

# **SWC TRAINING**

**Student**

**Rights**

**&**

**Responsibilities**

**Booklet**

**2023**

### *Client selection and enrolment*

SWC markets its services via word-of-mouth to employers only, and via the SWC website.

It is the employer that selects the clients rather than prospective students making direct applications to SWC.

A new student is required to complete a SWC enrolment form.

SWC actively promotes a capacity and willingness to provide all necessary resources for students with a physical or intellectual disability.

Certain conditions exist for enrolment under the Australian Apprenticeship Program. SWC can refer an applicant to an Australian Apprenticeship Support Network (AASN) organisation to learn about these conditions. A person must be over 15 years old to take part in an Australian Apprenticeship.

Under the various state government programs (eg. Skills First program; NSW Smart and Skilled program), SWC will enrol students consistent with the stated pre-requisites listed in the applicable Training Package and the eligibility criteria for available funding.

### *Induction/orientation procedures*

Course information will be provided to the student at an induction meeting prior to enrolment or via the SWC website.

For traineeships, an induction meeting prior to enrolment will be attended by the trainee, a representative of the employer, the AASN representative, and a Trainer/Assessor from SWC.

Under the various state government programs (eg. Skills First program; NSW Smart and Skilled program), an induction meeting prior to enrolment will be attended by the student and the SWC Trainer/Assessor.

### *Course information, including content and vocational outcomes*

Course information, including content, will be provided to the trainee at an induction meeting or via the SWC website.

The NCVER or the applicable state Department of Education & Training may directly contact students to verify enrolment information or may receive a survey from the NCVER.

The training will lead to a formal qualification or Statement of Attainment under the Australian Qualifications Framework.

### *Fees and Charges*

SWC outlines its fees and charges policies for each state/territory on the SWC website.

In Victoria, SWC follows the Victorian Skills First 2021 Guidelines about Fees. This is available from the SWC Director/Business Manager upon request.

For traineeships, SWC only charges employers for student fees on behalf of the trainees. It is SWC's policy not to charge trainees/students directly.

There are no fees if a student or trainee must be assessed again until he/she achieves competence.

SWC will retain all documentation regarding fees and charges and refunds for a period of 2 years plus after the cessation of the trainee's or student's study.

SWC only accepts trainee/student fees in arrears, or as stipulated in the various state/territory Government various funding contracts.

SWC does not seek nor receive funds in excess of \$1,500 paid in advance per instalment from a student.

### *Refund Policies*

For traineeships, SWC charges employers for student fees on behalf of the trainees. It is SWC's policy not to charge trainees/students directly.

SWC will issue the invoice 6 months after commencement of the course. A credit note will be issued to the employer for a trainee/student who withdraws from units not completed up to the 8-month stage of the traineeship, in the event where training has been delivered.

In Victoria, in some circumstances, SWC may be required to charge trainees/students fees directly. If so, where the student withdraws from the course part of the way through the course, then SWC's policy is to refund the portion of the tuition fee applicable to the unused part of the course, as requested by the employer, less a 20% administration fee.

In NSW, fees and refunds are outlined in the following document:-

[https://www.training.nsw.gov.au/forms\\_documents/smartandskilled/contract/2020\\_21/fee\\_administration\\_policy\\_20\\_21\\_v2.5.pdf](https://www.training.nsw.gov.au/forms_documents/smartandskilled/contract/2020_21/fee_administration_policy_20_21_v2.5.pdf)

In the event where SWC charges a trainee/student directly, exemptions may apply.

The 'withdrawal with no penalty' date is 4 months after the enrolment date.

Where RPL/credit transfers have been established after the enrolment invoice has been issued, SWC will refund the NSW student/employer at the proportional rate of the course that has been RPL'd/credit transferred.

If SWC is no longer able to deliver a course under the NSW Smart and Skilled program, the student/employer will be refunded fees paid that have not been earned. This process would be in conjunction with the NSW Department of Industry.

In Queensland, for training undertaken under User Choice, there is a provision:-

- (a) for full refunds to Participants for Student Contribution Fees charged for training delivery that has not commenced at the time of the cancellation of enrolment
- (b) of proportionate refunds where the Participant has withdrawn from a Unit of Competency/Module (less a 20% administration fee); and
- (c) of refunds to employers/industry for additional charges paid beyond the Participant and government contributions (less a 20% administration fee).

#### *Language, literacy and numeracy*

Trainees undertake a brief language, literacy and numeracy test at the commencement of their initial assessment, in order to establish the level of L,L&N skills of each trainee.

Records of these tests are maintained in the SWC Assessment Booklet.

SWC has access to resources if further language, literacy and numeracy support is required. This is available from the SWC Coordinator of Training.

#### *Client support*

SWC has negotiated with employers to ensure that the competencies of the courses are to be comprised of predominantly practical and task-orientated competencies.

Learning materials are closely supported by on-the-job training by mentors and SWC Assessor/Trainers.

SWC Trainer/Assessors have extensive experience delivering hands-on training sessions to the students at their worksites. The students' worksites allow the students to learn in an environment where they feel comfortable.

SWC believes the key issue is that the trainee understands and demonstrates the required competencies whilst maintaining dignity and self-confidence in their workplace. SWC has proven experience working with trainees to ensure they achieve all competencies of the course.

SWC has access to resources if further language, literacy and numeracy support is required. This is available from the SWC Coordinator of Training.

#### *Flexible learning and assessment procedures*

For workplace-based training, SWC delivers training on-the-job. SWC initially provides intensive training to a mentor/leading hand/Area Manager, etc. so they are aware of every competency and are able to closely monitor training of trainees.

SWC supports the mentor structure by providing Industry Skills Council-developed written documentation, negotiating with the trainee and mentor to develop a cohesive training plan, delivering on-the-job training sessions, telephone support and one-to-one interaction during assessments.

Training sessions are delivered and assessments undertaken on-the-job. This approach allows any trainee to access detailed training across all geographical locations nominated and at suitable hours to trainees' rosters.

Training is tailored to each worksite. The learning facilities, provided by the employer, are used and practised at each worksite and supported by the ISC-developed written documentation.

SWC can deliver classroom-based training at either an employer worksite or at the SWC premises.

### *Reasonable Adjustment*

All SWC assessors are committed to the principles of access and equity. Training and support needs are addressed utilizing various strategies. Reasonable adjustment will be addressed on a case by case situation, and could include (but is not limited to):

- Extending the length of the assessment deadline
- Provide further training and support
- Having greater contact throughout the course
- Provide additional learning resources

It is the learner's responsibility to notify the assessor prior to commencement of any assessment if reasonable adjustment or special needs requirements need to be addressed.

### *Plagiarism*

SWC is committed to the principle of ensuring that every student has the right to participate in training programs, free of inappropriate behaviour that may impair the learning processes, or the well-being of individuals.

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

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

Cheating and plagiarism are serious acts and may result in a students' exclusion from a unit or a course overall.

Where a student has any doubts about including the work of other authors in their assessments, they should consult with their SWC Trainer/Assessor.

### *Re-assessment*

SWC undertakes to complete a reassessment, where required, during a time which is suitable for all parties, including but not restricted to, the learner, mentor and SWC Trainer/Assessor. This will usually take place within a six (6) week period.

*Welfare and guidance services*

A trainee should first consult his/her employer about any welfare issues.

The SWC Trainer/Assessor can refer a trainee to the appropriate agency about any issues that are yet to be resolved.

*Recognition of Prior Learning (RPL) Applications*

RPL is offered on enrolment. An SWC Trainer/Assessor must offer RPL as part of the induction process.

SWC has a Sign-up Checklist that a Trainer/Assessor must follow. RPL is a key component of this checklist.

As part of the Coordinator of Training's quarterly Trainer/Assessor internal audits, a sign-up induction is attended by the Coordinator of Training. The process is audited against the Sign-up Checklist.

Each SWC Learner Materials book has a RPL application form, located in the back of each book.

Where a student applies for RPL, the form is completed and submitted to the Director/Business Manager.

The RPL form is at the back of each SWC Learning Materials book.

SWC does not charge a trainee for a RPL application to be considered.

The Director/Business Manager will liaise with the applicant in order to obtain all evidence to be considered. The Director/Business Manager will liaise with the applicant within one working week of receiving the application.

Evidence must be in writing. Evidence and the resultant decision are stored in the student's manilla folder.

Once all evidence has been submitted, the Director/Business Manager must make a decision and notify the applicant and the applicable SWC Trainer/Assessor within 2 working weeks.

*Appeals and complaints procedures*Complaints

Complaints occur when a student or other stakeholder (eg. SWC Trainer/Assessor) is not happy with the SWC product or SWC service, or when a student perceives that he/she is being treated differently from other students (discrimination), or when a student is not happy about another student.

Each SWC Learner Materials book has a Complaints Application form, located in the back of each book.

The Complaints Application form is submitted, in writing, to the Director/Business Manager.

Evidence and the resultant decision are stored in the student's manilla folder.

If an issue arises with a student/other stakeholder of an Australian Apprenticeship, the process is:

- 1) When a complaint is received, SWC will notify, in writing, all parties of the complaint within 5 business days.
- 2) SWC Trainer/Assessor talks on an informal basis to the student/other stakeholder with the aim of resolving the issue in a satisfactory manner to all parties involved;
- 3) All parties involved in the complaint are given an opportunity to present their side of the matter.
- 4) If the complaint remains unresolved, formal face-to-face meeting between employer, student/other stakeholder and Trainer/Assessor with the aim of resolving the issue in a satisfactory manner to all parties involved. At this stage, the issue is documented in the Complaints Register. The SWC Coordinator of Training enters all details into the Register.
- 5) If the complaint remains unresolved, formal face-to-face meeting (ie. the opportunity to formally present his or her case) between employer, student/other stakeholder, Trainer/Assessor and the SWC Coordinator of Training with the aim of resolving the issue in a satisfactory manner to all parties involved.
- 6) If the complaint remains unresolved, formal face-to-face meeting between employer, student, SWC Coordinator of Training and the SWC Director with the aim of resolving the issue in a satisfactory manner to all parties involved.

At this stage, once all evidence has been submitted, the SWC Director must make a decision and notify the applicant in writing (including the reasons for the decision) and the applicable SWC Trainer/Assessor in writing within 10 working days.

- 7) If the complaint remains unresolved, SWC contacts an independent mediator service (eg. Seabrook Mediation Services ph: 03 9225 8187) in order to mediate and resolve issues in these instances.
- 8) Should any act found to be substantiated, SWC's Director will be notified, change will be implemented and then the changed policy or procedure will be disseminated through to SWC personnel.

SWC does not sub-contract or use a broker for any of its training and/or assessment services.

### Appeals

Assessment appeals can be used when a student disagrees with an assessment decision or when a student disagrees with the outcome of a complaint. The student can appeal any other decision made by SWC.

Each SWC Learner Materials book has an Appeals form, located in the back of each book.

The Appeals form is submitted, in writing, to the SWC Coordinator of Training.

Evidence and the resultant decision are stored in the student's manilla folder.

Once all evidence has been submitted, the SWC Coordinator of Training must make a decision and notify the applicant in writing and the applicable SWC Trainer/Assessor in writing within 2 working weeks.

### **SWC's Disciplinary Policy**

SWC believes the key issue is that the student learns, understands and demonstrates the required competencies whilst maintaining dignity and self-confidence while in their workplace or in the classroom. The learning environment must be safe for SWC Trainers/Assessors and all SWC students.

Students are expected to act in a responsible manner and not to inconvenience training for the SWC Trainer/Assessor and/or any other students.

SWC does not allow:

- Students under the influence of drugs and/or alcohol
- Offensive language and/or body language
- Assault
- Criminal activity and/or damage to property
- Harassment – verbal or in written form
- Bullying
- Inappropriate sexual behaviour



- Inappropriate use of internet
- Weapons

Where a student does not comply with SWC's policy, SWC actions to deal with inappropriate behaviour include outcomes such as:

- A discussion with relevant student and trainer about the inappropriate behaviour/performance
- Ask a student to remove himself/herself from the learning premises
- Refer behaviour to the employer, if applicable
- Time away from the learning environment
- Longer-term suspension
- Expulsion from the course
- If behaviour is related to criminal activity, this will be referred to the police.

Where required, support will be offered to the student. This could include referral to a health practitioner.

All decisions to discipline or suspend a student for misconduct will be made according to the SWC policies and procedures.

The process is:

- 1) Trainer/Assessor talks on an informal basis with the student with the aim of resolving the issue in a satisfactory manner to all parties involved.
- 2) If the behaviour remains unchanged, formal face-to-face meeting between employer (if applicable), student and SWC Trainer/Assessor will be held with the aim of resolving the behaviour in a satisfactory manner to all parties involved.
- 3) If the behaviour remains unchanged, formal face-to-face meeting between employer (if applicable), student, SWC Trainer/Assessor and the SWC Director will be held with the aim of resolving the issue in a satisfactory manner to all parties involved.

At this stage, once all evidence has been submitted, the SWC Director must make a decision and notify the student in writing (including the reasons for the decision) and the applicable SWC Trainer/Assessor in writing within 2 working weeks.

If discipline is deemed to be a serious breach, or circumstances require immediate action to ensure staff and student safety, this process can be short-circuited.

#### *Staff responsibilities for access and equity*

All SWC personnel are committed to the principles of access and equity.

Training and support needs are addressed utilising various strategies, including:

- extending the length of the courses and/or traineeships (if applicable),
- amending the course AQF level,
- continuing on-the-job delivery so students remain in familiar environments,
- having greater contact (eg. 10+ training sessions) throughout the traineeship term or course to ensure competency.

*SWC recognises AQF Qualifications and Statements of Attainment issued by other Registered Training Organisations.*

At the induction/orientation meeting, the SWC Trainer/Assessor will ask the student if they have previous training in the relevant field. For Traineeships, AASNs may also notify SWC of a need to Credit Transfer some competencies at the registration stage.

SWC Trainer/Assessors are required to obtain a copy of the Certificate/Statement of Attainment.

*Body responsible for issuing the Certificate or Statement of Attainment*

SWC is the body responsible for issuing the Certificate or Statement of Attainment.

*Body responsible for the compliance of training and assessment*

SWC is the body responsible for the compliance of training and assessment.

*Changes to state and/or Federal Government legislation*

SWC will notify students if there is a change to relevant state and/or Federal Government legislation.

*Contingencies*

If, for reasons beyond SWC's control, SWC is terminated, then SWC will coordinate for student to be transferred to another RTO or a refund will be provided where applicable.

*Student Progress and Results*

Current and Past students can access their results at any time. Please contact SWC ([info@swc.com.au](mailto:info@swc.com.au) or PO Box 6235, Melbourne, Vic, 3004) to obtain a print out of this information.

Proof of identity is required.

Each trainee or student is entitled to a Statement of Attainment or Certificate at no charge upon withdrawal, cancellation or completion of the qualification, provided the applicable fees have been paid.

The re-issuing of Certificates/Statements of Attainment will incur a charge of \$50 (+10% GST) to cover SWC costs.

The verification of Certificates/Statements of Attainment to third parties will incur a charge of \$100 (+10% GST) to cover SWC costs.