

## *ASSESSMENT & SELECTION OF STUDENTS*

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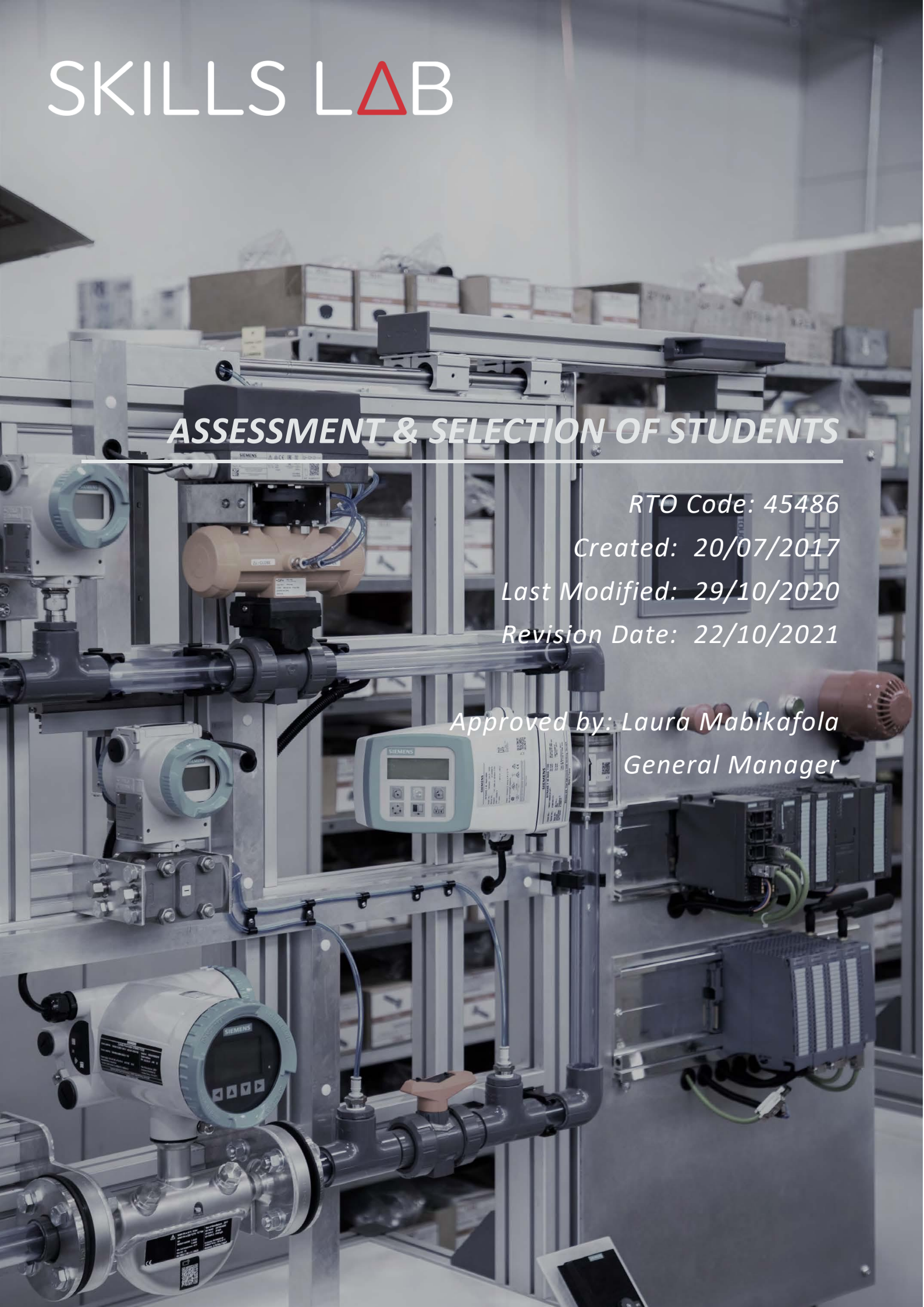
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General Manager*



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## Documents

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Student Enrolment Form FM126

Induction Checklist FM104

Pre Training Review Example Form FM161

Disclosure of Support Form FM132

Application Enrolment Pack

## References

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Privacy Policy POL026

Confidentiality Policy POL003

Records Management & Control Policy POL027

Appeal Policy POL002

Complaint Policy POL020

Australian Core Skills Framework Pre Training Assessment REF548

Course Induction Policy incorporated into Learning & Assessment Guidelines POL025

Children's Protection Policy POL032

[Age Discrimination Act Cwlth. \(2004\) https://www.legislation.gov.au/Details/C2018C00038](https://www.legislation.gov.au/Details/C2018C00038)

[Australian Human Rights Commission Act Cwlth. \(1986\)  
https://www.legislation.gov.au/Details/C2018C00050](https://www.legislation.gov.au/Details/C2018C00050)

[Children and Young People \(Safety\) Act 2017  
https://www.legislation.sa.gov.au/LZ/C/A/Children%20and%20Young%20People%20\(Safety\)%20Act%202017.aspx](https://www.legislation.sa.gov.au/LZ/C/A/Children%20and%20Young%20People%20(Safety)%20Act%202017.aspx)

[Children and Young People \(Safety\) Regulations 2017  
https://www.legislation.sa.gov.au/LZ/C/R/CHILDREN%20AND%20YOUNG%20PEOPLE%20\(SAFETY\)%20REGULATIONS%202017/CURRENT/2017.353.AUTH.PDF](https://www.legislation.sa.gov.au/LZ/C/R/CHILDREN%20AND%20YOUNG%20PEOPLE%20(SAFETY)%20REGULATIONS%202017/CURRENT/2017.353.AUTH.PDF)

[Children's Protection Act 1993  
https://www.legislation.sa.gov.au/LZ/C/A/CHILDRENS%20PROTECTION%20ACT%201993/CURRENT/1993.93.AUTH.PDF](https://www.legislation.sa.gov.au/LZ/C/A/CHILDRENS%20PROTECTION%20ACT%201993/CURRENT/1993.93.AUTH.PDF)

[Children's Protection Regulations 2010](#)

<https://www.legislation.sa.gov.au/LZ/C/R/CHILDRENS%20PROTECTION%20REGULATIONS%202010/CURRENT/2010.176.UN.PDF>

[Children's Protection Law Reform \(Transitional Arrangements and Related Amendments\) Act 2017](#)

[https://www.legislation.sa.gov.au/LZ/C/A/CHILDRENS%20PROTECTION%20LAW%20REFORM%20\(TRANSITIONAL%20ARRANGEMENTS%20AND%20RELATED%20AMENDMENTS\)%20ACT%202017/CURRENT/2017.64.AUTH.PDF](https://www.legislation.sa.gov.au/LZ/C/A/CHILDRENS%20PROTECTION%20LAW%20REFORM%20(TRANSITIONAL%20ARRANGEMENTS%20AND%20RELATED%20AMENDMENTS)%20ACT%202017/CURRENT/2017.64.AUTH.PDF)

[Children and Young People \(Safety\) \(Transitional Provisions\) Regulations 2017](#)

[https://www.legislation.sa.gov.au/LZ/C/R/CHILDREN%20AND%20YOUNG%20PEOPLE%20\(SAFETY\)%20\(TRANSITIONAL%20PROVISIONS\)%20REGULATIONS%202017/CURRENT/2017.355.AUTH.PDF](https://www.legislation.sa.gov.au/LZ/C/R/CHILDREN%20AND%20YOUNG%20PEOPLE%20(SAFETY)%20(TRANSITIONAL%20PROVISIONS)%20REGULATIONS%202017/CURRENT/2017.355.AUTH.PDF)

[National Framework for Protecting Australia's Children 2009-2020](#) <https://www.dss.gov.au/our-responsibilities/families-and-children/publications-articles/protecting-children-is-everyones-business>

[Disability Discrimination Act Cwlth. \(1992\)](#)

<https://www.legislation.gov.au/Search/disability%20discrimination%20act>

[Equal Opportunity Act SA \(1984\)](#)

<https://www.legislation.sa.gov.au/LZ/C/A/EQUAL%20OPPORTUNITY%20ACT%201984.aspx>

[Freedom of Information Act Cwlth. \(1982\)](#)

<https://www.legislation.gov.au/Search/freedom%20of%20information>

[National Vocational Education and Training Regulator Act 2011](#)

<https://www.legislation.gov.au/Details/C2017C00245>

[Privacy Act Cwlth. \(1988\)](#) <https://www.oaic.gov.au/privacy-law/privacy-act/>

[Professional Standards Act 2004](#)

<https://www.legislation.sa.gov.au/LZ/C/A/PROFESSIONAL%20STANDARDS%20ACT%202004.aspx>

[Australian Professional Standards for Teachers](#) <https://www.aitsl.edu.au/teach/standards>

[Quality VET Framework](#) (<https://www.asqa.gov.au/vet-registration/understand-requirements-registration/vet-quality-framework>)

[Racial Discrimination Act Cwlth. \(1975\)](#) <https://www.legislation.gov.au/Search/racial%20discrimination>

[Racial Vilification Act SA \(1996\)](#)

<https://www.legislation.sa.gov.au/LZ/C/A/RACIAL%20VILIFICATION%20ACT%201996.aspx>

[Sex Discrimination Act Cwlth. \(1984\)](#) <https://www.legislation.gov.au/Search/sexual%20discrimination>

[Standards for Registered Training Organisations \(RTOs\) 2015 Cwlth. USERS GUIDE](#)

<https://www.asqa.gov.au/standards>

[Technical & Further Education Act 1975](#)

<https://www.legislation.sa.gov.au/LZ/C/A/TECHNICAL%20AND%20FURTHER%20EDUCATION%20ACT%201975.aspx>

[Trade Practices Act 1974](#) <https://www.legislation.gov.au/Series/C2004A00109>

[Training & Skills Development Act 2008 \(SA\)](https://www.legislation.sa.gov.au/lz/c/a/training%20and%20skills%20development%20Act%202008.aspx)

<https://www.legislation.sa.gov.au/lz/c/a/training%20and%20skills%20development%20Act%202008.aspx>

[Workplace Gender Equality Act 2012](https://www.legislation.gov.au/Series/C2004A03332) <https://www.legislation.gov.au/Series/C2004A03332>

## Purpose

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The purpose of this policy is to clarify for all stakeholders the assessment and selection process for students to ensure that Skills Lab meets its compliance and ethical obligations and that all Skills Lab students can achieve their full potential.

## Scope

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This policy covers all applicants for all qualifications offered by Skills Lab.

## Definitions

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Access and Equity	<p>Refers to the policies, procedures and approaches that ensure that Skills Lab training programs are responsive to the diverse needs of all employees, students and other stakeholders.</p> <p>Being accessible and equitable means ensuring that people with differing needs and abilities have the same opportunities to successfully gain skills, knowledge and experience through education and training irrespective of their age, disability, colour, race, gender, religion, sexuality, family responsibilities, or location.</p> <p>It includes:</p> <ul style="list-style-type: none"> <li>▪ Providing and promoting non-discriminatory, inclusive practices and processes; and</li> <li>▪ Ensuring equal opportunities for all students to achieve their learning outcomes through reasonable adjustment of services, learning and assessment; and</li> <li>▪ Commitment to treating all students or prospective students fairly.</li> </ul>
Appeal	: An appeal arises when a stakeholder is not satisfied with a decision taken by Skills Lab.
ACSF Pre Training Assessment	: all candidates must undertake an assessment to confirm that their language, literacy, numeracy and cognitive capacity are of a level that



ensures their capacity to successfully complete the qualification level chosen.

- Pre training Review : a meeting of the candidate and Skills Lab representative at which the ACSF Pre Training Assessment is conducted, relevant information is shared and a decision to offer and accept entry into the course/qualification is made.
- Orientation : workshop to inform candidates about Qualifications, VET and Skills Lab information and requirements to assist them to determine appropriateness of study.

## Policy

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Skills Lab is committed to ethical, fair and inclusive assessment and selection of all prospective students.

Skills Lab's assessment and selection policy is aligned with access, equity and fairness principles to assist students to achieve their full potential.

Any staff member found to be practising selection that does not meet access, equity, fairness principles and/or are not consistent, ethical and inclusive, will face disciplinary action.

Skills Lab is committed to providing all prospective students with the following information to ensure that their decision to apply to study with us is made with full knowledge:

- All Students:
  - Course Entry Requirements (*Academic, Language, Literacy and Numeracy proficiency requirements*)
  - Accurate description of courses and outcomes (*refer Student Handbook and course information brochures*)
  - Accurate description of training facilities and resources (*refer Student Handbook and course information brochures*)
  - Fee schedule and refund policy (*refer Fee & Refund Policy, Student Handbook*)
  - Study requirements including options for RPL and credit transfer (*refer Recognition of Prior Learning & Credit Transfer Policy and Applications, Student Handbook*)
  - Student Support Services (*refer Academic Progress Monitoring Policy, Student Handbook*)
  - Complaints and Appeals Policies (*refer Complaint Policy and Appeals Process Policy, Student Handbook*)
  - Transport Options (*refer Student Handbook*)
  - Special Needs (*refer Student Handbook*)

## Procedure

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### Guidelines

#### Privacy & Confidentiality

Privacy Principles are to be maintained at all times during the assessment and selection process in line with the Australian Privacy Principles, and Skills Lab's Privacy and Confidentiality Policies.

#### Records Management

All candidate records are to be maintained and managed in line with Skills Lab's Records Management & Control Policy.

#### Australian Core Skills Framework Assessment

The ACSF Assessment is conducted on-line using BKSb on-line Foundation Skills Assessment Tool.

The duration of the assessment will range greatly depending on the competency of the candidate.

The candidate may choose to undertake the assessment from a private location in their own time or at Skills Lab's premises during the Pre Training Review process.

### Information for All Students

Information that must be provided to or clarified with the candidate at the Pre Training Review which includes relevant policies and guidelines where they are not included in the Student Handbook:

- Skills Lab's scope of registration
- Course/Qualification applied for and expectations including:
  - Modes of delivery
  - Modes of assessment including reasonable adjustment where applicable
  - Duration – including the effect of RPL/RCC and Credit Transfer
  - Orientation/Induction process
  - Contact schedule include hours and times
  - RPL/RCC and Credit Transfer application, process and cost where applicable
- Access Equity and Fairness Policy
- Complaints Policy
- Appeals Process Policy



- Fee and Refund Policy

## Application Process

Due to the requirement for notated copies of evidence applications lodged by email will not be accepted unless prior special arrangements have been made and original or notated copies are sighted by Skills Lab.

### Administrative Receipt

When an application is received, Administration will:

- register receipt of the application in aXcelerate;
- confirm USI (Unique Student Identification)

Where a student does not have a USI assist them to apply for one via

<https://www.usi.gov.au/students/create-your-usi>

- ensure application form is complete and all required attachments accompany the application form;
  - where the application is incomplete return the application to the candidate with a covering letter explaining the issues and details of how to re-lodge the application;
  - or
  - where the application is complete forward the application and attachments to the Senior Trainer;
  - forward a letter to the candidate including:
    - confirmation of receipt of application;
    - student handbook;
    - information regarding orientation session (domestic and off-shore students);
    - invoice to be paid on confirmation of enrolment.

Each step of the above process is to be registered in the Candidate Application Register to ensure the application can be tracked at all times.

### Senior Trainer

The Senior Trainer or their delegate will once an application for enrolment has been received from a domestic student will initiate the following process:

#### ***Australian Core Skills Framework Assessment and Pre Training Review***

- conduct an ACSF Assessment
- or

- where a candidate provides verified and recent evidence of their Language, Literacy and Numeracy competence the Senior Trainer or their delegate may in their qualified and experienced opinion determine that the verified evidence is sufficient and the ACSF Assessment is not required.
- determine the candidate's capacity to undertake the qualification level chosen and
  - where the candidate achieves the required level continue onto the interview process.
  - or
  - where the candidate does not achieve the required level suggest and assist them to access Foundation Skills training.
- conduct a Pre Training Review using the Pre Training Review Checklist form and including:
  - confirm computer literacy through an assessment;
  - identification of the candidates preferred learning mode;
  - discuss any factors that may require supports for their learning and complete the Voluntary Support Disclosure form;
  - discussion re potential for Recognition of Prior Learning and/or Credit Transfer if applicable;
  - develop and agree an appropriate training plan that includes supports and where necessary reasonable adjustment;
  - review the application for completeness and eligibility;
  - verify qualifications and other relevant evidence provided by the candidate;
  - when verification is complete and it is confirmed that the candidate meets eligibility and entry criteria
    - either confirm acceptance into the course/qualification or
      - provide the candidate with an opportunity to provide additional supporting evidence or resit the ASCF Assessment and re apply or
      - decline entry into the course/qualification ensuring to provide explanation of decision and information related to how the candidate can improve their eligibility
    - forward application to Administration.

## Administrative Finalisation

Administration will within 10 days of receipt of approved enrolment from the Senior Trainer or their delegate:

- confirm that enrolment details are complete and all required attachments are appropriately notated i.e.
  - ACSF assessment result signed by the Senior Trainer

- Computer literacy evidence
- Notated academic evidence
- Finalised Recognition of Prior Learning and/or Credit Transfer applications
- Voluntary – Support Disclosure Form
- Application Form
- Completed Pre Training Review checklist
- Forward enrolment and course commencement details to the candidate.

## Age Requirement

Skills Lab requires all students to be 18 years of age and older.

## English Language Proficiency

Students must satisfy Skills Lab's English language proficiency requirements for admission to one of its programs. The English language proficiency requirements are as follows:

- The student's first language is English, or
- The student has:
  - successfully completed an Australian Year 12 Program; or
  - successfully completed an English language course approved by Skills Lab from a registered English Language Intensive Course for Overseas Students (ELICOS) Provider.
  - An overall International English Language Testing System (IELTS) band score of at least 5.5; or
  - a Test of English as a Foreign Language (TOEFL) score of at least 520, or at least 190 in the computer-based TOEFL.

Prospective students are required to submit acceptable notated evidence of their English proficiency at the time of application to study with Skills Lab e.g. an IELTS document showing their score. This evidence must be no more than 18 months old.

## Academic Requirements

Skills Lab's academic requirements for the qualifications it offers are:

- Minimum Year 11 or international equivalent

- Where a student is unable to provide evidence of minimum entry requirements or their evidence is not at the minimum level, in appropriate circumstances, Skills Lab may assess the student towards confirming the minimal level.
- Basic computer literacy to the level required to complete qualification studies and vocational requirements.

**Or candidates may avail themselves of**

## Recognition

### Recognition of Prior Learning

RPL provides students an opportunity to have their current skills and competencies recognised. These skills and competencies may relate to units that they are about to commence and as a result may exempt them from studying these units. There is a cost related to obtaining Recognition of Prior Learning. As the process requires students to gather evidence confirming their competency, it is essential that the assessor must hold a qualification at least one level above that which they are assessing. Please refer to Skills Lab's RPL policy.

**AND/OR**

### Recognition of Current Competency

The assessment of a person's current capacity to perform; it applies if an individual has previously successfully completed the requirements for a unit of competency or a module and is now required to be reassessed to ensure that the competence is being maintained. There is a cost related to obtaining RCC. RCC is based on agreements between Registered Training Organisations in relation to the credit value to be given for specific units of competency and learning outcomes within a course or qualification.

**AND/OR**

### Credit Transfer

Credit transfer involves assessing a previously completed course or subject to see if it provides equivalent learning or competency outcomes to those required within their current course of study. It should be used when the student is seeking credit for a course or subject that they have already completed. Credit Transfer can also be across sectors e.g. Vocational Education and Training in School (VETIS) units credited against the relevant qualification offered through Skills Lab.

## Physical Requirements

Skills Lab is committed to open access and equity for everyone.

To assist Skills Lab to ensure the safety and success of all students it is requested that the Disclosure Support Form be completed by students who have a physical or mental illness or impairment that will require support or flexibility of course delivery. Completion of the Disclosure Support Form is voluntary and highly confidential with only persons directly involved in the student's training having access to minimum required information.

Skills Lab, its employees, contractors or other representatives will not be responsible for the well-being, safety or success of a student where an illness or impairment has not been disclosed prior to commencement of training.

Depending on the qualification applied for and due to the Work Health & Safety requirements there may be physical limitations for some people. For example, in electrical work wires are colour coded and a person who has colour blindness will not be able to discern the difference between one wire and another.

## Authenticity of Evidence

Please note that copies of evidence **must be notated** by an appropriately authorised person to indicate that the original document has been sighted and that the copy is an exact replica of the original.

Such authorised people include:

- Justice of the Peace
- other person duly authorised to certify passports and statutory declarations
- Skills Lab staff member who has been provided with both the original and the copy.

Additionally, evidence supporting Entry Requirements, RPL/RCC or Credit Transfer need to be current and directly related to the issue it is evidencing.

RPL/RCC third party and other evidence should not be older than 12 months.

Credit Transfer evidence should not be older than 5 years and no more than one upgrade in qualification as per [www.training.gov.au](http://www.training.gov.au)

Entry Requirements must be current within 3 months of the application.

## Appeal

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If a candidate believes that their assessment and selection has not been fairly administered they may appeal Skills Lab's decision. *Please refer to Appeal Policy.*

## Responsibilities

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### General Manager

It is the responsibility of the General Manager to ensure equitable and transparent application and assessment policy for all students.

## Senior Trainer

It is the responsibility of the Senior Trainer to:

- ensure that only the most current and up to date hardcopy, electronic or verbal information is provided to prospective students
- provide an accessible, transparent and timely application and enrolment process for all applicants
- inform all applicants fully of all requirements and options to ensure the fair and equitable assessment and selection of students
- assess individual applications and provide honest, open feedback
- ensure that all candidates are aware of the complaint and appeal process
- assist and provide support to Administration in all matters related to student enrolment
- assess supporting application evidence equitably and completely
- provide equitable and accessible RPL, RCC and CT opportunities and processes for candidates
- assess and develop appropriate support mechanisms and/or flexible learning for students requiring these.

## Administration

It is the responsibility of Administration to ensure that they meet the requirements of this policy at all times.

## Student Support & Children's Protection Officers

Student Support Officers are tasked with assisting the Senior Trainer in the development of support mechanisms and reasonable adjustments for students requiring them.

## Candidates

It is the responsibility of the candidate/student to:

- provide sufficient evidence to support their application and claims for Recognition and Credit Transfer
- to disclose any issue that may require support or flexibility for the safe and successful completion of their training
- ensure that enrolment forms, evidence and other required attachments are complete and notated where required
- ensure that all of the information they provide is true and accurate.

## Applicable Standards

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### Standards for Registered Training Organisations 2015 – Domestic Students

Made under the National Vocational Education and Training Regulator Act 2011:

#### Standard 1 Training & Assessment Strategies

The RTO's training and assessment strategies and practices are responsive to industry and learner needs and meet the requirements of training packages and VET accredited courses.

##### ***Clause 1.4: Implement a Comprehensive Training And Assessment Strategy***

The RTO meets all requirements specified in the relevant training package or VET accredited course.

##### ***Context***

RTOs must provide equitable access to all required educational and support services, so that no learner is disadvantaged regardless of their mode of study or location. Make any limitations regarding access to these resources clear in your pre-enrolment information so clients and learners can make an informed choice about which RTO and course of study best meets their needs.

Identify any mandatory requirements for learners to commence the program, such as qualifications that must be held or periods of industry experience. It can also be useful at this stage to identify any areas where learners may need additional support (e.g. if they have low English levels) and to identify whether learners' physical attributes may influence their ability to complete the training and assessment (e.g. if heavy lifting is required).

Information that must be specified:

- Training Product
- Core and elective components (full qualifications)
- Mode of delivery
- Entry requirements
- Duration and scheduling
- Assessment resources, methods and timing
- Learning resources
- Human resources
- Physical resources
- Strategies for 'stand-alone' units or skill sets
- Strategies for 'assessment only' pathways.

##### ***Clause 1.7: Support Learners***

The RTO determines the support needs of individual learners and provides access to the educational and support services necessary for the individual learner to meet the requirements of the training product as specified in training packages or VET accredited courses.

##### ***Context***

To maximise the chance of learners successfully completing their training, your RTO needs to:



- identify any support individual learners need prior to their enrolment or commencement (whichever is the earliest)
- provide access to that support throughout their training.

This may include providing:

- Language, Literacy and Numeracy (LLN) support
- assistive technology
- additional tutorials
- other mechanisms, such as assistance in using technology for online delivery components.

If support attracts an additional cost to the learner, you must make this clear in pre-enrolment information.

If there are limitations to the support your RTO is able to provide, these limitations need to be made clear in information provided to potential learners. *e.g. entry assessment*

#### ***Clause 1.12: Recognition of Prior Learning***

The RTO offers recognition of prior learning to individual learners

##### ***Context***

**Fairness & flexibility:** At enrolment or prior to commencement of training, make recognition of prior learning available to all learners. Ensure any required adjustments are made to the training and assessment program for that learner.

#### ***Clauses 1.26 & 1.27: Manage Transition from Superseded Training Products***

Evidence from a student management system that no students were enrolled in a superseded qualification beyond the relevant date may be sufficient, particularly if the system prevents enrolment of learners into superseded, removed or deleted training products and does not issue qualifications or statements of attainment beyond the allowable timeframes.

If your RTO is using a decision made by ASQA to allow delivery in specific circumstances beyond the usual allowable timeframes, retain evidence that all learners involved match the identified criteria for this delivery.

## **Standard 3: The RTO issues, maintains and accepts AQF certification documentation in accordance with these Standards and provides access to learner records.**

#### ***Clause 3.6: Participate in the Student Identifier Scheme***

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

- verifying with the Registrar, a Student Identifier provided to it by an individual before using that Student Identifier for any purpose

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

## **Standard 4: Accurate and accessible information about an RTO, its services and performance is available to inform prospective and current learners and clients.**

### ***Clause 4.1: Provide accurate information to learners about services and qualifications***

Information, whether disseminated directly by the RTO or on its behalf, is both accurate and factual, and:

- accurately represents the services it provides and the training products on its scope of registration
- includes its RTO Code
- refers to another person or organisation in its marketing material only if the consent of that person or organisation has been obtained
- uses the NRT Logo only in accordance with the conditions of use specified in Schedule 4
- makes clear where a third party is recruiting prospective learners for the RTO on its behalf
- distinguishes where it is delivering training and assessment on behalf of another RTO or where training and assessment is being delivered on its behalf by a third party
- distinguishes between nationally recognised training and assessment leading to the issuance of AQF certification documentation from any other training or assessment delivered by the RTO
- includes the title and code of any training product, as published on the National Register, referred to in that information
- only advertises or markets a non-current training product while it remains on the RTO's scope of registration
- only advertises or markets that a training product it delivers will enable learners to obtain a licensed or regulated outcome where this has been confirmed by the industry regulator in the jurisdiction in which it is being advertised
- includes details about any VET FEE-HELP, government funded subsidy or other financial support arrangements associated with the RTO's provision of training and assessment, and

- does not guarantee that:
  - a learner will successfully complete a training product on its scope of registration, or
  - a training product can be completed in a manner which does not meet the requirements of Clause 1.1 and 1.2, or
  - a learner will obtain a particular employment outcome where this is outside the control of the RTO.

Your RTO is subject to all relevant consumer protection law that applies in any jurisdiction where your RTO operates.

Your RTO must enable informed choice for clients and learners by providing clear and factual information, whether this is done directly (including through your website) or by a third party, including an education agent or broker. Your RTO is responsible for all marketing or other material disseminated on its behalf, regardless of the channel or method used.

As the information must be accurate, your RTO must ensure it honours all commitments it makes.

Marketing material must include the following information:

- RTO Code
- Nationally Recognised Training
- Code and full title of the training product

and marketing materials and student information must not include false statements or promises.

As evidence of applying this Standard, RTOs need to retain copies of actual advertising and marketing material, including any material created by a third party. Retaining a copy and register of all approved material, while not mandatory, makes it easier for RTOs to monitor marketing and allows this to be presented as part of an audit or in the investigation of a complaint.

Permission for referencing another person or entity must be gained in writing.

## Standard Five - Each Learner is Properly Informed and Protected.

### *Clause 5.1*

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

### *Clause 5.2*

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

- the code, title and currency of the training product to which the learner is to be enrolled, as published on the National Register

- the training and assessment, and related educational and support services the RTO will provide to the learner including the:
  - estimated duration
  - expected locations at which it will be provided
  - expected modes of delivery
  - name and contact details of any third party that will provide training and/or assessment, and related educational and support services to the learner on the RTO's behalf, and
  - any work placement arrangements.
- the RTO's obligations to the learner, including that the RTO is responsible for the quality of the training and assessment in compliance with these Standards, and for the issuance of the AQF certification documentation.
- the learner's rights, including:
  - details of the RTO's complaints and appeals process required by Standard 6, and
  - if the RTO, or a third party delivering training and assessment on its behalf, closes or ceases to deliver any part of the training product that the learner is enrolled in
- the learner's obligations:
  - in relation to the repayment of any debt to be incurred under the VET FEE-HELP scheme arising from the provision of services
  - any requirements the RTO requires the learner to meet to enter and successfully complete their chosen training product, and
  - any materials and equipment that the learner must provide, and
  - information on the implications for the learner of government training entitlements and subsidy arrangements in relation to the delivery of the services.

### Clause 5.3

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

- all relevant fee information including:
  - fees that must be paid to the RTO, and
  - payment terms and conditions including deposits and refunds
- the learner's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies
- the learner's right to obtain a refund for services not provided by the RTO in the event the:

- arrangement is terminated early, or
- the RTO fails to provide the agreed services.

Evidence - For example, while RTOs could provide the relevant information on their website, they would still need to demonstrate that individuals are always directed to the specific information prior to enrolment. Regardless of how the information is provided to prospective learners, it must be accurate and conform to the planned training and assessment described in your RTO's training and assessment strategies.

#### **Clause 5.4**

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

## **Standard 6 - Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.**

RTOs must implement a transparent complaints and appeals policy that enables learners and clients to be informed of and to understand their rights and the RTO's responsibilities under the Standards.

Enterprise RTOs and volunteer associations that do not charge fees for the training and/or assessment and only provide training to employees or members are not required to maintain a separate complaints and appeals policy in relation to their training and assessment. These organisations must ensure, however, that their organisation's complaints policy is sufficiently broad to cover the activities as an RTO.

RTOs must retain evidence that they have a publicly available policy or policies to deal with complaints and appeals. If the RTO uses third parties to deliver services, the policy must be made available to prospective learners of the third parties.

Where complaints or appeals have been received, RTOs must keep evidence of how the matter was dealt with and the outcome (including the timeframes). The RTO will need to show that it has identified the cause of the complaint or appeal and what steps it has taken to prevent the situation happening again.