



# **Student Handbook**

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## Introduction

This information booklet is designed to provide you with information about the services provided by the MSK Resources and our approach to providing you a safe, fair and supported environment to participate in training and assessment. This handbook does not provide you with specific information about a particular course offered by MSK Resources. This information is contained in the Course Brochure which is supplied separately.

## About MSK Resources

MSK Resources is a Registered Training Organisation RTO Number - 41284 providing high-quality training to students in Australia. MSK Resources has modern, up to date facilities, and boasts a team of qualified and dedicated Trainers. You can find out more about MSK Resources at the following websites:

[www.mskresources.com.au](http://www.mskresources.com.au)

## Our Services

MSK Resources provides training and assessment services in support of the following nationally-recognised training products.

Our current training courses are listed on our website at

<https://mskresources.com.au/new-courses/>

MSK Resources is responsible under the National Vocational Education and Training Regulator Act 2011 for the quality of the training and assessment being delivered in this course and for the issuance of all AQF certificates.

This Student Handbook must be read in conjunction with the MSK Fee Schedule and the Course Brochures for the relevant courses.

## Our mission

MSK Resources mission is to deliver quality training assessment that meets the needs of learners and industry.

## Our objectives

In recognition of this mission, our objectives are:

- **People.** We strive to attract, recruit and retain talented, competent and committed trainers. We promote excellent performance through leadership and professional development.
- **Safety & equality.** We are committed to providing an environment which is safe, equitable and which promotes a confident and productive training and assessment environment.

**Integrity & ethics.** We conduct ourselves in accordance with shared and agreed standards of behaviour which holds ethical conduct and integrity as our highest priorities.

- **Quality committed.** We aspire to deliver consistent, high-quality services and apply quality systems which support training and assessment excellence.
- **Industry engagement.** We recognise the value of industry engagement and welcome industry feedback and input at any time.

## Finding Us

Our head office is located at:  
6 White Place South Windsor NSW 2756

Our training facilities are located at various sites including:  
6 White Place, South Windsor NSW  
481 Castlereagh Rd, Agnes Banks NSW

Onsite workplace training options are also available.

For further information relating to the course location contact MSK Resources on 0499 236 037 or visit our website [www.mskresources.com.au](http://www.mskresources.com.au).

## Parking

Whilst you are attending our site by vehicle, adequate parking is available on site.

## Public Transport

Bus Stations are a short walk from MSK Resources. Refer to the appropriate bus time tables for the Hawkesbury area for scheduled services at Busways <http://www.busways.com.au>.

## Lunch Options

If you are looking to buy lunch whilst you are at our premises we have a number of take-away shops and eateries within driving distance.

## Our Trainers

Our Trainer Assessors are qualified, dedicated professionals who have current industry experience and qualifications in a range of industries. Their industry experience is continually up to date by participating in professional development activities, therefore giving our students the best practical industry experience.

## Your Responsibilities

MSK Resources requires you:

- To contribute to learning in a harmonious and positive manner irrespective of gender, race, sexual preference, political affiliation, marital status, disability or religious belief.
- To comply with the rules and regulations of MSK Resources.
- To be honest and respectful, this includes not falsifying work or information and not conducting yourself in any way that may cause injury or offence to others.
- To be responsible for your own learning and development by participating actively and positively and by ensuring that you maintain progress with learning modules.
- To utilise facilities and MSK Resources publications with respect and to honour our copyrights and

prevent our publication from being distributed to unauthorised persons.

- To respect other students and MSK Resources staff members and their right to privacy and confidentiality.

## Unique Student Identifier

If you're studying nationally recognised training in Australia you are required to have a Unique Student Identifier (USI). Your USI links to an online account that contains all your training records and results (transcript) that you have completed from 1 January 2015 onwards. Your results from 2015 will be available in your USI account.

When applying for a job or enrolling in further study, you will often need to provide your training records and results (transcript). One of the main benefits of the USI is the ability to provide students with easy access to their training records and results (transcript) throughout their life. You can access your USI account online from your computer, tablet or smart phone anytime. Fact sheets –available to download [Student Information for the USI](#)

It's free and easy to [create your own USI](#) and will only take a few minutes of your time. Alternatively, we can create your USI on your behalf. To do this we will need some additional identification information from you such as your driver's licence number.

## Your safety

MSK Resources is committed to providing you a safe environment in which to participate in training and assessment. We are aware under the Work Health and Safety Act 2011 of our responsibilities to maintain a safe environment.

Refer to the relevant Course brochure on the website for specific course safety requirements.

The following guidelines are provided as a basis for safe practice in the training environment:

- Know and observe details of emergency response and evacuation plans;
- Do not undertake activities which may cause injury to self or others;
- Be responsible for your own actions;
- No smoking at the training and assessment facilities or offices;

trainers and assessors should not undertake any task related to fixing electrical equipment such as lighting or electrical training aids.

### Fire safety

- MSK Resources will undertake to communicate the procedures involved in evacuation and the location of fire equipment to students at each facility for each training and assessment event; and to users of the office at least twice each year.
- All users of a training and assessment

- Report all potential hazards, accidents and near misses to the RTO staff;
- No consumption of alcohol within training and assessment facilities or during the conduct of training and assessment;
- Keep training and assessment areas neat and tidy at all times;
- Seek assistance if you volunteer to lift items e.g. move furniture in a training area; and
- Observe hygiene standards particularly in eating and bathroom areas.

### Electrical equipment

- Electrical equipment that is not working should be reported to MSK Resources staff.
- Electrical work should only be performed by appropriately licensed or trained personnel.

### Facility

- Students need to be familiar with the location of all EXITS and fire extinguishers. Users will consult available maps to determine location.
- It is the user's responsibility to understand fire drill procedures displayed around the premises.
- Users are asked to attend any sessions on fire safety procedures and the use of fire safety devices.

### **First aid**

- Provision for first aid facilities are available where training is delivered.
- All accidents must be reported to staff.
- The accident and any aid administered must be recorded by staff involved, in the injury register.

### **Lifting**

- Students, trainers and assessors are encouraged not to lift anything related to the training and assessment provided by MSK Resources unless they do so voluntarily and taking all responsibility for any injury caused.
- Never attempt to lift anything that is beyond your capacity.
- Always bend the knees and keep the back straight when picking up items.
- If you have experienced back problems in the past do not attempt to lift heavy objects at all. Ask someone else to do it for you.

### **Work & study areas**

- Always ensure that all work areas are clean and clear of clutter so as to avoid the danger of accident by tripping or falling over.
- Place all rubbish in the bins provided.
- Ensure that bench spaces are left clean and tidy.
- Do not sit or climb on any desks or tables.

### **Your equity**

All MSK Resources staff members (including contractors) are aware that discrimination and harassment will not be tolerated under any circumstances. In the event that discrimination and harassment is found to have occurred disciplinary action will be taken against any staff member who breaches this policy. Suspected criminal behaviour will be reported to police authorities immediately. Students should expect fair and friendly behaviour from MSK Resources staff members and we apply complaint handling procedures advocated by the Australian Human Rights and Equal Opportunity Commission (HREOC).

Students who feel that they have been discriminated against or harassed should report this information to a staff member of MSK Resources that they feel they can trust. This will initiate a complaints handling procedure which will be fair and transparent and will protect your rights as a complainant. Alternatively, if a student wishes to report an instance of discrimination or harassment to an agency external to MSK Resources, they are advised to contact the HREOC Complaints Info-line on 1300 656 419.

## Inclusive Learning

MSK manages a learning environment that promotes and supports the diversity of students. The organisation:

- Fosters a safe and inclusive learning environment for students.
- Fosters a culturally safe learning environment for First Nations people.

MSK recognises the need for affirmative measures to support First Nations people to enrol, participate in and complete training and is about:

- Acknowledging the unique experience of First Nations people in Australia,
- Recognising that First Nations peoples do not always have the same level of access to VET as non-Indigenous Australians, nor the same positive experiences, and
- Actively addressing unconscious bias, racism and discrimination, and supporting self-determination for First Nations people.

**Cultural safety** is about creating an environment that is safe for First Nations people. This means there is no challenge or denial of their identity and experience. A culturally safe learning environment has benefits for all students and staff alike. It creates a positive setting where people are respected and feel comfortable being themselves.

The organisation:

- Engages with local First Nations groups and communities to help identify ways they can improve,
- Engages personnel or industry experts from First Nations communities to deliver or review training and assessment,
- Ensures all personnel are culturally competent,
- Reviews learning materials and activities to ensure these are culturally safe and trauma aware.

Inclusive learning is about a fair go for everyone. Everyone has a right to learn, everyone can learn, but many people do not get fair access to learning opportunities.

<b>Everyone learns differently</b> Everyone can learn. Good trainers partner with Students to empower them to achieve to their potential. MSK trainers ensure students feel connected, supported and valued as individuals and as part of a community of students.	<b>Students bring existing knowledge and skills</b> MSK trainers ensure teaching and learning activities have contextual application and relevance. Learning is productive, meaningful and engaging, and builds on the student's existing capabilities.
<b>Five core skills underpin all learning</b> The skills of oral communication, reading, writing, numeracy and learning need special attention. MSK trainers actively recognise the need for students to continually update and build core skills for new contexts and are supported to identify and action student skills gaps.	<b>Being inclusive is everyone's responsibility</b> MSK trainers use a variety of training methods, encourage respectful interaction, seek feedback from Students, collaborate with specialists when they need extra help and continually update their skills.



## Your Wellbeing

MSK is aware of risks to students' wellbeing and has put strategies in place to protect and uphold the safety and wellbeing of the student cohort. The organisation:

- Identifies the wellbeing needs of the student cohort, as relevant to the training content, and appropriate wellbeing support services.
- Advises the student cohort of the availability of wellbeing support services, and any organisation students can contact, or additional action students can take to support their wellbeing.
- Assists students to access these supports as appropriate (for example, by providing information about, or referring students to, external support services and resources).

Key Referral Services Available	Contact Details
<b>Lifeline</b> 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.	<b>Phone:</b> 13 11 14 <a href="https://www.lifeline.org.au">https://www.lifeline.org.au</a>
<b>Kids Helpline</b> If you're between 5 and 25 and you're feeling depressed, worried, sad, angry or confused about things like your studies or personal relationships, Kids Helpline offers free 24 hour, 7 day telephone counselling support (anonymous if you prefer).	<b>Phone:</b> 1800 551 800 <a href="https://kidshelpline.com.au">https://kidshelpline.com.au</a>
<b>Drug Info</b> Drug Info is a service provided by the Australian Drug Foundation that offers information about alcohol and other drugs and prevention of related harms	<b>Phone:</b> 1300 85 85 84 <a href="https://adf.org.au/resources/druginfo/">https://adf.org.au/resources/druginfo/</a>
<b>Reading and Writing Hotline</b> 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.	<b>Phone:</b> 1300 6 555 06 <a href="http://www.readingwritinghotline.edu.au">www.readingwritinghotline.edu.au</a>
<b>Centrelink</b> Payments and services to support you.	<b>Phone:</b> 1800 057 111 <a href="http://www.humanservices.gov.au/customer/dhs/centrelink">www.humanservices.gov.au/customer/dhs/centrelink</a>
<b>Apprentice Connect Australia Providers (ACAP)</b> Apprentice Connect Australia Providers 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 ACAP provider about this now.	<b>Phone</b> 13 38 73 <a href="http://australianapprenticeships.gov.au">australianapprenticeships.gov.au</a>
<b>QLD Subsidised Students</b> MSK can also access adaptive technologies and support services for QLD student's learners with a disability through QLD department's Skills Disability Support service.	<a href="https://desbt.qld.gov.au/training/training-careers/support/disability/sds-learners">https://desbt.qld.gov.au/training/training-careers/support/disability/sds-learners</a>

## Your privacy

MSK Resources takes the privacy of students very seriously and complies with all legislative requirements. These include

the Privacy Act 1988 and Australian Privacy Principles (effective from 12<sup>th</sup> March 2014).

Here's what you need to know:

- MSK Resources will retain personal information about you relating to your enrolment with us. This includes your personal details, your ethnicity and individual needs, your education background. We will also retain records of your training activity and are required to do this in accordance with the National Vocational Education and Training Regulator Act 2011.
  - Your personal information is retained within our hard copy filing system and our computer systems. Your information is collected via the enrolment form and through your completion of administrative related forms and based on your training outcomes. Hard copy files are secured in lockable filing cabinets which are monitored throughout the day and secured in the evening. Electronic data retained on our computer systems is protected via virus protection software and firewall protection. Our data is backed up continuously to external drives which are stored securely.
- MSK Resources is required by the National Vocational Education and Training Regulator Act 2011 to securely retain your personal details for a period of 30 years from the date your enrolment has completed. The purpose of this is to enable your participation in accredited training to be recorded for future reference and to allow you to obtain a record of your outcome if required.
- In some cases we are required by law to make student information available to Government agencies such as the National Centre for Vocational Education and Research or the Australian Skills Quality Authority.
  - Under the Data Provision Requirements 2012, MSK Resources is required to collect personal information about you and to disclose that personal information to the National Centre for Vocational Education Research Ltd (NCVER).
  - Your personal information (including the personal information contained on this enrolment form), may be used or disclosed by MSK Resources for statistical, administrative, regulatory and research purposes. MSK Resources may disclose your personal information for these purposes to:
    - Commonwealth and State or Territory government departments and authorised agencies; and NCVER
- Personal information that has been disclosed to NCVER may be used or disclosed by NCVER for the following purposes:
- populating authenticated VET transcripts;
  - facilitating statistics and research relating to education, including surveys and data linkage;
  - pre-populating RTO student enrolment forms;
  - understanding how the VET market operates, for policy, workforce planning and consumer information; and
  - administering VET, including program administration, regulation, monitoring and evaluation.

You may receive a student survey which may be administered by a government department or NCVER employee, agent or third-party contractor or other authorised agencies. Please note you may opt out of the survey at the time of being contacted.

- NCVER will collect, hold, use and disclose your personal information in accordance with the Privacy Act 1988 (Cth), the National VET Data Policy and all NCVER policies and protocols (including those published on NCVER's website at [www.ncver.edu.au](http://www.ncver.edu.au)).

- For more information about NCVER's Privacy Policy go to:

<https://www.ncver.edu.au/privacy>

In all other cases MSK Resources will seek the written permission of the student for such disclosure. MSK Resources will not disclose your information to any person or organisation unless we have written instructions from you to do so. If you require your records to be accessed by persons such as your parents, you need to authorise this access otherwise this access will be denied.

- You have the right to access information that MSK Resources is retaining that relates to you. Further instructions are provided on how to access records within the section titled "Access to your records".
- 
- If you have concerns about how MSK Resources is managing your personal information, we encourage you to inform our staff and discuss your concerns. You are also permitted to make a complaint directly to us using our internal complaint handling arrangements outlined in this handbook.

Under the Privacy Act 1988 (Privacy Act) you also have the right to make a complaint to the Office of the Australian Information Commissioner (OAIC) about the handling of your personal information. You can find more information about making a privacy complaint at the website of the Office of the Australian Information Commissioner (OAIC) located at:

<http://www.oaic.gov.au/privacy/privacy-complaints>.

## Fees and Refunds

MSK Resources is entitled to charge fees for items or services provided to students undertaking a course of study. These charges are generally for items such as course materials or text books, student services and training and assessment services.

### Fees payable

Fees are payable when a student has received a confirmation of enrolment. The initial fee payment must be paid prior to commencing training or within 5 days of receiving an invoice from MSK Resources. MSK Resources may discontinue training if fees are not paid as required. For a full list of current fees and charges please see our [Schedule of Fees](#) document on our website or you may request a copy of the MSK Schedule of Fees and Charges from our office.

### Replacement of text & training workbooks

Students who require replacement of issued text or training workbooks will be liable for additional charges to cover the cost of replacement. For a full list of replacement charges please refer to the [Schedule of Fees](#) document on our website or request a copy from our office.

## Refunds

Students, who give notice to cancel their enrolment in writing 10 business days or more prior to the commencement of a program, will be entitled to a full refund of fees paid less the \$55.00 enrolment cancellation fee. This policy complies with the Australian Consumer Law required statutory cooling off period for the sale of goods and services. It is a requirement under the Standards for Registered Training Organisations that an RTO must allow the minimum statutory cooling off period applicable for the jurisdiction in which they operate. Australian Consumer Law introduced in 2010 has made this consumer protection consistent in all States and Territories.

Students who give notice to cancel their enrolment 9 business days or less prior to the commencement of a program will be entitled to a 75% refund of fees paid. The amount retained (25%) by MSK Resources is required to cover the costs of staff and resources which will have already been committed based on the students initial intention to undertake the training.

Students who cancel their enrolment after a training program has commenced will not be entitled to a refund of fees.

Where a student has purchased a text or training workbooks and subsequently cancels, MSK Resources will not refund monies for the text.

## Payment method

MSK Resources accepts payment for fees using:

- Credit Card (fees apply)
- Electronic Funds Transfer (account details available on request)
- Cheque (made payable to MSK Resources)
- Cash

## Substitutions

Requests for substitutions are to be made in writing and can be made at any time up to 2 working days before the program commencement date.

## Transfers

Requests for transfers to alternate programs can be arranged if MSK Resources is advised in writing more than 10 working days prior to the program commencement date and there is availability on the selected program. One transfer will be accepted without charge where MSK Resources has been notified in writing at least 10 working days prior to the scheduled commencement date. All subsequent transfers will attract an administration charge of \$55.00 (incl. GST).

If MSK Resources cancels or ceases to provide training, MSK Resources must issue a full refund for any services not yet provided. The basis for determining “services not yet provided” is to be based on the units of competency completed by the student and which can be issued in a statement of attainment at the time the service is ceased.

## **Changes to terms and conditions**

MSK Resources reserves the right to amend the conditions of the student's enrolment at any time. If amendments are made that effect the student's enrolment the student will be informed 12 days prior to changes taking effect.

## **Access to your records**

You are entitled to have access to your student file and learning and assessment records on request. You may require these to monitor your progress with training or simply to go back and confirm something in a previous training module. Whilst these records will be retained by MSK Resources, you are welcome to have access anytime just ask your trainer and it will be organised immediately.

You can access hard copy records and reports from our student management system, but only relating to you personally.

You can request this access using the Student Records Request Form. The Student Records Request Form is available from our office upon request.

Access to requested records during a work day will be arranged as soon as possible and in most cases within 24 hours. Students should note that these records cannot be removed unless a copy is requested. Where photocopies are requested, MSK Resources reserves the right to charge a one-off photocopy fee of \$10.00. There is no cost to simply view records at our office.

## **Learner satisfaction survey**

At the completion of your training program, you will be issued with a Learner Satisfaction Survey. This is a nationally consistent survey tool which is designed to collect feedback from students about their experience with an RTO and in undertaking nationally recognised training. Your completion and return of this survey is important to MSK Resources for our ongoing improvement of services and to enable us to meet our reporting requirements and use for our continuous improvement. Your assistance in gathering this survey data is greatly appreciated.

## **Our Guarantee to Clients**

If MSK Resources cancels or ceases to provide training, MSK Resources must issue a full refund for any services not yet provided. The basis for determining “services not yet provided” is to be based on the units of competency completed by the student and which can be issued in a statement of attainment at the time the service is ceased.

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## Assessment

At MSK Resources assessment is conducted using a combination of Written Knowledge Assessment, Work Log Book (where assessment is conducted in the workplace), Supervisor Feedback (supplementary 3<sup>rd</sup> party) and Workplace Observation.

The following provides a brief explanation of the primary assessment methods:

- **Written Knowledge Assessment:** The student is required to provide a written response to a range of questions relating to required knowledge of the unit of competency.
- **Workplace Log book:** Where Assessment is conducted in the workplace, the student may be required to record details of their work practice for assessment purposes. These details are recorded against specified tasks which are predesigned for the student to complete. This forms an important part of the assessment evidence as it often includes critical evidence that is otherwise difficult for the assessor to observe.
- **Workplace Observation:** The student will be observed performing specific tasks in their day-to-day work activities. The assessor will attend the workplace and observe the student performing tasks relevant to the units of competency being assessed. The student will be briefed on these observation activities in events and is required to make arrangements to undertake these activities when the assessor is in attendance at the workplace.

## Re-assessment

Students who are assessed as not yet competent are to be provided with detailed verbal and written feedback to assist them to identify the gaps in their knowledge and skills to be addressed through further training. These students are to be provided with additional training and learning support to target their specific gaps in knowledge and/or skills and prepare them for additional assessment.

It is the policy of MSK Resources to provide three opportunities for additional training and re-assessment at no additional cost to the student or employer. Students who require additional training and re-assessment after they have exhausted their three opportunities will be required to pay a fee for additional training and re-assessment. Please refer to the current fee schedule to identify the re-assessment fee.

Students requiring additional learning support are to be brought to the attention of MSK Resources management so the progress of the student can be monitored closely and additional support services can be applied well before it becomes necessary to impose an additional fee for re-assessment. Where students repeatedly do not demonstrate competence following significant learning and assessment support, a student's enrolment can be determined through mutual agreement.

## Issuing Qualifications and Statements of Attainment

MSK Resources will issue all AQF certification documentation (Qualifications and Statements of Attainment) to a student within 30 calendar days of the student being assessed as meeting the requirements of the training product if the training program in which the student is enrolled is complete, and providing all agreed fees the student owes to MSK Resources have been paid.

## Language, literacy & numeracy skills

Language, literacy and numeracy skills are critical to almost all areas of work. This is particularly true in many vocations where language, literacy and numeracy skills influence the performance of workplace tasks such as measuring, weighing and comprehending written work instructions.

To support this approach MSK Resources will:

- Assess a student's language, literacy and numeracy skills during their enrolment to ensure they have adequate skills to complete the training;
- Support students during their study with training and assessment materials and strategies that are easily understood and suitable to the level of the workplace skills being delivered;
- Provide clear information to students about the details of the language, literacy and numeracy assistance available. MSK Resources generally recommend the LLN training courses provided by TAFE. These institutes have specialist teachers to support the student's development.

- We refer students to external language, literacy and numeracy support services that are beyond the support available within MSK Resources. MSK Resources refers students to these services free of charge.
- Students may negotiate an extension of time with MSK Resources to complete training programs if necessary. Additional training will be charged on a case by case basis.

## Making complaints & appeals

MSK Resources is committed to providing a fair and transparent complaints and appeals process that includes access to an independent external body if required. To make a complaint or an appeal, you are requested to complete one of the following forms:

- Complaint Form
- Request for Appeal of a Decision

These forms are available via our website at the following address:

<http://mskresources.com.au/forms/>

Once you have completed the required form you are requested to submit this to our Office Manager, **Ashley Redman** to the following email address:

[ashley@mskresources.com.au](mailto:ashley@mskresources.com.au)

If you are having any difficulty accessing the required form or submitting to us, please contact Tonia at our office on the following phone number 0499 236 037.



## Complaint and appeals handling

### What is a complaint?

A complaint is negative feedback about services or staff which has not been resolved locally. A complaint may be received by MSK Resources in any form and does not need to be formally documented by the complainant in order to be acted on. Complaints may be made by any person but are generally made by students and/or employers.

### What is an appeal?

An appeal is an application by a student for reconsideration of an unfavourable decision or finding during training and/or assessment. An appeal must be made in writing and specify the particulars of the decision or finding in dispute. Appeals must be submitted to MSK Resources within **28 days** of the student being informed of the assessment decision or finding.

### Early resolution of complaints & appeals

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time, as they occur between the persons involved, where possible. Sometimes, it will not be possible and in these cases you are encouraged to come forward and inform us of your concerns with the confidence that you will be treated fairly.

MSK Resources applies the following principles to its complaints and appeals handling:

- Written records of all complaints / appeals are to be kept by MSK Resources including all details of lodgement, response and resolution. MSK Resources will maintain complaints / appeals register to be used to record the details of the complaint / appeal and to maintain a chronological journal of events during the handling process. Records relating to complaint / appeal handling are stored securely to prevent access to unauthorised personnel.
- A person making a complaint or seeking an appeal is to be provided an opportunity to formally present his or her case at no cost.
- Each person may be accompanied and/or assisted by a support person at any relevant meeting.
- The handling of a complaint / appeal is to commence within **seven (7) working days** of the lodgement of the complaint / appeal and all reasonable measures are taken to finalise the process as soon as practicable.
- The person making a complaint or seeking an appeal is to be **provided a written response** to the complaint/appeal, including details of the reasons for the outcome. A written response must be provided to the person **within fourteen (14) days** of the lodgement of the complaint / appeal.

- Complaints / appeals must be resolved to a final outcome **within sixty (60) days** of the complaint / appeal being initially received. Where MSK Resources Chief Executive Officer considers that more than 60 calendar days are required to process and finalise the complaint / appeal, the CEO must inform the person making a complaint or seeking an appeal in writing, including reasons why more than 60 calendar days are required. As a benchmark, MSK Resources will attempt to resolve complaints/appeals as soon as possible. A timeframe to resolve a complaint/appeal within thirty (30) days is considered acceptable and in the best interest of MSK Resources and the person making a complaint or seeking an appeal. A person making a complaint or seeking an appeal should also be provided with regular updates to inform them of the progress of the complaint/appeal handling. Updates should be provided to the person making a complaint or seeking an appeal at a minimum of four (4) weekly intervals.
- MSK Resources shall maintain the enrolment of the person making a complaint or seeking an appeal during the handling process.
- Decisions or outcomes of the complaint/appeal handling process that find in the favour of the person making a complaint or seeking an appeal shall be implemented immediately.
- Complaints/appeals are to be handled in the strictest of confidence. No MSK Resources representative will disclose information to any person without the permission of MSK Resources Chief Executive Officer.

A decision to release information to third parties can only be made after the person making a complaint or seeking an appeal has given permission for this to occur. This permission should be given using the Information Release Form.

- Complaints / appeals which are received and directly relate to the Chief Executive Officer will be referred by the Office Manager to an external independent party for review. This is to remove any concern of bias in respect to the review and response of the complaint or appeal.
- Complaints/appeals are to be considered and handled to ensure fairness is applied at every stage of the handling process. This means that the person making a complaint or seeking an appeal is entitled to be heard with access to all relevant information and with the right of reply. The person making a complaint or seeking an appeal is entitled to have their complaint heard by a person that is without bias and may not be affected by the decision. Finally the decision must be made based on logical evidence and the decision-maker must take account of relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations.
- Further guidance can be accessed at the following The NSW Ombudsman website links:  
[Investigation of Complaints](#)  
[Handling Complaints](#)

### **Review by an independent person**

MSK Resources provides the opportunity for the person making a complaint or seeking an appeal who is not satisfied with the outcomes of the complaints and appeals handling process to seek a review by an independent person. In these circumstances the MSK Resources Chief Executive Officer will advise of an appropriate party independent of MSK Resources to review the complaint (and its subsequent handling) and provide advice to MSK Resources in regards to the recommended outcomes.

Following an independent review, advice received from the independent person is to be accepted by MSK Resources as final, advised to the person making a complaint or seeking an appeal in writing and implemented without prejudice.

- In relation to consumer protection issues, these may be referred to the [NSW Fair Trading](#) website or via the phone number 13 32 20.
- In relation to the delivery of training and assessment services, these may be referred to the **National Training Complaints Hotline** via the following phone number: 13 38 73.

### **Unresolved Complaints and Appeals**

Where the person making a complaint or seeking an appeal is not satisfied with the handling of the matter by MSK Resources, they have the opportunity for a body that is external to MSK Resources to review his or her complaint or appeal following the internal completion of complaint or appeals process.

Students who are not satisfied with the process applied by MSK Resources may refer their grievance to the following external agencies:

## **Recognition of your existing skills & knowledge**

MSK Resources provides the opportunity for students to apply for credit transfer and will provide recognition of prior learning (RPL) for units of competency for which they are enrolled.

### **Recognition guidelines**

The following guidelines are to be followed when an application for recognition is received:

- Any student is entitled to apply for recognition in a course or qualification in which they are currently enrolled.
- Students may not apply for recognition for units of competence or a qualification which are not included in MSK Resources scope of registration.

### **Forms of evidence for recognition**

Recognition acknowledges that workplace skills and knowledge may be gained through a variety of ways including both formal and informal learning or through work-based or life experience.

Like assessment, recognition is a process whereby evidence is collected and a judgement is made by an assessor or assessment team. The judgement is made on evidence provided by candidates of the skills and knowledge that they have previously learnt through work, study, life and other experiences,

and that they are currently using. It also includes evidence to confirm a candidate's ability to adapt prior learning or current competence to the context of the intended workplace or industry.

Forms of evidence toward recognition may include:

- Work records;
- Records of workplace training;
- Assessments of current skills;
- Assessments of current knowledge;
- Third party reports from current and previous supervisors or managers;
- Evidence of relevant unpaid or volunteer experience;
- Examples of work products;
- Observation by an assessor in the workplace;
- Performance appraisal; or
- Duty statements.

Many of these forms of evidence would not be sufficient on their own and you may be required by MSK Resources to undertake practical assessment activities and written skills and knowledge test in order to demonstrate your competence.

## What is national recognition?

National recognition is the recognition of learning achieved through formal education and training. Under the Standards for NVR Registered Training Organisations, qualifications and statements of attainment issued by any RTO are to be accepted and recognised by all other RTOs. National recognition allows a student to be awarded a unit of competency/module based on successful completion of the unit which has been previously awarded.

## Evidence requirements

If you are seeking national recognition you are required to present your statement of attainment or qualification for examination to MSK Resources. These documents will provide the detail of what units of competence you have been previously issued. You must provide satisfactory evidence that the statement of attainment or qualification is authentic, is yours and that it has been issued by an Australian RTO. Statements of attainment or qualifications should be in the correct format as outlined in the Australian Qualifications Framework. You are required to submit copies only which are certified as a true copies of the original.

## National recognition guidelines

The following guidelines are to be followed in relation to national recognition:

- Any student is entitled to apply for national recognition in a course or qualification in which they are currently enrolled.
- Students may not apply for national recognition for units of competence or qualification which are not included in MSK Resources scope of registration.
- Whilst students may apply for national recognition at any time, they are encouraged to apply before commencing a training program. This will reduce unnecessary training and guide the student down a more efficient path to competence.
- The student does not incur any fees for national recognition and MSK Resources does not receive any funding when national recognition is granted.
- National recognition may only be awarded for whole units of competence. Where a mapping guide identifies a partial credit, this will not be considered for national recognition and applicants will be advised to seek recognition.

## Legislative and Regulatory Responsibilities

MSK Resources is required to operate in accordance with the law. This means we comply with the requirements of legislative and regulatory requirements. The following legislation is a list of the Acts that MSK Resources has recognised it has compliance responsibilities to. They also represent obligations to you as a student whilst training with MSK Resources.

During your day-to-day work and when participating in training, you will need to be aware of the relevant legislation that may impact on your conduct and behaviour.

Copies of State and Federal legislation can be found on the Internet at <https://www.legislation.nsw.gov.au> (State) & <https://www.legislation.gov.au> (Federal).

The following is a summary of the legislation that will generally apply to your day-to-day work and training.

### Work Health and Safety Act 2011

The main object of this Act is to provide for a balanced and nationally consistent framework to secure the health and safety of workers and workplaces. The WHS Act protects workers and other persons against harm to their health, safety and welfare through the elimination or minimisation of risks arising from work or from particular types of substances or plant.

The WHS Act covers workers by providing a nationally uniform work health and safety laws. This includes employees, contractors, sub-contractors, outworkers, trainees, work experience students, volunteers and employers who perform work.

The WHS Act also provides protection for the general public so that their health and safety is not placed at risk by work activities.

Section 29 of the WHS Act requires that any person at a workplace, including customers and visitors, must take reasonable care of their own health and safety and that of others who may be affected by their actions or omissions.

They must also cooperate with any actions taken by the person conducting business or undertaking to comply with the WHS Act and WHS Regulation. The following is a link to the [Work Health and Safety Act 2011](#).

## Privacy Act 1988

The Privacy Act is supported by the Australian Privacy Principles which came into effect on 12<sup>th</sup> March 2014. The object of Australian Privacy Principles is to ensure businesses and government agencies manage personal information in an open and transparent way.

Review the section within this handbook that relates to privacy protection. It provides you with information about:

- the kinds of personal information that the entity collects and holds;
- how the entity collects and holds personal information;
- the purposes for which the entity collects, holds, uses and discloses personal information;
- how an individual may access personal information about the individual that is held by the entity and seek the correction of such information;
- how an individual may complain about a breach of the Australian Privacy Principles and how the entity will deal with such a complaint; and
- whether the entity is likely to disclose personal information to overseas recipients. The following is a link to the [Privacy Act 1988](#)

## Disability Discrimination Act 1992

### Sect 5 - Disability Discrimination

(1) For the purposes of this Act, a person (discriminator) discriminates against another person (aggrieved person) on the grounds of a disability of the aggrieved person if, because of the aggrieved person's disability, the discriminator treats or proposes to treat the aggrieved person less favourably than, in circumstances that are the same or are not materially different, the discriminator treats or would treat a person without the disability.

For the purposes of subsection (1), circumstances in which a person treats or would treat another person with a disability are not materially different because of the fact that different accommodation or services may be required by the person with a disability.

## Sex Discrimination Act 1984

Objects The objects of this Act are:

- to give effect to certain provisions of the Convention on the Elimination of All Forms of Discrimination Against Women; and to eliminate, so far as is possible, discrimination against persons on the ground of sex, marital status, pregnancy or potential pregnancy in the areas of work, accommodation, education, the provision of goods, facilities and services, the disposal of land, the activities of clubs and the administration of Commonwealth laws and programs; and

- to eliminate, so far as possible, discrimination involving dismissal of employees on the ground of family responsibilities; and
- to eliminate, so far as is possible, discrimination involving sexual harassment in the workplace, in educational institutions and in other areas of public activity; and
- to promote recognition and acceptance within the community of the principle of the equality of men and women.

#### **Age Discrimination Act 2004**

The objects of this Act are:

- to eliminate, as far as possible, discrimination against persons on the ground of age in the areas of work, education, access to premises, the provision of goods, services and facilities, accommodation, the disposal of land, the administration of Commonwealth laws and programs and requests for information; and

- to ensure, as far as practicable, that everyone has the same rights to equality before the law, regardless of age, as the rest of the community; and
- to allow appropriate benefits and other assistance to be given to people of a certain age, particularly younger and older persons, in recognition of their particular circumstances; and
- to promote recognition and acceptance within the community of the principle that people of all ages have the same fundamental rights; and
- to respond to demographic change by:
  - removing barriers to older people participating in society, particularly in the workforce; and
  - changing negative stereotypes about older people.

#### **Racial Discrimination Act 1975**

This Act gives effect to Australia's obligations under the International Convention on the Elimination of All Forms of Racial Discrimination. Its major objectives are to:

- promote equality before the law for all persons, regardless of their race, colour or national or ethnic origin, and
- make discrimination against people on the basis of their race, colour, descent or national or ethnic origin unlawful.



## Copyright Act 1968

Copyright is a type of property that is founded on a person's creative skill and labour. It is designed to prevent the unauthorised use by others of a work, that is, the original form in which an idea or information has been expressed by the creator.

Copyright is not a tangible thing. It is made up of a bundle of exclusive economic rights to do certain acts with an original work or other copyright subject-matter. These rights include the right to copy, publish, communicate (eg. broadcast, make available online) and publicly perform the copyright material.

There is no general exception that allows a work to be reproduced without infringing copyright. Where a part of a work is copied, the issue is whether a substantial part of that work has been reproduced and thus an infringement has occurred. However, there is a 10% rule which applies in relation to fair dealing copying for the purposes of research or study. A reasonable portion of a work may be copied for that purpose, and a reasonable portion is deemed to be 10% of a book of more than 10 pages or 10% of the words of a work in electronic form.

## Fair Work Act 2009

The main objectives of this Act are to provide a balanced framework for cooperative and productive workplace relations that promote national economic prosperity and social inclusion for all Australians by:

Providing workplace relations laws that are fair to working Australians, are flexible for businesses, promote productivity and economic growth for Australia's future economic prosperity and take into account Australia's international labour obligations;

Ensuring a guaranteed safety net of fair, relevant and enforceable minimum terms and conditions through the National Employment Standards, modern awards and national minimum wage orders;

Enabling fairness and representation at work and the prevention of discrimination by recognising the right to freedom of association and the right to be represented, protecting against unfair treatment and discrimination, providing accessible and effective procedures to resolve grievances and disputes and providing effective compliance mechanisms.

**National Vocational Education and Training Regulator Act 2011**

This legislation provides that basis for the regulation of Registered Training Organisations in Australia. The legislation provides the basis for the establishment of the National VET Regulator who are the registration authority for RTOs. A core component of this legislation is that defines the condition for the registration of an RTO which include:

- compliance with the VET Quality Framework
- satisfying Fit and Proper Person Requirements
- satisfying the Financial Viability Risk Assessment Requirements
- notifying National VET Regulator of important changes
- cooperating with National VET Regulator
- compliance with directions given by the National VET Regulator