year	1 – 2 years
600 – 1200 hours	600 – 1200 hours	1200 – 2400 hours	600 – 2400 hours	1200 – 2400 hours	1800 – 2400 hours	600 – 1200 hours	1200 – 2400 hours

* Certificate III qualifications are often the basis for trade outcomes and undertaken as part of a traineeship or apprenticeship. In these cases, up to four years may be required to achieve the learning outcomes.

** Certificate IV qualifications are often either:

- Shorter duration specialist qualifications that build on existing skills and knowledge; or
- Longer duration qualifications that are designed as entry level requirements for specific work roles.

TRAINING & ASSESSMENT STRATEGIES

Builders Academy Australia develops a strategy (or strategies as relevant) for each training product it is registered to deliver. Different strategies may be developed for different delivery models or target groups.

Guarantee

Builders Academy Australia has, for all of its scope of registration, and consistent with its training and assessment strategies, sufficient:

- Trainers and assessors to deliver the training and assessment;
- Provision of or referral to educational and support services to meet the needs of the participant cohort/s undertaking the training and assessment;
- Learning resources to enable participants to meet the requirements for each Unit of Competency, and which are accessible to the participant regardless of location or mode of delivery; and
- Facilities, whether physical or virtual, and equipment to accommodate and support the number of participants undertaking the training and assessment.

Builders Academy Australia meets all requirements specified in the relevant training package or VET accredited course for each training product delivered. Builders Academy Australia training and assessment strategies and practices, including the amount of training provided, are consistent with the requirements of training packages and VET accredited courses relevant to the training products being delivered, and enable each participant to meet the requirements for each Unit of Competency or module in which they are enrolled.

Builders Academy Australia determines the amount of training provided when documenting and implementing training and assessment strategies with regard to:

- The existing skills, knowledge and the experience of the participant target group;
- The mode of delivery; and
- Where a full qualification is not being delivered, the number of units and/or modules being delivered as a proportion of the full qualification.

TRAINING DELIVERY

Builders Academy Australia is committed to quality participant centred course services provision that meets each individual participant's needs. Builders Academy Australia personnel strive to ensure that their teaching meets this commitment and:

- Provides a learning environment which recognises differences in participants' ages, experiences, aptitudes, learning styles and background; and
- Incorporates flexible delivery methods based on participants' needs.

Services Delivery

Builders Academy Australia:

- Provides participants with initial course materials and documentation within ten (10) days of finalising and signing their training plan;
- Delivers the training and assessment services in accordance with the training plan through the appropriate mode as identified in that plan;

- Where relevant, assists employer representatives to access appropriate materials to record achievements of the participant in the workplace;
- Monitors the progress of the participant throughout the program;
- Reviews progress of the participant at regular intervals - typically on a monthly basis;
- Provides additional support as planned or required; and
- Conducts training and assessment services in a safe and accessible environment.

If at any stage prior to commencing delivery of the structured training and assessment, Builders Academy Australia is unable to deliver the structured training and assessment identified in the training plan, it:

- Assists the participant to identify an alternative RTO;
- Manages the transfer of that participant to the new RTO with all appropriate records;
- In accordance with the Fees, Charges and Refunds policy, refund relevant fees paid by the participant; and
- In the case of participants under a training contract, notify the relevant STA that it will no longer be providing training relating to that particular qualification outcome and provide information confirming that the participant has been transferred to another RTO.

Flexible Delivery Methods

Builders Academy Australia provides a structured framework and learning pathways for participants involved in flexible delivery methods.

A turnaround policy of '*within one working day*' is in place for all client queries, whether in verbal or written format. All Builders Academy Australia personnel strive to meet this client expectation.

An assessment turnaround policy of '*within fourteen (14) days*' is also in place for the assessment and return of assignments, recognition portfolios and other participant documentation, to ensure that participants receive accurate and timely information and feedback as they complete their course.

ATTENDANCE

Builders Academy Australia ensures consistency in monitoring and recording of participant attendance meeting contractual requirements to maintain accurate records for reporting against training and assessment engagement.

Recording Attendance

Attendance is recorded at every Builders Academy Australia training or assessment event, whether that be a group workshop, individual session or workplace onsite visit. The attendance record is completed at the beginning of each training session.

Non-attendance

Where a participant misses a session without notice, the trainer makes contact with the participant (and/or their immediate supervisor for workplace supported participants) to verify the reason for their absence and to negotiate their return. Reasons for non-attendance are to be recorded on the *Attendance Record* for all non-attended participants before the record is provided to Builders Academy Australia Data and Administration team for processing.

In cases of repeated non-attendance, the trainer provides relevant advice to the participant that their ability to complete the training program may be compromised by their non-attendance. Non-attendance contact and advice is noted on a *Contact Record*.

If non-attendance continues for more than two consecutive sessions, the trainer:

- Discusses the non-attendance with the participant (and their employer where relevant);
- Provides options and determines a resolution to the non-attendance.

Where a participant identifies that they will not be continuing with the program it is the trainer's responsibility to look at options to try and re-engage the participant. Failing this, the trainer must collect the participant's withdrawal in writing.

WORKPLACE DELIVERY

In the case of workplace delivery, many of the required resources for course services may be readily available. Builders Academy Australia confirms all resources required for delivery are available using the Workplace Resources Checklist.

Where workplaces do not have access to all required resources Builders Academy Australia addresses resource gaps through a variety of options including:

- Provision of additional resources;
- Placement of the participant in a simulated or alternate workplace environment; or
- Provision of alternate elective unit options that better reflect the workplace environment.

Monthly Contact

Builders Academy Australia maintains at a minimum monthly contact with all participants and their workplace supervisor in cases of workplace based delivery. All contacts are recorded using the *Contact Record*.

PROVIDING PARTICIPANT SUPPORT

Builders Academy Australia embraces the responsibility of ensuring all participants are supported in acquiring the knowledge and skills sought through their training and assessment program. Builders Academy Australia determines the support needs of individual participants prior to enrolment and ensures access is provided to the educational and support services necessary for the individual participant to meet the requirements of the training product as specified in training packages or VET accredited courses.

All Builders Academy Australia personnel are aware of available internal or external resources, or are able to confidently refer participants to appropriate tutoring and community support services.

WORK PLACEMENTS

Builders Academy Australia organises and administers work placements to participants during course services where required. The opportunity of work placement provides:

- The participant with the opportunity to gain real world experience in their chosen industry;
- The participant to gain initial access to a potential future employer; and

- The host employer to support and 'test' a participant as a potential employee.

Workplace learning programs are to achieve curriculum outcomes and enhance the vocational, educational and social development of participants.

Builders Academy Australia ensures that participants with special needs are provided with opportunities on the same basis as other participants. This includes identifying and liaising with the workplace around adjustments and accommodations that participants with disabilities may require.

In organising work placements, Builders Academy Australia personnel ensure that all participants have a voluntary work placement agreement in place to confirm that the participant and the host employer are aware of their obligations and are committed to the work placement.

Participant Responsibilities

The participant's responsibilities while on work placement are as follows:

- Attend the work placement on the agreed dates;
- Notify both the workplace supervisor and their Builders Academy Australia work placement coordinator if unable to attend;
- Perform duties as requested and comply with all reasonable directions given by their work placement employer;
- Ensure dress and behaviour are in keeping with the accepted standards of the workplace; and
- Promptly tell the workplace supervisor and Builders Academy Australia work placement coordinator of any personal injury or damage to property that has involved the participant.

Employer Responsibilities

The work placement employer's responsibilities for a work placement are as follows:

- Understand the obligation of care for the participant under relevant Workplace, Health and Safety Acts;
- Inform the participant of safety requirements in the workplace;
- Provide meaningful activities and appropriate direction and supervision;
- Notify Builders Academy Australia immediately of any incident involving the participant, any actions undertaken and damages to property involving the participant;
- Ensure that the participant is not paid for the work placement; and
- Notify Builders Academy Australia of any absences by the participant.

Builders Academy Australia Responsibilities

Builders Academy Australia responsibilities for a work placement are as follows:

- Contact employers to arrange work placements for participants;
- Ensure the work placement is related to the training the participant has undertaken;
- Ensure the participant is prepared for the work placement. For example, a construction induction 'White Card' training is mandatory for participant attending building sites;
- Ensure the work placement occurs;
- Contact the work placement employer on the first day of the work placement to confirm the participant's attendance;

- Visit the participant at the work placement once per five day period during the placement;
- Gather feedback from both participant and work placement employer to evaluate the placement; and
- Has a process to advise relevant insurers and other parties immediately if an event occurs or a potential situation arises that could result in a claim.

STUDENTS TRANSFERRING, DEFERRING OR WITHDRAWING

WITHDRAWALS

If a current student is thinking of withdrawing from study, the student should contact the Builders Academy Australia student Support Centre for specific support and advice on their individual situation.

If a student wishes to withdraw from a unit/subject or a course, they can do so at any time.

Notification of withdrawal can occur in any written form, including but not limited to email, fax, letter or form. Key contact details for withdrawal include:

enquiries@buildersacademy.com.au
1300 LEGEND
1300 534 363

Builders Academy Australia
Level 4, 570 St. Kilda Rd,
Melbourne, VIC 3004

Builders Academy Australia ensures there are no financial, administrative or other barriers that would result in a student not being able to withdraw from a VET unit of study on or before the census date.

If, on or before a census date, a student gives notice to Builders Academy Australia that he or she wishes to withdraw from a VET unit of study or cancel his or her enrolment in the VET unit of study or VET course of study or cancel their request for Commonwealth assistance, Builders Academy Australia ensure the student is not enrolled in that VET unit of study or VET course of study from the time of notification.

Notification of withdrawal can occur in any written form, including but not limited to email, fax, letter or form.

Enrolment in subsequent units

Where a student is enrolled in a VET unit of study with Builders Academy Australia and the student withdraws from the unit, Builders Academy Australia will:

- Write to the student via personal email address (and personal mail address if needed) seeking confirmation whether the student wishes to continue any enrolment in any other VET unit of study forming part of the course; and
- Ensure the student's written permission is provided before commencing an enrolment in a further Unit of Study.

Builders Academy Australia publishes on its website and make readily available its withdrawal procedures. Builders Academy Australia does not charge a student any fine, penalty or fee to allow the student to withdraw from a course or unit of study.

Participant Transfer Out Process

If a participant elects to transfer to Builders Academy Australia from another registered training organisation, Builders Academy Australia provides advice to the participant as soon as practically possible.

Where the enrolled participant elects to transfer out, Builders Academy Australia:

- Provides options for continuing training, which may include:
 - Refers the participant to relevant government authorities to identify an alternative RTO who can provide Subsidised Training;
 - The enrolled participant opting to remain and continue training on an alternate basis or arrangement; or
 - Suggesting an alternative Provider.
- Issues Statements of Attainment/Qualification credentials reflective of their actual training and assessment progress to date;
- Issues an updated Training Plan listing all units of competency where an outcome has been achieved, commenced but not completed and/or not commenced;
- Ensures any refunds owed are paid;
- Return results of any outstanding completed training activities and/or assessments to the participant;
- Submits any government reporting required; and
- If the participant is an Apprentice or Trainee, follows the process required for the change of RTO named on the Training Contract.

Builders Academy Australia keeps records of all requests for/notices of discontinuation or keep a file note or log of such requests/notices together with evidence of all discontinuations made including evidence that it fulfilled its obligations above.

Participant Transfer In Process

A participant transferring in to Builders Academy Australia is treated as a new participant and Builders Academy Australia carries out all standard enrolment processes.

Participants Deferring Training

If a participant indicates that they wish to defer their studies, Builders Academy Australia makes every effort to assist participants to continue training where possible.

If a participant proceeds with the deferral of their studies, Builders Academy Australia only permit a deferral of no more than twelve (12) months from the date of receipt of notice from the participant.

Builders Academy Australia advises participants of the fee implications of deferring their studies in accordance with the individual's relevant fee arrangements.

Participants who do not recommence studies within a twelve (12) month period of deferral are considered to have discontinued their studies with all records and reports processed as per the discontinuance process below.

Builders Academy Australia keeps records of all requests for/notices of deferral or keep a file note or log of such requests/notices together with evidence of all deferrals made.

Discontinuing Participants

If a participant indicates they wish to discontinue their studies without completing their course, Builders Academy Australia ascertains if the reason for discontinuing relates to the performance of Builders Academy Australia.

If that is the case, Builders Academy Australia ensure that reasonable efforts are made to address concerns of the participant related to the delivery and assessment of training.

If a participant proceeds to discontinue their studies, Builders Academy Australia

- Attempts to obtain formal notification from the participant of the date their studies will end;
- Provides any refund of any applicable fee;
- Gives the exiting participant a statement of fees that includes all fees applied and any fees refunded, if applicable;
- Issues the participant with a Statement of Attainment and associated transcript for completed units of competency;
- Updates the *Training Plan* listing all units of competency where an outcome has been achieved, commenced but not completed and/or not commenced;
- Provides the updated *Training Plan* to the participant;
- Returns results of any outstanding completed training activities and/or assessments to the participant;
- For Apprentices or Trainees, notifies the relevant AAC and government authorities within 14 days of notification of the discontinuation of training; and
- Finalises any other government reporting requirements.

APPRENTICESHIPS & TRAINEESHIPS

Apprenticeships and traineeships offer many benefits to employers and employees. Employers can develop an employee who is trained to understand the specific requirements of their workplace and has the skills that match business objectives. Employees have the chance to gain valuable work experience, develop skills and acquire a nationally recognised qualification.

EMPLOYEE & EMPLOYER AGREEMENT

Both parties understand that there is a formal agreement to train the *Australian Apprentice* known as the *National Training Contract* that sets out the legal obligations binding on the employer and the employee.

Both parties enter into the employment and training arrangement with a commitment to mutual respect, honesty and fairness. Both parties agree to determine the qualification and the competencies that the employee is working to attain.

Both parties have a clear understanding of their contractual obligations including the duration of the training contract. Both parties are clear about available dispute resolution avenues and understand what is required to terminate the contract.

The employer will:

1. Meet legal obligations. This involves:
 - Conforming with relevant Commonwealth and State/Territory legislation, including that relating to apprenticeship/traineeship arrangements.
2. Provide a safe working environment. This involves:
 - Providing a safe workplace, free from workplace, verbal, physical, racial and sexual abuse;

- Ensuring that all Workplace health and safety requirements are addressed; and
- Provision of an appropriate introduction to the workplace, stressing Workplace health and safety requirements essential to workplace safety.

3. Support structured training. This involves:
 - Providing opportunities to develop knowledge and skills;
 - Lodging training contract documentation with the relevant authorities;
 - Participating in the development of the training plan and providing facilities and expertise to assist in the training of the trainee/apprentice in the agreed qualification (this may include on-the-job training, supervision from competent people, mentoring, or time off for off-the-job training);
 - Ensuring that a record of training is maintained; and
 - Ensuring that the relevant authorities are notified on the completion of the training contract, or advising them in instances where the training contract is in danger of not being completed.
4. Provide supervision and support. This involves:
 - Providing the trainee/apprentice with a nominated workplace supervisor and could involve a coaching or mentoring arrangement, especially for trainees/apprentices with little experience of work; and
 - Being mindful that trainees/apprentices under the age of 18 are minors, and that their parents or guardians have legal responsibility for them.
5. Advise Trainee/Apprentices of their rights and responsibilities. This involves:
 - Ensuring that trainees/apprentices are encouraged to raise issues and problems both in the workplace and with Builders Academy Australia;
 - Advising trainees/apprentices of entitlements, such as wages and conditions;
 - Ensuring that the trainee/apprentice is aware that help and assistance is also available from the relevant State/Territory Training Authority; and
 - Providing comprehensive induction processes for commencing trainees/apprentices to ensure that they are aware, from the time of commencement, of the proposed training program, workplace safety requirements and their rights and responsibilities.

The trainee/apprentice will:

1. Be aware of and make a commitment to fulfil work responsibilities. This involves:
 - Attending and performing work in a professional and courteous manner in accordance with the employer's requirements;
 - Taking care of workplace property and resources;
 - Respecting the rights of other Australian Apprentices and employees in the workplace;
 - Remembering that information obtained from the employer must be kept confidential and not disclosed without approval from the employer; and
 - Consent from a parent or guardian, if you are less than 18 years of age.

2. Be aware of and make a commitment to fulfil training responsibilities. This involves:
 - Making all reasonable efforts to achieve the competencies specified in the training plan and undertaking any training and assessment required;
 - Participating in the development of the training plan;
 - Attending training sessions or supervised workplace activities and taking advantage of learning opportunities; and
 - Maintaining a record of training.

Reporting of Traineeship / Employer Issues

Each state jurisdiction has a requirement for the reporting of traineeship / trainee employer issues in cases where issues are hampering the effective implementation of the traineeship program.

Minimum compliance requirements may include availability for onsite visits at least quarterly, provision of release time for study and support for on-the-job training. Where an employer / traineeship process is in danger of breach of a minimum compliance requirement, the Builders Academy Australia representative:

- Must support the trainee and employer to understand their obligations;
- Must undertake and document numerous support actions as appropriate to ensure that the compliance requirement is met; and
- Must communicate with Builders Academy Australia management of any issues and concerns.

Immediately once an employer / traineeship process has experienced a breach of a minimum compliance requirement, the Builders Academy Australia representative:

- Must advise the trainee and employer that the compliance requirements are not being met; and
- Must communicate with Builders Academy Australia management of the compliance breach, for immediate reporting to the relevant state training authority for action as per the relevant process in each jurisdiction.

COMPETENCY BASED TRAINING AND COMPLETION REQUIREMENTS

For all Trainees, and Apprentices, Builders Academy Australia may issue the qualification only when:

- All competencies of the Structured Training have been achieved; and
- The employer has returned written confirmation of the Apprentice/Trainee's competence in the workplace (if the employer is a GTO, final confirmation must be from the GTO, not the host employer). Builders Academy Australia retains the written confirmation of the Apprentice/Trainee's competence from the employer for audit purposes; and
- Builders Academy Australia has given clear advice to the employer that final confirmation completes the Training Contract.

ASSESSMENT SERVICES

Builders Academy Australia has implemented 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; and

- Is conducted in accordance with the Principles of Assessment and the Rules of Evidence.

Assessment means the process of collecting evidence and making judgements on whether competency has been achieved, to confirm that an individual can perform to the standard required in the workplace, as specified in a training package or VET accredited course.

For a participant to be assessed as competent, Builders Academy Australia ensures the participant demonstrates their:

- Ability to perform relevant tasks in a variety of workplace situations, or accurately simulated workplace situations;
- Understanding of what they are doing, and why, when performing tasks; and
- Ability to integrate performance with understanding, to show they are able to adapt to different contexts and environments.

All participants:

- Are assessed against all of the tasks identified in the elements of the unit or module;
- Demonstrate they are capable of performing these tasks to an acceptable level;
- Must demonstrate they hold all of the required skills and knowledge, as specified in the unit or module assessment requirements.

What is competency?

To complete assessment tasks satisfactorily you will need to demonstrate competence – but what does this mean?

In the Australian vocational education and training system is the concept of competence, defined as:

“The ability to perform tasks and duties to the standard expected in the workplace”.

Competence involves the application of specific skills, knowledge and attitudes to the work performance in an industry, an industry sector or an enterprise. Competence is rarely achieved in a one-off demonstration. It needs to be developed holistically – that is, bringing a range of skills and knowledge together – and over time in a real or simulated workplace. To achieve competence you need to demonstrate that you can perform a given task to the standard defined in an endorsed unit of competency.

Assessment process

Assessment tasks are designed to allow you to demonstrate that you have the skills and knowledge to meet the requirements of a unit of competency. The assessment process will vary depending on your individual circumstances and your assessor. Before the assessment commences, your assessor will:

- Make sure that you know the time, date and venue of the assessment;
 - Explain the assessment task fully;
 - Make provision for any special support you may need; and
 - Organise and arrange all required resources.
- On completion of the assessment your assessor will:
- Communicate the outcomes of assessment to you and provide feedback for future performance;
 - Record assessment decisions and complete assessment documentation; and
 - May ask you to acknowledge the assessment task outcomes and feedback by signing and dating assessment documentation.

What is your assessor looking for?

Your assessor is looking for evidence that you are competent in all the tasks in the unit(s) you are studying. To make a judgement of your competence, your assessor may ask you to:

- Discuss a scenario;
- Carry out a practical task;
- Answer questions in writing or verbally; or
- Undertake some other form of assessment, such as work you have created or a third-party report on your job performance from your supervisor.
- To show that you are competent you must be able to:
 - Perform the task to workplace standards;
 - Manage a range of different tasks (multi-tasking);
 - Respond to contingencies or breakdowns; and
 - Deal with the responsibilities of the workplace, including working with others.

You will need to show you can do this consistently, over time and in relevant workplace situations and environments.

Workplace requirements

Evidence for assessment may often be gathered in a workplace – this might be your actual workplace, or one where you are on work placement. However, this may not always be possible for a number of reasons including:

- You may not yet be employed in a suitable workplace;
- The workplace may not be large enough to support appropriate assessment activities;
- It may be difficult for you to access organisational information or there may be confidentiality issues; or
- It may not be possible to assess some tasks in the workplace, such as tasks around emergency response.

In these situations, scenarios based on typical workplace situations may be provided that can be used with the assessment tasks, if evidence cannot be collected in an actual workplace. Your assessor may:

- Use these scenarios as they are;
- Customise the scenarios to meet workplace needs; or
- Create alternate scenarios based around specific workplace situations.

Can I adjust the assessment?

It is important that assessment tasks and activities consider the individual needs of each participant. Your assessor can consider and implement 'reasonable adjustments' for participants with particular needs, requirements or preferences. As this process is negotiated, your assessor must also ensure that the integrity of the assessment process is maintained and all assessment requirements are met by any adjusted assessment approach.

What is RPL?

Recognition of Prior Learning (RPL) is the acceptance that skills and knowledge, expressed as units of competency, are acquired through many sources such as life experiences, work experience, formal and informal training.

RPL assessment is a process to enable participants to demonstrate the achievement of these competencies and to be granted recognition for their skills and knowledge upon satisfying specific criteria verifying their competence. Assessment for RPL is carried out to the same standards as any other assessment of the same competencies.

Third Party Reports

Third-party reports might be used to obtain supplementary evidence to show that you are competent in a task. These reports could be obtained from your supervisor or a team member that you have worked with. For example, a report may be obtained from your team members to confirm that you can communicate and work with others and that you have done this over a period of time.

If your assessor is going to ask for a third-party report they will need to get your permission before approaching your supervisor or team members.

Involving a third party in the collection of evidence allows Assessors to gather authentic and valid evidence in difficult circumstances in a cost-effective way. It is common to use a third party for evidence-gathering in cases where workplace evidence is required, but where it is not possible for the Assessor to directly observe the learner at work. For example, in cases where:

- The presence of an observer may compromise workplace safety; or
- Where work activities involve issues of client confidentiality and privacy.

The appropriate person to observe or report on a participant's performance is someone who is in a position to make a valid comment on the participant's performance. This is often their direct line manager, or their supervisor when they are undertaking a specific task.

The Third Party Report tool provides those undertaking a report with clear guidance and instruction on when, how, how often and over what period of time the evidence of the participant's work is to be collected. This includes the specific work activity to be undertaken, the conditions under which the activity should be completed and the evidence that may be gathered to determine whether the work was completed in a satisfactory manner. This often includes describing how a competent worker might meet standards in the workplace (for example, standards relating to the speed or amount of work to be undertaken or other quality measures).

Appeals and reassessment

Once an assessment is completed, if you disagree with the assessment result you have the opportunity to appeal the result and be reassessed if necessary. Please refer to the Assessment Appeals section of this handbook for further information. Your assessor should discuss this process with you before starting the assessment.

GENERAL ASSESSMENT REQUIREMENTS

Builders Academy Australia assessment approaches are always based on the performance of the individual participant. If assessment tasks are undertaken as a group, each participant is still assessed on each component of the assessment task.

Recognition of prior learning is simply a form of assessment of a participant's competence. As such, recognition of prior learning must be conducted with the same rigour as any other form of assessment. Where assessment is completed via recognition of prior learning, the requirements do not change, although the variety of evidence gathered and considered in making an assessment decision may be greater than through 'traditional' assessment activities.

Similarly, distance and online delivery methods may change the type of evidence considered, although the same requirements apply. Regardless of the mode of delivery or engagement, all assessment meets the same requirements.

Assessment requirements

Each Unit of Competency contains assessment requirements grouped into three areas:

- Performance evidence;
- Knowledge evidence; and
- Assessment conditions.

Performance and knowledge evidence describe what a participant must demonstrate in order to be considered competent. Assessment conditions describe the conditions under which a participant must demonstrate this, including any specific requirements for resources, trainers and assessors and the context for assessment.

PRINCIPLES OF ASSESSMENT

Builders Academy Australia ensures the principles of fairness, flexibility, validity and reliability are met in all assessment approaches.

Fairness

- The individual participant's needs are considered in the assessment process.
- Where appropriate, reasonable adjustments are applied by Builders Academy Australia to take into account the individual participant's needs.
- Builders Academy Australia informs the participant about the assessment process, and provides the participant with the opportunity to challenge the result of the assessment and be reassessed if necessary.

Flexibility

Assessment is flexible to the individual participant by:

- Reflecting the participant's needs;
- Assessing competencies held by the participant no matter how or where they have been acquired; and
- Drawing from a range of assessment methods and using those that are appropriate to the context, the Unit of Competency and associated assessment requirements, and the individual.

Validity

Any assessment decision of Builders Academy Australia is justified, based on the evidence of performance of the individual participant. Validity requires:

- Assessment against the unit/s of competency and the associated assessment requirements covers the broad range of skills and knowledge that are essential to competent performance;
- Assessment of knowledge and skills is integrated with their practical application;
- Assessment to be based on evidence that demonstrates that a participant could demonstrate these skills and knowledge in other similar situations; and
- Judgement of competence is based on evidence of participant performance that is aligned to the unit/s of competency and associated assessment requirements.

Reliability

Evidence presented for assessment is consistently interpreted and assessment results are comparable irrespective of the assessor conducting the assessment.

RULES OF EVIDENCE

Builders Academy Australia ensures the rules of validity, sufficiency, authenticity and currency are met in evidence collection approaches.

Validity

The assessor is assured that the participant has the skills, knowledge and attributes as described in the module or Unit of Competency and associated assessment requirements.

Sufficiency

The assessor is assured that the quality, quantity and relevance of the assessment evidence enables a judgement to be made of a participant's competency.

Authenticity

The assessor is assured that the evidence presented for assessment is the participant's own work.

Currency

The assessor is assured that the assessment evidence demonstrates current competency. This requires the assessment evidence to be from the present or the very recent past.

ASSESSMENT METHODS

Assessment methods are the particular technique/s used to gather different types of evidence. There are three main assessment methods or techniques used by Builders Academy Australia:

- Observation (sometimes referred to as demonstration, simulation, role play, scenario, etc.) – where the participant is observed performing their skills and knowledge;
- Interview (sometimes referred to as questioning, verbal quiz, test, explanation, competency conversation, role play, scenario, case study, etc.) - where the participant describes or answers questions to confirm their skills and knowledge;
- Product (sometimes referred to as project, case study, scenario, creation, work product, etc.) - where the participant provides a product they have created to confirm their skills and knowledge;

EVIDENCE

Retention of participant evidence on file through delivery services is a key requirement of Builders Academy Australia operations. All personnel must keep evidence on file for various purposes throughout the course program, and on completion and archiving of the participant file.

EVIDENCE OF PARTICIPATION

All Builders Academy Australia nationally recognised course services require participation evidence to be retained on file for each Unit of Competency. This evidence is used for confirmation of enrolment, confirmation of participation and financial billing requirements across a wide range of participant contracts in all jurisdictions.

ASSESSMENT EVIDENCE

All Builders Academy Australia nationally recognised course services require assessment evidence to be retained on file for each Unit of Competency. This evidence is used to record the assessment process and result, confirming how Builders Academy Australia personnel came to their decision to award competency or other result.

DISCIPLINE

Builders Academy Australia is committed to the principle of ensuring that every participant has the right to participate in training programs, free of inappropriate behaviour that may impair the learning processes, or the wellbeing of individuals.

PARTICIPANT RESPONSIBILITIES

Each Builders Academy Australia participant is expected to:

- Treat other and Builders Academy Australia personnel with respect and fairness;
- Follow any reasonable direction from Builders Academy Australia personnel;
- Be punctual and regular in attendance;
- Refrain from using mobile phones in workshops;
- Excessive or offensive swearing;
- Return Builders Academy Australia equipment / materials on time;
- Observe normal safety practices, such as wearing approved clothing and protective equipment;
- Refrain from smoking in Builders Academy Australia buildings and designated areas; and
- Submit assessment events by the due date or seek approval to extend the due date.

Builders Academy Australia participant must not at any time:

- Harass fellow participants or Builders Academy Australia personnel;
- Damage, steal, modify or misuse property (including electronic records);
- Be under the influence of alcohol or drugs;
- Engage in any other behaviour which could offend, embarrass or threaten others; or
- Engage in plagiarism, collusion or cheating in any assessment activity;

CHEATING & PLAGIARISM

Cheating is the act of attempting to circumvent the assessment practices in an unethical or illegal manner.

Plagiarism is a form of cheating. Plagiarism is the practice of claiming or implying original authorship of (or incorporating material from) someone else's written or creative work, in whole or in part, into one's own without adequate acknowledgement.

Cheating and plagiarism are serious acts and may result in a participants' exclusion from a unit, module or a course overall. Where a participant has any doubts about including the work of other authors in their assessments, they should consult with their Builders Academy Australia trainer and assessor.

The following list outlines some of the activities for which a participant can be accused of plagiarism:

- Presenting any work by another individual as one's own unintentionally;

- Handing in assessments markedly similar to or copied from another participant;
- Presenting the work of another individual or group as their own work; and
- Handing up assessments without the adequate acknowledgement of sources used, including assessments taken totally or in part from the internet.

Participants are required to submit a signed cover sheet with every assessment. This includes a declaration that all work submitted is their own work except where there is clear acknowledgement or reference to the work of others.

BREACHES

Breach of discipline means any conduct that impairs the reasonable freedom of other persons to pursue their learning or work, or is in breach of the Builders Academy Australia's expectations.

A participant commits a breach of discipline if she/he:

- Assaults a person on the premises of the Builders Academy Australia training site or nominated facility;
- Unlawfully removes, damages or uses any property of another person or the Builders Academy Australia;
- Obstructs personnel of Builders Academy Australia in the performance of their duties;
- Obstructs the teaching / training of a group or an assessment activity;
- Commits or engages in any dishonest or unfair act in relation to an assessment activity, such as plagiarism or cheating;
- Wilfully disobeys or disregards any lawful order or direction given by a member of personnel;
- Enters part of the Builders Academy Australia 's premises when directed not to do so by a member of personnel;
- Fails to leave part of the Builders Academy Australia's premises when directed to do so by a member of personnel;
- Fails to return Builders Academy Australia property or pay replacement costs when instructed to do so;
- Fails to pay financial commitments to Builders Academy Australia;
- Enters part of the Builders Academy Australia's premises whilst under the influence of alcohol or a drug;
- Engages in any unlawful activity on the Builders Academy Australia 's premises such as using, possessing or supplying any prohibited drug, substance or weapon;
- Discriminates against a person on the grounds of the person's age, race, sex, sexuality, gender, marital status, physical or intellectual disability, background or religion;
- Incites hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the grounds of the person's age, race, sex, homosexuality, transgender, marital status, physical or intellectual disability or religion of the person or members of the group; or
- Commits any other act which could reasonably be considered to be in breach of Builders Academy Australia expectations.

Addressing Breaches

Builders Academy Australia personnel and participants have an interest and a responsibility to prevent minor behavioural problems from becoming larger ones. Any individual who believes that a breach of discipline has occurred should report the breach of discipline to Builders Academy Australia without delay.

1. All cases of breach of discipline committed by a Builders Academy Australia representative must be reported to the *General Manager for Human Resources* for the *Simonds Group of Companies*.

2. In the case of a participant breach, the breach must be reported to Builders Academy Australia's *National Operations Manager* in writing with the following information:

- Participant name and program;
- Description of the breach of discipline;
- Damage or inconvenience caused by the breach;
- Level of cooperation given by the participant;
- Witnesses to the breach; and
- Evidence available to support the claim of a breach.

3. If appropriate, the participant can be ordered off the Builders Academy Australia's premises for the remainder of the day on which the breach takes place. Circumstances where it may be appropriate to exclude the participant from the Builders Academy Australia's premises include serious cases of breach of discipline such as violence, intoxication, abusive behaviour, discrimination, vandalism or wilful disobedience of a personnel direction.

In situations of greater urgency, such as cheating or violence, an oral report may be made to Builders Academy Australia's *National Operations Manager* in the first instance, followed by the written report as soon as practicable thereafter.

4. Within two working days of the report, the *National Operations Manager* will speak to the participant concerned, in the presence of the relevant member of personnel if possible and if not then in the presence of a third party chosen by the *National Operations Manager*.

The participant may also have a representative present to act as a witness to the discussion. Where appropriate, the participants are cautioned and advised of the possible consequences and the grounds for such report. Confidentiality of all meetings is maintained.

5. Builders Academy Australia's *National Operations Manager* may apply any of the following penalties where satisfied a breach of discipline has been committed and the penalty matches the seriousness of the breach:

- A verbal or written reprimand;
- A requirement to attend counselling at a specified time and place;
- Payment of compensation by participant for damages or loss of resources;
- Restitution of property removed or damaged;
- Use of specified equipment only in accordance with certain conditions (for a set period); or
- Exclusion from Builders Academy Australia.

Attempts are to be made to solve behavioural problems of participants through discussion and mediation before the provision of more formal procedures is invoked.

6. Any penalty imposed is communicated to the participant in writing within five days of the meeting. The participant is also advised of the right to appeal the penalty under Builders Academy Australia *Complaints* arrangements.

COMPLAINTS

During course activities, participants may have some concerns with the processes they are being exposed to or they may be unhappy with a particular aspect of the program. Builders Academy Australia undertakes to provide a mechanism allowing for the fair and equitable resolution of any issues.

Builders Academy Australia complaints process is available to manage and respond to allegations involving the conduct of:

- Builders Academy Australia, its trainers, assessors or other personnel; or
- A Builders Academy Australia contracted third party providing services of Builders Academy Australia, including the third party representatives trainers, assessors or other personnel; or
- A participant of Builders Academy Australia.

Allowing participants to easily engage with the personnel of Builders Academy Australia about any concerns they have can stop minor issues becoming larger.

Builders Academy Australia's complaints process follow the principles of natural justice and procedural fairness by allowing anyone subject to a decision by Builders Academy Australia, or anyone who has allegations made against them, to tell their side of the story before a decision is made.

There is no fee levied for the handling of complaints.

COMPLAINTS PROCESS

The following problem resolution framework has therefore been implemented for all stakeholders raising a complaint or issue, with a desire to resolve matters as positive adults:

1. In the first instance a participant should discuss the matter with the personnel member or responsible person concerned. Where this is not considered appropriate then the complainant is encouraged to discuss the matter with Builders Academy Australia management.

If the complainant is satisfied with the outcome of the discussion, it would mean that the matter is resolved.

Please allow 10-15 days for a complaint to be investigated and to provide you with an outcome.

When a verbal or written complaint/appeal is received, BAA will contact you to formally acknowledge receipt of the complaint by email or in writing. Investigation into the issue will commence within 5 working days of the complaint being received.

You may be contacted for further information as part of this process.

The outcome will then be issued in writing within 10 working days from the commencement of the investigation into the complaint.

Where a complaint cannot be resolved within 15 business days, BAA will contact you to advise you and will keep you informed of the progress of the matter.

How do I appeal a decision?

You can appeal a decision by contacting us verbally or in writing.

The student or client should provide a summary of the grounds that the appeal is based on and the reason why they feel that the initial decision was unfair. The appeal must be lodged within 20 working days from the time they received the outcome of their initial complaint or decision.

The appeal application will then be addressed by the National Compliance Manager and Complaints Committee members to consider the claim and arrive at an outcome. The outcome, including rationale, will be presented in writing within 10 business days of receiving the appeal application.

Referring the matter to a third party mediator

If you are not satisfied with the outcome of an appeal, you may request that the matter be referred to a dispute resolution process by an external independent body appointed for this purpose by BAA.

The complainant will be notified about who BAA has appointed as the external appeals mediator. There will be no cost charged to the student or client.

BAA will give due consideration to any recommendations arising from the external review within 10 days. Generally, BAA will follow recommendations made by the third party and will confirm this in writing.

Where either party does not agree to the third party's finding, they may take the matter further.

Any costs associated with a complainant taking the matter further, will be borne by the complainant unless a court of law directs BAA to pay for such costs.

Where BAA does not agree with the outcome of the third party recommendation, BAA will notify the complainant in writing outlining our decision and how we have come to that decision.

Complaints Key Contacts	
ASQA	1300 701 801 enquiries@asqa.gov.au
ACT Department of Education & Communities	www.det.act.gov.au
NSW Department of Education & Training	www.training.nsw.gov.au
NT Department of Education and Training	www.det.nt.gov.au

QLD Department of Education, Training & Employment	www.training.qld.gov.au
SA Department of Further Education, Employment, Science and Technology	www.training.sa.gov.au
Skills Tasmania	www.skills.tas.gov.au
Department of Education Victoria	http://www.education.vic.gov.au/
WA Department of Training and Workforce Development	www.dtwd.wa.gov.au

ASSESSMENT APPEALS

Builders Academy Australia provides all participants with a formal appeals process, which draws on a commitment to all parties understanding their rights and responsibilities in the assessment process. Other grievances or issues not pertaining to assessments should be referred to Builders Academy Australia's complaints processes.

Builders Academy Australia's appeals process facilitates requests for a review of decisions, including assessment decisions, made by Builders Academy Australia or a third party representative providing services on Builders Academy Australia's behalf.

Builders Academy Australia's appeals process follows the principles of natural justice and procedural fairness by allowing anyone subject to a decision by Builders Academy Australia, or anyone who has allegations made against them, to tell their side of the story before a decision is made.

Builders Academy Australia's process ensures that the decision-maker is independent of the decision being reviewed (for example, an assessor does not consider or decide an appeal against an assessment decision they made). If a participant objects to actions taken or decisions made by Builders Academy Australia personnel in conducting Recognition of Prior Learning and assessment services, they have the right to lodge an appeal.

Participants also have the right to lodge an appeal against competency decisions made if:

- They believe the outcome is invalid; or
- They feel the process was invalid, inappropriate or unfair.

There is no fee levied for the handling of appeals.

APPEALS PROCESS

Builders Academy Australia's appeals process is publicly available on the Builders Academy Australia's website.

1. Before making a formal appeal, participants are required to discuss the matter with the relevant Builders Academy Australia personnel in an effort to reach an agreement. Builders Academy Australia personnel will undertake to reassess the decision that has been made.

2. If a participant is still unhappy, they must lodge a formal appeal in writing to Builders Academy Australia National Operations Manager.
3. Upon receiving a formal appeal, Builders Academy Australia National Operations Manager will:
 - Acknowledge receipt of the appeal in writing within five working days; and
 - Appoint an independent member of personnel as a third party to try to resolve the issue. Any decision recommended by the third party is not binding to either party.

The independent member will review the information provided by all parties and either reject or uphold the appeal. The participant will be advised of the outcome of the appeal in writing within 10 working days of lodging the appeal, including reasons for the decision made, and any additional appeal or complaint options available to them.

4. If a participant, on receiving written advice on the initial appeal, is still unhappy they may lodge a second appeal to the Builders Academy Australia General Manager. The Builders Academy Australia General Manager will:
 - Acknowledge receipt of the further appeal in writing within five working days; and
 - Appoint another Registered Training Organisation (RTO) to review the appeal, at no additional cost to the participant. This second registered training organisation will:
 - Uphold the appeal;
 - Reject the appeal; or
 - Recommend further evidence gathering by either party.

The participant will be advised of the outcome of the appeal in writing within 20 working days of lodging the further appeal, including reasons for the decision made, and any additional appeal or complaint options available to them.

5. If a participant, on receiving written advice on the further appeal, is still unhappy they have a right of appeal to:
 - Their relevant State Training Authority (STA) in each state and territory if an apprenticeship/traineeship based course; or
 - Alternatively to the Australian Skills & Quality Authority (ASQA) via the appropriate process. <http://www.asqa.gov.au/complaints/making-a-complaint.html>

All stages of the appeals process are documented and notes provided to all parties involved, including the outcomes of the appeal and reasons for the decisions made. Each appeal and its outcome is recorded in writing and stored on the *Appeals Register*. This register is located on the Builders Academy Australia Intranet.

EVALUATION

Builders Academy Australia systematically evaluates and uses the outcomes of the evaluations to continually improve its training and assessment strategies and practices. Evaluation information includes but is not limited to quality/performance indicator data, validation outcomes, client, trainer and assessor feedback and complaints and appeals.

Builders Academy Australia is committed to ensuring quality delivery and assessment of all training. The formal evaluation process is a major strategy in the continual improvement of all service provision. The following process is exercised for all course services undertaken by Builders Academy Australia:

Ad Hoc Feedback

All clients are encouraged to bring any issues of concern they may have to the attention of appropriate personnel as soon as possible. This ensures the ability for Builders Academy Australia to address any immediate areas of concern.

Resources Feedback

All Builders Academy Australia resources note and include the request for participants to provide ad hoc feedback as may be relevant to the enquiries@buildersacademy.com.au email address for review and action.

QUALIFICATIONS ISSUANCE

Builders Academy Australia RTO entities issue AQF certification documentation only to a participant whom it has assessed as meeting the requirements of the training product as specified in the relevant training package or VET accredited course.

Builders Academy Australia has robust controls in place to ensure qualifications, statements of attainment and records of results are not issued unless the participant has completed all requirements. While Builders Academy Australia delivers at multiple locations and through third party arrangements, it has centralised issuance of certification to strengthen these controls. Certification is only issued to participants after they have fully demonstrated competence, with a *Testamur Checklist* completed on each participant file prior to documentation issuance.

AUSTRALIAN QUALIFICATIONS FRAMEWORK REQUIREMENTS

Builders Academy Australia ensures:

- Participants receive the certification documentation to which they are entitled.
- AQF qualifications are correctly identified in certification documentation.
- AQF qualifications are protected against fraudulent issuance.
- A clear distinction can be made between AQF qualifications and non-AQF qualifications.
- Certification documentation is used consistently across the education and training sectors.
- Participants and others are confident that the qualifications they have been awarded by Builders Academy Australia are part of Australia's national qualifications framework.

QUALIFICATIONS PATHWAYS

Builders Academy Australia also accepts and provides credit to participants for units of competency and/or modules (unless licensing or regulatory requirements prevent this) where these are evidenced by:

- AQF certification documentation issued by any other RTO or AQF authorised issuing organisation; or
- An authenticated VET transcripts issued by the Registrar.

Builders Academy Australia ensures it maximises the credit participants can gain for learning already undertaken, by:

- Enhancing participant progression into and between AQF qualifications;
- Recognising the multiple pathways participants take to gain AQF qualifications and that learning can be formal, non-formal or informal; and
- Supporting the development of pathways in qualifications design.

Credit Arrangements Register

Builders Academy Australia maintains a publicly available *Credit Arrangements Register* of all credit arrangements and agreements in place with other educational institutions. The *Credit Arrangements Register* is available on the Builders Academy Australia website.

Builders Academy Australia ensures sufficient information is provided on a testamur and record of results to ensure that the documentation is able to be authenticated and to reduce fraudulent use.

Builders Academy Australia testamur documentation contains sufficient information to identify correctly the:

- Relevant Builders Academy Australia RTO entity issuing organisation;
- Participant who is entitled to receive the AQF qualification;
- Awarded AQF qualification by its full title;
- Date of issue/award/conferral;
- Builders Academy Australia representative authorised to issue the documentation; and
- Authenticity of the document.

FRAUD PREVENTION

Builders Academy Australia confirms its responsibility for authentication and verification of a participant's certification and statement of attainment documentation.

Builders Academy Australia has mechanisms in place to reduce fraudulent reproduction of its certification. All Builders Academy Australia RTO entities documentation includes the Builders Academy Australia seal, logo and unique watermark. Additional fraud prevention measures implemented include:

- Printing documentation on commercially printed shells that make it clear when a document is not the original;
- Using an embossed seal;
- Using document numbers for verification purposes; and
- Including information about what security measures are used on Builders Academy Australia's website (with references to this information on the documents).

Issuance Timelines

Builders Academy Australia ensures AQF certification documentation is issued to a participant within twenty-one (21) calendar days of the participant being assessed as meeting the requirements of the training product if the training program in which the participant is enrolled is complete, and providing all agreed fees the participant owes to the RTO have been paid.

Builders Academy Australia issues AQF certification documentation directly to the participant, not to another party, such as an employer.

REISSUE OF TESTAMUR DOCUMENTATION

Builders Academy Australia ensures that current and past participants are able to access records of their achievements.

All Builders Academy Australia participants who hold a verified USI, and whose results have been reported into the USI system, will be able to access their records through the USI system.

Where a participant's achievements have not been recorded through the USI system, Builders Academy Australia has processes in place to ensure that this participant can access re-issues of their testamur documentation via a *Request for Reissue Form*.

A fee per request applies to all re-issue of documentation requests. All documentation re-issues occurs within twenty-one (21) calendar days of receipt of the *Request for Reissue Form* with accompanying fee payment. Current costs are available on our website in the Fees section.

BUILDERS ACADEMY AUSTRALIA

Level 4, 570 St Kilda Rd,

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Phone: (03) 8616 7709

Business Hours: 8.30am – 5pm Mon - Fri.

House of Learning Pty Ltd, trading

as Builders Academy Australia

RTO TOID: 21583

A part of the Simonds group of companies -

