



MARCSTA Access and Equity and Client Service

Pre-course information for candidates

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MARCSTA Access and Equity and Client Service

1. Access and Equity Principles

Policy:

MARCSTA is committed to the principle of access and equity in vocational education and training and to giving practical expression to the Australian National Training Authority (ANTA) goal of improving the knowledge, skills and quality of life for Australians, having regard to the particular needs of target groups. In keeping with this commitment, MARCSTA will strive to ensure that programs and services are relevant, accessible, fair and inclusive by:

- promoting the organisation's programs and services to the community in a manner that includes and reflects the diverse client population to ensure that all prospective course participants are well informed on the options available to meet their individual training needs;
- increasing the skills base of the unemployed in the community to improve employability in line with skills requirements of industries and enterprises;
- providing an effective range of vocational preparation programs to the community;
- ensuring that those groups traditionally under-represented in vocational education and employment have the opportunity to participate and achieve the same outcomes as other members of the community;
- implementing fair educational program and geographic resource allocation practices to maximise the participation of target groups;
- providing culturally inclusive literacy and numeracy training that meets individual, community and industry needs and;
- undertaking to eliminate policies, practices, structures, assumptions and behaviours which many contribute to the disadvantages suffered by under-represented groups both in employment and in education.

Management fosters the implementation of access and equity best practice by ensuring that:

- the organisation's Mission Statement and corporate goals clearly define its role in meeting the vocational needs of equity target groups;
- equal opportunity policies are in place, widely dispersed and understood;
- barriers to access and participation are identified and strategies developed to overcome them;
- key staff have identified responsibility and expertise in equal opportunity matters;
- the equity profile of the potential client base is defined and participation targets established;

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1. Access and Equity Principles

Policy Cont'd

- all the organisation's policies and procedures are non-discriminatory and inclusive;
- all staff are provided with information and training about access and equity issues and the organisation's complaint resolution processes;
- all course participants are provided with information about access and equity issues and the organisation's complaint resolution processes;
- all components of the education process are evaluated to ensure that they are inclusive and value course participants from diverse backgrounds;
- levels of participation and attainment by equity target groups are monitored by study and participation levels across a full range of programs and;
- staff are aware of progress in the participation and outcomes for equity target groups and action plans are developed and put in place to meet any deficiencies.

MARCSTA Access and Equity and Client Service

2. Code of Practice

As an Association of Mining and Resource Contractors (hereinafter referred to as MARCSTA) taking on the responsibilities of providing training and assessment of competency based general safety training courses as a Registered Training Organisation under the Australian Quality Training Framework, MARCSTA operates as an incorporated body of Licensed Training Providers registered under the Vocational Education and Training Act 1996.

Objectives

1. To provide a framework within which MARCSTA can formulate principles, policies and procedures with respect to quality of service delivery of workplace training programs, assessment and certification.
2. To provide guidelines for behaviour and practice for licensed persons under licensing arrangements.
3. To develop and maintain good relationships with staff and consultants with which they have contact for the purposes of structured work based training, assessment and certification.

Licensing Arrangements

MARCSTA will formalise licensing processes to enable authorisation for licensees to provide courses either accredited by the state accrediting body or based on competency standards from nationally endorsed training packages. MARCSTA will ensure that persons licensed to provide accredited programs will adopt work based training policies and management practices which will:

- maintain high professional standards in the promotion, access and delivery of training and assessment services; and
- safeguard the training, work interests and welfare of employees and prospective employees undertaking safety and associated minerals and resources related training in the workplace.

1. Training Programs

- As a quality assurance, structured work based training offered to participants under licence to MARCSTA will meet specified standards. Where national industry standards are available, these standards will be used as a benchmark for minimum standards of enterprise based training provision.

MARCSTA Access and Equity and Client Service

2. Code of Practice

1. Training Programs Cont'd

- MARCSTA work based training programs will be competency based. This means that the outcomes of training programs will be identified as competencies.
- Competencies will be determined, as far as possible, according to competencies within nationally endorsed training packages, where existing, or associated contractor member's enterprise standards. These standards will be linked to the Australian Quality Training Framework.
- Work based training programs developed by MARCSTA will have identified industry training or market needs and aim to provide access to an occupation or range of occupations, steps within a career path or to other vocational education and training where existing and according to the Australian Qualifications Training Framework. To facilitate this process, regular consultation will be undertaken with Vocational Education Training providers and where appropriate with higher education authorities.
- Programs will be established on the basis that recognition of prior learning is clearly documented.
- Available and flexible entry and exit to and from the training programs is structured as a part of the work based training arrangements. Staff responsible for training will be trained in RPL processes and workplace training and/or supervision and course outlines and competency outcomes will be available to participants.
- MARCSTA programs will be constructed in a manner which facilitates recognition of prior learning and overcomes any barriers imposed by limited educational background or low levels of English literacy.
- Programs will be developed and/or customised according to nationally endorsed Training Package and Australian Quality Training Framework Standards, guidelines and specifications. Where accreditation is sought, this will be conducted according to the Australian Quality Training Framework Standards for state and territory registering/course accrediting bodies.
- Assessment methods will be appropriate to the achievement of the outcomes of the course and participants will be provided with accurate and fair assessment and will be involved in the assessment of their own learning or current competencies held.
- Programs will be provided in an adequate and safe learning environment. Training will be delivered in an environment conducive to the achievement of training aims and will satisfy statutory occupational health safety requirements and industrial awards/workplace agreements.

MARCSTA Access and Equity and Client Service

2. Code of Practice

1. Training Programs Cont'd

- Training personnel will be required to meet all relevant competency standards for trainers. The minimum requirement is that they have the necessary skills and experience to facilitate achievement of the specified outcomes of the course.
- Accurate and permanent records of participants' achievements will be maintained by the company and made available to MARCSTA on request.

2. Promotion of Training Services

MARCSTA training providers will promote work based training products and services with integrity, accuracy and professionalism.

MARCSTA training providers will continue to ensure that its products/services are relevant and responsible to its needs as well as to industry needs at the enterprise level. To meet this obligation, training providers will be required to:

- continue the research of skills analysis and skills audits and work based competencies required for successful future production and work with the broader industry in the relevant sectors; and
- validate the alignment of enterprise standards with competency standards within nationally endorsed training packages.

3. Training Course Information

MARCSTA training providers will provide accurate information to course participants on the structure, content, course objectives, assessment procedures, competency standards, articulation arrangements and certification requirements.

Information provided by MARCSTA training providers to employees and trainees on specific courses will include:

- program description, course structure, content, location, pre-requisites and assessment procedures;
- course pre-requisites and entry requirements;
- recognition of prior learning, credit transfer procedures and articulation arrangements;
- description of the credential or statement of attainment given on the completion of the program;
- statement as to whether the course is recognised by industry or professional organisations, public institutions or government authorities and;

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2. Code of Practice

3. Training Course Information Cont'd

- information regarding possible further career and training opportunities.

Prior to commencement of each course, MARCSTA training providers will provide trainees with details of MARCSTA's policies and procedures on:

- client selection, enrolment and induction/orientation procedures;
- course information including content and vocational outcomes;
- fees and charges including refund policy and exemptions (where applicable);
- provision for language, literacy and numeracy assistance;
- client support, including any external support the provider has arranged for clients;
- flexible learning and assessment procedures;
- welfare and guidance services;
- appeals complaints procedures;
- disciplinary procedures;
- staff responsibilities for access and equity; and
- Recognition of Prior Learning (RPL) arrangements and credit transfer.

4. Work based Training Standards

MARCSTA training providers will ensure that quality training programs and services are fully supported with established work based documented standards which are clear, consistent and aligned with relevant national industry standards and meet the requirements of the licence agreement with MARCSTA.

MARCSTA will ensure that training providers agree to the following standards and principles:

1. Programs are delivered by personnel who have appropriate professional expertise and competencies for the delivery and assessment of such competency-based training programs with appropriate competencies from the Training and Assessment Training Package.
2. Curriculum, delivery modes and instructional methods.
3. To facilitate the attainment of specified training outcomes.

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2. Code of Practice

4. Work based Training Standards Cont'd

4. Be responsive to company/participant/clients needs and are relevant to industry and workplace needs as specified by the work based programs.
5. Maintain the required detailed standards set by MARCSTA
6. Training is delivered in a safe, non-discriminatory and harassment free environment.
7. Training resources, equipment and facilities provided are appropriate to training requirements and consistent with relevant legislation.
8. Relevance of the curriculum is maintained.
9. Courses are competency based, aligned to available industry standards and accredited.

5. Access and Equity for Training Opportunities

MARCSTA training providers will ensure that, in line with Government legislation, principles of access and equity are adhered to at all times during licensing arrangements.

MARCSTA training providers will:

- work towards removing any barriers which are identified in the workplace or in recruitment and selection for training purposes;
- ensure that programs and services are responsive to the needs of individuals and groups of employees as program and potential participants; and
- provide bridging and access programs for those aspirants and participants with special needs, eg. from equity groups.

6. Recruitment of Training Participants

MARCSTA training providers will ensure that recruitment of participants will be conducted at all times in an equitable and responsive manner. Recruitment decisions will rest on assessment of the extent to which the stated competency standards and outcomes are likely to be achieved by the applicant given their qualifications, abilities and aspirations, guided by the relevant selection criteria. Recruitment decision will address the principles of equity and access and the Recognition of Prior Learning (RPL).

MARCSTA training providers will:

- present documentation to prospective participants/clients which discloses arrangements between the provider licensed under MARCSTA's registration arrangements. Documentation will be written clearly and concisely, using Australian Quality Training Framework terminology where possible, avoiding value and ambiguous language;

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2. Code of Practice

6. Recruitment of Training Participants Cont'd

- clearly specify entry requirements to courses;
- provide personal interviews with prospective participants to ensure fair and equitable opportunities to seek and present information; and
- recognise AQF qualifications and Statements of Attainment issued by any other Registered Training Organisation.

7. Appeal Mechanisms for Training Participants and Aspirants

MARCSTA training providers will ensure that participants have access to work based training and development appeal mechanisms covering:

- selection and RPL decisions
- assessments
- refund of fees
- other complaints

These will be consistent with government legislation including Freedom of Information (FOI), Equal Opportunity and Occupational Health and Safety.

MARCSTA training providers will:

1. maintain appropriate records of disputes
2. implement grievance procedures for:
 - selection to courses
 - RPL process
 - assessment
 - certification
 - refund of fees where appropriate

8. Refund Policy for Training Participants

MARCSTA training providers will ensure that MARCSTA's refund policy is implemented with guidelines for guaranteeing the refund of fees or proportionate refund of fees to participants being serviced on an individual fee-for-service basis when courses are cancelled or discontinued or when participants withdraw or cancel with due advance notice being provided.

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2. Code of Practice

8. Refund Policy for Training Participants Cont'd

Most employees and prospective employees being serviced by training providers (operating exclusively as employees) will not generally be charged fees and therefore refund policies will not be applicable.

In relation to fees paid for MARCSTA courses, training providers are required to:

- provide full details relating to fees to potential course participants prior to enrolment;
- issue receipts for fees taken;
- protect fees paid in advance;
- maintain a record of fees collected; and
- retain 80% of fees until completion of the program.

Cancellations and requests for refunds must be made in writing by the candidate and are generally only accepted if cancellation is made one day before enrolment closes.

Other refunds are made solely at the discretion of the training provider after taking into account the reason for the request.

Those unable to attend will be encouraged to re-enrol at a later date.

9. Training and Development Supervisory Staff

- MARCSTA training providers will ensure the proper employment and management of all staff including those associated with training and development for the purposes of recruitment and dismissal, in-service training, assessment, supervision and record keeping.
- Staff will be employed under appropriate award or enterprise conditions.
- A healthy and safe work environment will be provided in accordance with occupational health and safety legislation and good practice (eg non-smoking).
- Staff selection and recruitment practices which are fair and in keeping with equal opportunity legislation and principles will apply.
- Staff development needs will be continually identified and planned for with access to staff development opportunities being provided equitably to all staff.

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2. Code of Practice

9. Training and Development Supervisory Staff Cont'd

- Staff will be adequately supported and encouraged by:
 - comprehensive induction and orientation information;
 - clear understanding of the objectives and goals of the organisation;
 - shared understanding of attitudes and tasks required to meet objectives;
 - clear communication of decisions in all relevant matters; and
 - Staff development needs will be continually identified and planned for with access to regular and on-going review and feedback on performance.

MARCSTA Access and Equity and Client Service

3(i) Client Selection

Policy:

All selection processes relating to candidates will be fair and equitable and utilise transparent selection criteria. Selections will be made in accordance with the training products or services being provided.

MARCSTA offers training to candidates of any race, gender, colour and national or ethnic origin. There is not discrimination against persons on the grounds of:

- gender
- marital status
- pregnancy
- race
- religious conviction
- political conviction
- family status
- family responsibility
- age

MARCSTA Access and Equity and Client Service

3(ii) Course Information

MARCSTA training providers will provide sufficient and accurate information to candidates on the following:

- details of the total costs/fees to candidates and the objectives, assessment procedures, standards and outcomes to be achieved by candidates;
- appeals and complaints procedures;
- fees and charges including refund policy and exemptions (where applicable);
- client selection, enrolment and induction/orientation procedures;
- course information including content and vocational outcomes;
- Recognition of Prior Learning (RPL) arrangements;
- provision for language, literacy and numeracy assistance;
- client support, including any external support the provider has arranged for clients;
- flexible learning and assessment procedures;
- welfare and guidance services;
- disciplinary procedures;
- staff responsible for access and equity;
- replacement of lost cards including cost;
- acquiring a Statement of Attainment;
- availability of Skills Recognition Workbook on the MARCSTA website; and
- availability of MARCSTA policies on the MARCSTA website.

Registrations for Training

Registration applications may be varied to suit the particular requirements of the trainer or target group but will include as a minimum:

- Name
- Address
- Telephone number
- Training course

Candidates are advised when and to whom the application must be sent. Completed applications received by staff must be filed appropriately and/or entered into the training provider database.

The staff member responsible will check pre-requisites and if these conditions are met, enter details of the applicant onto the database for the requested course.

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3(ii) Course Information Cont'd

Selection of Applicants

Where an application/selection process occurs, the decision to accept or reject an applicant will be made by the MARCSTA training provider and be based on objective criteria set by MARCSTA.

Advice of Admission – Successful/Unsuccessful

Successful applicants will be advised of the following:

- Starting date and time
- Hours
- Venue
- Lunch arrangements
- Parking and public transport
- Fees and refund policy
- A map, where necessary
- Items to bring
- Cancellation process

The staff member responsible will produce a printout of those attending which will become the course attendance record.

Induction

All candidates will have an induction completed by the delegated trainer at the start of the course. The delegated trainer will verify this by completing an Induction Checklist.

MARCSTA Access and Equity and Client Service

3(iii) Fees and Charges

Policy:

Fees Paid

In relation to fees paid for MARCSTA courses, training providers are required to:

- provide full details relating to fees to potential course participants prior to enrolment;
- issue receipts for fees taken;
- protect fees paid in advance;
- maintain a record of fees collected; and
- retain 80% of fees until completion of the program.

Refunds

Refer Code of Practice (Clause 2.8) Refund Policy for Training Participants.

MARCSTA Access and Equity and Client Service

3(iv) Language, Literacy and Numeracy Assistance

Policy:

All candidates for MARCSTA certification will be required to demonstrate a satisfactory level of literacy. A “satisfactory level of literacy” has been defined as the ability to read and comprehend the questions in the formal assessment package.

MARCSTA has a basic duty of care to ensure that all General Safety Induction Certificate holders have the ability to read and comprehend simple English such that they do not constitute a danger to themselves or to their fellow workers in the workplace.

MARCSTA is committed to ensuring that candidates are provided with every opportunity to meet the literacy and numeracy requirements for its various programs.

MARCSTA will design training programs, their delivery and assessment procedures to ensure that they do not exceed workplace requirements.

MARCSTA recognises that some competencies may be achieved by candidates without full competency in the English language.

MARCSTA Access and Equity and Client Service

3(v) Client Support

Policy:

Through its highly qualified and experienced personnel, MARCTA will provide timely and appropriate information, advice and support services which assist candidates in achieving their identified outcomes.

MARCSTA aims to ensure that every candidate gains the maximum benefit from participating in a particular course or program. Management practices are implemented that safeguard the interest and welfare of candidates in all training and assessment situations.

Course candidates who are unable to attend classes due to illness or work commitments or who fall behind or are experiencing difficulties are given assistance to catch up.

MARCSTA Access and Equity and Client Service

3(vi) Flexible Learning and Assessment

Policy:

MARCSTA will ensure its capacity to meet the diverse learning needs of candidates through the implementation of appropriate learning and assessment strategies.

A range of learning styles is adopted in a variety of learning environments to cater for differences in learning styles, learning needs, and variations in learning opportunities.

Procedure:

1. Training Need Identification

This is conducted through:

- evidence of candidate need;
- candidate/client feedback;
- licensed provider feedback;
- training package design and development; and
- industry research.

2. Resource Design and Adaptation

Training and assessment learning resources are designed and adapted to meet a range of learning needs through:

- evaluation of available learning resources;
- discussion with candidates to ascertain learning barriers such as literacy and numeracy problems;
- reference to design principles and layouts; and
- personnel with competence in course design and development in accordance with accreditation criteria

MARCSTA Access and Equity and Client Service

3(vi) Flexible Learning and Assessment Policy Cont'd

3. Development of Delivery Strategies

Delivery methods will include a selection of:

- classroom presentation/practical demonstration;
- structured workshops;
- group discussion;
- case studies;
- video;
- multimedia projection; and
- course manuals

4. Development of Assessment Strategies

Development of assessment tools and processes is undertaken by trained and experienced staff and consultants through:

- consultation with licensed providers;
- reference to training package assessment guidelines; and
- industry/enterprise consultation

Assessment methods will include a selection of:

- | | |
|--|--|
| <ul style="list-style-type: none">▪ Knowledge assessment tools▪ Assessment of competency in the workplace | <p>Linked to the General Safety Induction manual</p> <p>This enables a candidate to convert the Statement of Attendance into a full nationally recognised Statement of Attainment through the development and assessment of a workplace-based portfolio and/or completed, signed workbook.</p> |
|--|--|

MARCSTA Access and Equity and Client Service

3(vi) Flexible Learning and Assessment Policy

4. Development of Assessment Strategies Cont'd

Assessment methods will include a selection of:

- Skills Recognition (RPL/RCC)

Application for Statement of Attainment through Skills Recognition for the unit of competency 'Work Safely' (MNMCZ01A) promoted through brochure, poster and MARCSTA website.

Forms:

- Application for Skills Recognition
- Skills Recognition Self Assessment and RPL Workbook.

Application for Skills Recognition for the MARCSTA General Safety Induction for candidates who do not hold a current General Safety Induction Certificate.

Promoted through brochure, poster and MARCSTA website.

Form:

- Application for Skills Recognition
- Appropriate RPL Workbook

MARCSTA Access and Equity and Client Service

3(vii) Welfare and Guidance Services

Policy:

Candidate Welfare and Support

- Through its highly qualified and experienced personnel, MARCSTA will provide timely and appropriate information, advice and support services which assist candidates in achieving their identified outcomes.
- MARCSTA aims to ensure that every candidate gains the maximum benefit from participating in a particular course or program. Management practices are implemented that safeguard the interest and welfare of candidates in all training and assessment situations.
- Candidates will receive personal assistance from the licensed training provider and if they are having particular difficulties they can seek additional assistance from the MARCSTA Chief Executive Officer.
- Management practices are implemented by licensed training providers which safeguard the interest and welfare of candidates in all training and assessment situations.
- All MARCSTA training providers are able to give support, advice and counselling to candidates if needed and is included in the information given to candidates.
- The contact person for welfare and guidance issues is the licensed provider delivering the course and candidates are informed of the appropriate contact at induction.

Client/Candidate Feedback

A continuous improvement mechanism is in place to monitor the quality of service and support provided by MARCSTA. This system provides an analysis, on a regular basis, of the degree to which service and support satisfies client/candidate requirements. Course content and its relevance is reviewed to ensure it reflects current industry theory and practice. This monitoring and evaluation is achieved through:

- contact with non-candidate clients and stakeholders;
- completion by candidates of a course evaluation survey at the conclusion of each program;
- evaluation and analysis of data;
- incorporation of changes into materials;
- entry into the Continuous Improvement Register of significant changes; and

MARCSTA Access and Equity and Client Service

3(vii) Welfare and Guidance Services

Client/Candidate Feedback Cont'd

- utilisation of the feedback from stakeholders and clients in the annual review of training and programs and be considered at provider meetings and meetings of the Executive Committee.

Consequential amendments will be recorded on MARCSTA's website to enable stakeholders, clients and the general public to confirm MARCSTA's acknowledgement of such input.

MARCSTA Access and Equity and Client Service

3(viii) Appeals and Complaints

Candidate Appeals and Complaints

Policy:

The prime objectives of MARCSTA are to:

- deliver candidate satisfaction through our professionalism and service;
- listen to the views and address any concerns candidates may have; and
- constantly improve the quality of MARCSTA products, services and policies.

To help achieve these aims, MARCSTA is committed to meet the following complaints handling principles and service standards:

Fair

- The rights of candidates will be recognised, including the right to be heard and the right to an impartial decision.
- The complaints process will be free of charge.
- Privacy will be maintained and anonymity where requested.
- Candidates will not be discriminated against as a result of making a complaint.
- Complaints will be considered in a transparent, equitable, objective and unbiased manner.
- The complaints handling process will reflect the principles of natural justice and procedural fairness.
- Complainants have the right to appeal and will be advised of further avenues of review, including review by the Training Accreditation Council of Western Australia.

Accessible

- The complaints handling process will be readily accessible to candidates.
- A variety of methods for lodging a complaint will be offered, including by telephone, electronically and in writing. Some types of complaints may need to be lodged in writing for legal or other reasons and this will be explained to the candidate.
- The complaints handling process will cater for candidates with special needs, such as those with limited English language or literacy skills and those with a disability.
- Friends, family and organisations may assist a candidate to make a complaint and may complain on behalf of a candidate.

MARCSTA Access and Equity and Client Service

3(viii) Appeals and Complaints

Candidate Appeals and Complaints Policy Cont'd

Visible

- The processes for lodging, handling and responding to complaints will be publicised on MARCSTA's website.
- The processes will be explained to each complainant.

Comprehensive

- All genuine complaints will be taken seriously.
- The relevant circumstances and information surrounding a complaint will be investigated to the level arranged by the severity of the complaints.
- Where anonymity has been requested, the need to protect the complainant's identity may impact on the level of the investigation.
- Legislative requirements, the amount of time that has elapsed before a complaint is lodged and the level of detail provided in complaints lodged anonymously or by third parties may also impact on the complaints handling process.
- The complaints handling process will be sufficiently resourced and underpinned by internal procedures that reflect good practice service standards and principles. This will include procedures for handling complaints alleging official misconduct by staff and/or training providers.
- Where a complaint cannot be resolved through MARCSTA's own process it will be referred to the Training Accreditation Council of Western Australia. Linkages will be maintained between the organisations to smooth the referral process and aid the consideration of complaints that raise cross-jurisdictional issues, including complaints about training providers operating in another state.

Responsive

- The complaints handling process will be responsive and target timeframes for handling complaints will be established and monitored. The target timeframes will include acknowledging all genuine complaints within one week of receipt.
- Responses will be specific and personalised.
- The complainant will be informed of any decisions that are taken in response to their complaint including the reasons for those decisions.
- Fair and reasonable remedies will be offered where appropriate.

Accountable

- There will be appropriate monitoring and reporting of complaints received, actions taken and the operation of the complaints handling process.
- The complaints handling process will be reviewed regularly.

MARCSTA Access and Equity and Client Service

3(viii) Appeals and Complaints

Candidate Appeals and Complaints Policy Cont'd

Constructive

- Preventive and corrective action will be taken to eliminate the root causes of complaints and to improve the quality of MARCSTA products, services and policies.

Procedure:

- Candidates should, in the first instance lodge their complaint directly with the party involved. A meeting should be requested by the candidate at which time the matter in dispute can be raised and a resolution sought.
- If the complaint can be solved immediately between the two directly affected parties, no formal documentation is required.
- If the complaint cannot be solved immediately, the candidate should contact the Chief Executive Officer MARCSTA by telephone on (09) 9355 1400.
- The Chief Executive Officer will investigate the circumstances and information surrounding the complaint.
- If necessary the Chief Executive Officer will provide assistance to candidates with special needs, such as those with limited English language or literacy skills and those with a disability.
- The Chief Executive Officer will provide the candidate with a copy of MARCSTA's Appeals and Complaints policy and procedure.
- The candidate will be asked to complete a Candidate Appeals and Complaints Record Section 1 and forward it to MARCSTA for the attention of the Chief Executive Officer.
- On receipt of the Candidate Appeals and Complaints Record, Section 1, the Chief Executive Officer will, within seven (7) days, if required, hold meetings/interviews with individuals or groups involved in or connected with the dispute or complaint in order to establish the facts.
- The Chief Executive Officer will thoroughly investigate the issues and implement the appropriate course of action. This may involve a decision from members of the Executive Committee, a decision from legal advice or court action or a decision from other nominated members.
- The Chief Executive Officer will offer the candidate the opportunity to formally present his or her case.
- The Chief Executive Officer will record the actions and outcomes from the above on the Candidate Appeals and Complaints Record Section 2 and decide if corrective action requires follow up in the future.
- The Chief Executive Officer will advise all parties of the outcomes/proposed actions in writing.
- Where necessary, reassessment will be carried out on request at no cost to the candidate.

MARCSTA Access and Equity and Client Service

3(viii) Appeals and Complaints

Candidate Appeals and Complaints Procedure Cont'd

Candidate Appeals and Complaints Record Section 1.

(To be completed by Candidate)

Full Name:

Address:
.....
.....

Telephone:

Email:

<i>Details of Complaint and/or Appeal</i>	

Signature.....

Date.....

MARCSTA use

<i>Date Received</i>	<i>Chief Executive Officer</i>

MARCSTA Access and Equity and Client Service

3(viii) Appeals and Complaints

Candidate Appeals and Complaints Procedure Cont'd

Candidate Appeals and Complaints Record Section 2.

Priority:	<i>High</i>	<i>Medium</i>	<i>Low</i>
Initiator Contacted By:			Date:
Extra Information Documented:	<i>Yes</i>	<i>No</i>	Where:
Personnel Involved In Solution:			
External advice required:	<i>Yes</i>	<i>No</i>	Who:
Corrective Actions			
Actions Completed:			Date of Completion:
Follow Up Required:	<i>Yes</i>	<i>No</i>	By Who & When:
Follow Up			
Was It Effective:	<i>Yes</i>	<i>No</i>	<i>If No, do not sign below</i>
Finalised By: (Name and Signature)			Date Finalised Out:

MARCSTA Access and Equity and Client Service

3(viii) Appeals and Complaints

Breaches of Training Provider Licence Agreement

Policy:

1. The committee of MARCSTA shall have a sub-committee to investigate complaints and/or non conformities raised by members or raised by the general public alleging a breach of a training provider's licence terms and/or conditions or improper conduct by a licence holder or members.

2. The sub-committee shall be known as the Disputes Committee and shall consist of three members of the Executive Committee of MARCSTA appointed by the chairperson. A convenor of the sub-committee shall be chosen by the members of the Disputes Committee from its members. Two members of the Disputes Committee shall constitute a quorum.

3. The Disputes Committee shall, in investigating and attempting to resolve disputes brought before it, conduct its investigations and inquiries in accordance with the following;

Fair

- The rights of the complainant will be recognised, including the right to be heard and the right to an impartial decision.
- The complaints process will be free of charge.
- Privacy will be maintained and anonymity where requested.
- Complainants will not be discriminated against as a result of making a complaint.
- Complaints will be considered in a transparent, equitable, objective and unbiased manner.
- The complaints handling process will reflect the principles of natural justice and procedural fairness.
- Complainants have the right to appeal and will be advised of further avenues of review, including review by the Training Accreditation Council of Western Australia.

Accessible

- The complaints handling process will be readily accessible to complainants.
- A variety of methods for lodging a complaint will be offered, including by telephone, fax, electronically and in writing. Some types of complaints may need to be lodged in writing for legal or other reasons and this will be explained to the complainant.

MARCSTA Access and Equity and Client Service

3(viii) Appeals and Complaints

Breaches of Training Provider Licence Agreement

Accessible Cont'd

- The complaints handling process will cater for complainants with special needs, such as those with limited English language or literacy skills and those with a disability.
- Friends, family and organisations may assist a complainant to make a complaint and may complain on behalf of a complainant.

Visible

- The processes for lodging, handling and responding to complaints will be available on MARCSTA's website.
- The processes will be explained to each complainant.

Comprehensive

- All genuine complaints will be taken seriously.
- The relevant circumstances and information surrounding a complaint will be investigated to the level arranged by the severity of the complaints.
- Where anonymity has been requested, the need to protect the complainant's identity may impact on the level of the investigation.
- Legislative requirements, the amount of time that has elapsed before a complaint is lodged and the level of detail provided in complaints lodged anonymously or by third parties may also impact on the complaints handling process.
- The complaints handling process will be sufficiently resourced and underpinned by internal procedures that reflect good practice service standards and principles. This will include procedures for handling complaints alleging official misconduct by staff and/or training providers.
- Where a complaint cannot be resolved through MARCSTA's own process it will be referred to the Training Accreditation Council of Western Australia. Linkages will be maintained between the organisations to smooth the referral process and aid the consideration of complaints that rise cross-jurisdictional issues, including complaints about training providers operating in another state.

Responsive

- The complaints handling process will be responsive and target timeframes for handling complaints will be established and monitored. The target timeframes will include acknowledging all genuine complaints within one week of receipt.
- Responses will be specific and personalised.
- The complainant will be informed of any decisions that are taken in response to their complaint including the reasons for those decisions.
- Fair and reasonable remedies will be offered where appropriate.

MARCSTA Access and Equity and Client Service

3(viii) Appeals and Complaints

Breaches of Training Provider Licence Agreement

Accountable

- There will be appropriate monitoring and reporting of complaints received, actions taken and the operation of the complaints handling process.
- The complaints handling process will be reviewed annually.

Constructive

- Preventative and corrective action will be taken to eliminate the root causes of complaints and to improve the quality of MARCSTA products, services and policies.

4. In order for the Disputes Committee to consider a complaint or a dispute, the complaint or dispute must be received by the Disputes Committee in writing (see Breaches of Training Provider Licence Arrangements Section 1 at the end of this section) together with a copy of any relevant documents.

5. Any complaint received or any dispute referred to the Executive Committee or any of its members shall be referred to the Disputes Committee immediately.

6. Upon receipt of a complaint, the convenor of the Disputes Committee shall nominate one or more of its members (as it deems appropriate) to initially mediate at a meeting with all parties involved. The mediation shall aim to resolve the matter with due regard for the opinions and feelings of all parties.

7. The mediator/s shall remain impartial and ensure that all points of view are considered.

8. If a resolution is not reached at the mediation, then the mediator/s shall refer the complaint or the dispute back to the Disputes Committee for investigation and determination.

9. The Disputes Committee shall have the following powers:

- It shall hold meetings/interviews with individual or groups involved in or connected with the disputes or complaint in order to establish the facts within one week of the referral from the mediator as provided in clause 8 hereof or within such additional period of time as is reasonably practicable in the circumstances.

MARCSTA Access and Equity and Client Service

3(viii) Appeals and Complaints

Breaches of Training Provider Licence Agreement

Constructive Cont'd

- It shall seek legal advice when it considers it necessary to do so.
- To compel and ensure the presence of the individual or groups involved at the meetings/interviews referred to in clause 9(a) hereof.
- Upon hearing and determining the complaint or dispute referred to it, the Disputes Committee may:
 - dismiss the complaint;
 - find the complaint to be proven; and
 - where it finds the complaint to be proven, or in the case of a dispute, the Disputes Committee may at its discretion determine how the complaint or dispute shall be resolved and in doing so shall take into account the interest of all parties involved including MARCSTA and the interest of the public.

10. Meetings and interviews by or on behalf of the Disputes Committee as provided in clause 9(a) hereof shall be held in the Perth metropolitan area at a neutral venue.

11. The Disputes Committee shall inform all parties of its determination in writing within 21 days of making its determination.

12. **Appeals:** A party aggrieved by a determination of the Disputes Committee may, by notice in writing, refer the matter by way of appeal to the full MARCSTA Executive Committee.

13. Written notice of an appeal to the Executive Committee of MARCSTA must be received by the Secretary no later than 21 days of the Disputes Committee issuing its written notice of determination and shall set out the reason why the party appealing is dissatisfied with the determination of the Disputes Committee and the redress which is being sought.

14. The decision of the Executive Committee of MARCSTA shall be final.

MARCSTA Access and Equity and Client Service

3(viii) Appeals and Complaints

Breaches of Training Provider Licence Agreement

Procedure:

- The complainant should contact the Chief Executive Officer MARCSTA by telephone.
- The Chief Executive Officer will investigate the circumstances and information surrounding the complaint.
- The Chief Executive Officer will provide the complainant with a copy of MARCSTA's Appeals and Complaints Breaches of Training Provider Licence Agreement policy and procedure.
- The complainant will be asked to complete a Training Provider Complaint/Breach of Licence Terms Record Section 1 and forward it to The Chief Executive Officer.
- On receipt of a Breaches of Training Provider Licence Agreement Record Section 1, the convenor of the Disputes Committee shall nominate one or more of its members (as it deems appropriate) to initially mediate at a meeting with all parties involved.
- The mediation shall aim to resolve the matter with due regard for the opinions and feelings of all parties.
- The mediator/s shall remain impartial and ensure that all points of view are considered. If a resolution is not reached at the mediation then the mediator/s shall refer the complaint or the dispute back to the Disputes Committee for investigation and determination.
- The Disputes Committee will offer the candidate the opportunity to formally present his or her case.
- The Convenor of the Disputes Committee will record the actions and outcomes from the above on the Breaches of Training Provider Licence Agreement Record Section 2 and decide if corrective action requires follow up in the future.
- The Convenor will advise all parties of the outcomes/proposed actions in writing.

MARCSTA Access and Equity and Client Service

3(viii) Appeals and Complaints

Breaches of Training Provider Licence Agreement Procedure Cont'd

Breaches of Training Provider Licence Agreement Record

Section 1.

(To be completed by Complainant)

Full Name:

Address:

.....

Telephone:

Email:

<i>Details of Complaint/Breach of Licence Terms</i>	
<i>Provider Name:</i>	

Signature.....

Date.....

MARCSTA use

<i>Date Received</i>	<i>Chief Executive Officer</i>

MARCSTA Access and Equity and Client Service

3(viii) Appeals and Complaints

Breaches of Training Provider Licence Agreement Procedure Cont'd

Breaches of Training Provider Licence Agreement Record Section 2.

<i>Priority:</i>	<i>High</i>	<i>Medium</i>	<i>Low</i>
<i>Initiator Contacted By:</i>			<i>Date:</i>
<i>Extra Information Documented:</i>	<i>Yes</i>	<i>No</i>	<i>Where:</i>
<i>Personnel Involved In Solution:</i>			
<i>External advice required:</i>	<i>Yes</i>	<i>No</i>	<i>Who:</i>
<i>Corrective Actions</i>			
<i>Actions Completed:</i>			<i>Date of Completion:</i>
<i>Follow Up Required:</i>	<i>Yes</i>	<i>No</i>	<i>By Who & When:</i>
<i>Follow Up</i>			
<i>Was It Effective:</i>	<i>Yes</i>	<i>No</i>	<i>If No, do not sign below</i>

MARCSTA Access and Equity and Client Service

3(ix) Staff Responsibilities for Access and Equity

- The contact person for equity and access issues is the licensed training provider delivering the course.
- Candidates are informed of the appropriate contact at induction
- To comply with its legal and moral duty to respect the rights and beliefs of course candidates and staff, MARCSTA will:
 - avoid discrimination;
 - recognise the special needs of clients and course candidates;
 - provide physical access to courses;
 - provide mediation and bridging programs;
 - provide mentoring; and
 - observe culturally appropriate behaviour and equal opportunity.

MARCSTA Access and Equity and Client Service

3(x) Recognition of Prior Learning

As the basic induction program provides the occupational safety and health knowledge and skills required to work safely in a range of mining and other industry applications, there is provision for RCC where the applicant is able to provide evidence of completion of similar nationally accredited courses from other jurisdictions or evidence of 5 years experience and a working knowledge of current occupational safety and health practices.

Differences in occupational safety and health legislative and regulatory requirements and in other mine site practices and requirements will require a full examination of evidence provided from such jurisdictions. We suggest that the completion of the Refresher program by the applicant would allay much of this concern.

Learners undertaking the program are required to satisfy all of the specified outcomes and achieve a minimum level of success of 80% at each of the formal assessment points.

An application for RPL (Recognition of Prior Learning) is available from the MARCSTA website.

Applicant Feedback and Guidance

Following completion of the Refresher program, learners must be advised of the assessment results. Should they not achieve the 80% pass mark required, they must be advised of the areas they failed to meet the requirements and offered the opportunity to attend a future program.

Reassessment on Appeal.

When grounds for appeal exist, the learner should be given an opportunity to resit the assessment. Grounds would include difficulty with interpreting the assessment questions, illness during the program, and personal matters requiring withdrawal for some period of the program.

MARCSTA Access and Equity and Client Service

RPL Process Policy:

Training providers will ensure that RPL is offered to all applicants on enrolment at MARCSTA courses by displaying the MARCSTA General Safety Induction Renewal Options / RPL (Recognition of Prior Learning) posters in reception areas and training rooms:

For candidates who do not hold a current General Safety Induction Certificate, RPL (Recognition of Prior Learning) is available as follows:

- Candidates who provide evidence of five (5) years total mining industry practical experience with three (3) years recent Western Australian mining experience and a working knowledge of current occupational safety and health practices can make application to sit the Fast Track written question one hour examination.
- Candidates who hold a current equivalent qualification from other Australian jurisdictions can make application to attend the half day refresher program.
- Candidates who provide evidence of completion of a Statement of Attainment for related courses can make application to attend the half day refresher program.

Procedure:

Candidates applying for RPL

Complete the Application for RPL (Recognition of Prior Learning) form (available at www.marcsta.com) and submit to the training provider for assessment, together with evidence of courses attended, skills, knowledge and/or experience acquired.

Provider

Complete and sign the 'Office Use Only' section of the Application for RPL (Recognition of Prior Learning) form and retain for a period of two years from the date of completion of the MARCSTA course.

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3(xi) Employability Skills:

Employability Skills are skills that apply across a variety of jobs and life contexts. They are sometimes referred to as key skills, core skills, life skills, essential skills, key competencies, necessary skills, and transferable skills. Industry's preferred term is Employability Skills.

Employability Skills are defined as "skills required not only to gain employment, but also to progress within an enterprise so as to achieve one's potential and contribute successfully to enterprise strategic directions".

There are eight Employability Skills: communication, teamwork, problem solving, initiative and enterprise, planning and organising, self-management, learning, and technology.

The Employability Skills Summary lists the elements of each skill that have been identified for the qualification.

From 1 July 2008, RTOs are required to inform all students issued with Training Package qualifications that Employability Skills Summaries for Training Package qualifications can be downloaded from <http://employabilityskills.training.com.au>.