



# **Student Information**

For students enrolled in vocational training with  
Maritime & Industry Workplace Training  
(MIWT)

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## Introduction

This information booklet is designed to provide you with information about the services provided by Maritime & Industry Workplace Training (MIWT) 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 MIWT. This information is contained in the Course Brochure which is supplied separately.

## About MIWT

MIWT is a Registered Training Organisation (Code: 41232) providing high-quality training to candidates in Tasmania. MIWT has modern, up to date facilities, and boasts a team of qualified and dedicated Trainers. You can find out more about MIWT at the following websites:

<http://miwt.com.au> coming soon!

<https://training.gov.au/Home/Tga>

## Our Services

MIWT provides training and assessment services in support of the following nationally endorsed training products:

- UETDRRF06B Perform rescue from a live LV panel.
- RIIWHS202D Enter and work in confined spaces
- RIIWHS204D Work safely at heights

- HLTAID001 Provide cardiopulmonary resuscitation
- HLTAID003 Provide first aid
- MSMWHS217 Gas test atmospheres

## Our mission

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

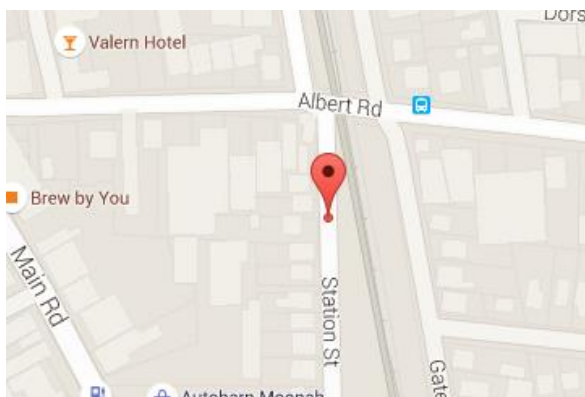
## Our objectives

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.

- **Learner Focused.** We thrive on providing training and assessment that is learner focused and which supports lifelong learning. We respect our candidates and strive to attract them time after time through high quality training and assessment experiences.
- **Industry engagement.** We recognise the value of industry engagement as the driving force in shaping our training and assessment strategies. We deliver training and assessment services which are founded on industry needs and expectations.

### Finding Us



We are located at:

21 Station Street Moonah situated directly beside Valhalla Ice-cream.



### Parking

Whilst you are attending our site by vehicle, you will find plenty of parking in Station Street.

### Public Transport

Bus Stations are a 5-minute walk from the MIWT training facility. Services through Main Road Moonah occur approximately every 20 minutes.

### Lunch Options

If you are looking to buy lunch whilst you are at our premises we have a large number of eateries around Station Street, we are located very centrally and are surrounded by take away shops and cafes plenty to choose from.

### 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 candidates the best practical industry experience.

At MIWT we deliver a nationally accredited Statement of Attainment via training face-to-face and in the workplace. When you study with MIWT, your Trainer Assessor will be always there to assist you throughout your course. You can either attend a classroom training environment, or receive job visits and even phone or email your Trainer Assessor for advice

which means you get the support you need when you need it.

MIWT trainers are all professionally qualified trainers and have personal industry and job role experience. Our trainers deliver their training in a way that candidates will enjoy.

### **Our expectation of you**

MIWT expects 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 MIWT.
- To be honest and respectful, which 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 monitor your own progress by ensuring that assessment deadlines are observed.
- To utilise facilities and MIWT publications with respect and to honour our copyrights and prevent our publication from being distributed to unauthorised persons.

- To respect other candidates and MIWT staff members and their right to privacy and confidentiality.

### **Unique Student Identifier USI**

If you're studying nationally recognised training in Tasmania from 1 January 2015, you will be 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 in 2016.

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 candidates 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**

MIWT 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 2012 of our responsibilities to maintain a safe environment.

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;
- 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 MIWT staff.

- Electrical work should only be performed by appropriately licensed or trained personnel. candidates, trainers and assessors should not undertake any task related to fixing electrical equipment such as lighting or electrical training aids.

### **Fire safety**

- MIWT will undertake to communicate the procedures involved in evacuation and the location of fire equipment to candidates at our facility for each training and assessment event.
- All users of a training and assessment facility 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 first aid administered must be recorded by staff involved, in the injury register.



## Lifting

- candidates, trainers and assessors are encouraged not to lift anything related to the training and assessment provided by MIWT 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

MIWT is committed to ensuring that the training and assessment environment is free from discrimination and harassment. All MIWT 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. candidates should expect fair and friendly behaviour from MIWT staff members and we apply complaint handling procedures advocated by the Tasmanian Human Rights and Equal Opportunity Commission (HREOC).

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

## Your privacy

MIWT takes the privacy of candidates very seriously and complies with all legislative requirements. These include the Privacy Act 1988 that shows the text of the law as amended and in force on 25 March 2015

Here's what you need to know:

- MIWT 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 iCloud and an external hard drive daily which is secure.
- MIWT 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 candidate information

available to Government agencies such as the National Centre for Vocational Education and Research or the Australia Skills Quality Authority. In all other cases MIWT will seek the written permission of the candidate for such disclosure. MIWT 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 MIWT 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 MIWT is managing your personal information, we encourage you to inform our staff and discuss your concerns. You are also encouraged 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 Tasmanian 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 OAIC located at:

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

## **Fees and Refunds**

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

### **Course Fees**

Fees are payable when you receive your enrolment pack and invoice for the enrolment fee. Fees must be paid in full upon receiving the invoice from MIWT.

### **Payment method**

MIWT accepts payment for fees using:

1. Electronic Funds Transfer (account details available on request)
2. Cheque (made payable to MIWT)
3. Cash Payment

### **Fees & Statement of Attainments**

Providing all agreed fees, the candidate owes to the RTO have been paid in full an AQF Statement of Attainment is to be issued to a candidate within 30 calendar days of the learner being assessed as meeting the requirements of the training unit.

### **How do I get a refund?**

To obtain a refund you are required to give written notice to cancel your enrolment and complete a Refund

Request Form. Written notice may be in the form of an email or letter. Where refunds are approved, the refund payment will be paid via electronic funds transfer using the authorised bank account nominated by you. This payment will be made within 14 days from the time you gave written notice to cancel your enrolment.

### ***Non-Attendance (No Show)***

If a candidate fails to attend training, training fees will not be refunded or allocated to another program.

### ***Are my fees protected in case I need a refund?***

Yes - Maritime & Industry Workplace Training has a responsibility to protect the fees paid by candidate. To meet this need, MIWT will only accept an initial payment of no more than \$1,500 from each candidate prior to the commencement of their course. The subsequent payments are based on the costs of the training and assessment which is yet to be delivered. If the cost of the course is less than \$1500.00, the full amount will be requested before the program commences.

### **Replacement of text & training workbooks**

Candidates 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 MIWT schedule of fees and charges.

## **Cancellation / Refunds**

### **More than 3 working days from course commencement**

In the event of a cancellation MIWT will refund the fees paid in full if MIWT is advised in writing of a cancellation more than 3 working days prior to course commencement

### **3 working days or less from course commence**

In the event of a notification of a cancellation 3 working days or less before the commencement date fees paid will **not** be refunded. MIWT cannot accept responsibility for changes to work commitments or personal circumstances within this 3-working day period.

## **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 MIWT 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 MIWT 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).

## **Our Guarantee to Clients**

If MIWT cancels or ceases to provide training, MIWT 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 candidate and which can be issued in a statement of attainment at the time the service is ceased.

As an example: A candidate enrolled in a course of 10 units of competency and paid \$1,500.00 up front as the total course fee. The course was cancelled due to the trainer falling ill and the candidate at that time had completed 4 of the 10 units. The candidate’s enrolment would be finalised and the candidate would receive a Statement of Attainment for the 4 completed units. The candidate would also receive a refund of \$900.00 which represents that value of the training not delivered.

## **Statutory cooling off period**

Unsolicited consumer Agreements  
Salespeople who make unsolicited contact with consumers in order to sell them goods or services must comply with:

- limited hours for contact with consumers
- disclosure requirements when making an agreement
- criteria for the sales agreement, including that it must be in writing

- restrictions on supplying services, supplying goods above a certain value,
- and on requesting payment during the cooling-off period.

Consumers have 10 business days to change their mind and cancel the contract (cool off). They can also cancel the contract within three or six months if the supplier has not met certain obligations.

[http://www.consumerlaw.gov.au/content/Content.aspx?doc=the\\_acl.htm](http://www.consumerlaw.gov.au/content/Content.aspx?doc=the_acl.htm)

### **Changes to terms and conditions**

MIWT reserves the right to amend the conditions of the candidate's enrolment at any time. If amendments are made that effect the candidate's enrolment the candidate will be informed 7 days prior to changes taking effect.

### **Access to your records**

You are entitled to have access to your records. These records include your:

- candidate file,
- learning and assessment record,
- administrative records,

AQF certificates including a reissuance of a statement of attainment or qualification which has been previously issued.

You may require these records to monitor you progress with training or simply to go back and confirm something in a previous training module. Whilst these records will

be retained by MIWT, 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 candidate management system, but only relating to you personally. You can request this access using the candidate Records Request Form. Access to requested records during a work day will be arranged as soon as possible and definitely within 24 hours. candidates should note that these records cannot be taken away unless a copy is requested. Where photocopies are requested, MIWT reserves the right to charge a one-off photocopy fee of \$10.00. There is no cost to simply view records at our office.

In the case of accessing a reissuance of a previously issued Statement of Attainment or Qualification certificate, if you have lost or misplaced your AQF certificate you may obtain a reissued certificate from MIWT. To obtain this you must complete the candidate Records Request Form and return this to the Office Manager. The cost of \$50.00 will apply for each issued AQF certificate. These monies must be paid in advance. Reissued AQF certificates will be an exact duplicate of the original with the exception of small wording at the bottom of the document which identifies the certificate as reissued. AQF certificates may only be collected in person or can be posted via registered post. A candidate may also nominate another person to collect the certificate, however these persons must be notified

to MIWT beforehand and the person must provide photo ID to validate their identity.

### **Issuing Statements of Attainment**

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

### **Continuous improvement**

MIWT is committed to the continuous improvement of our training and assessment services, candidate services and management systems. Central to this commitment is our approach to continuous improvement and the procedures we apply to achieve systematic and sustained improvement.

### **Suggesting improvements**

The primary method of reporting opportunities for improvement by candidates is via the continuous improvement reporting procedure. This procedure allows any person to raise a Continuous Improvement Report for consideration by the Continuous Improvement Committee. Often these reports will be generated after an opportunity for improvement has been identified by a staff member or candidate. The Continuous Improvement Report

template is available on request. candidates are encouraged to provide feedback to MIWT so we can improve our services in the future.

### **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 candidates about their experience with an RTO and in undertaking nationally recognised training. Your completion and return of this survey is important to MIWT for our ongoing improvement of services and to enable us to report this information to our registering authority. Your assistance in gathering this survey data is greatly appreciated.

### **Assessment**

At MIWT assessment is conducted using a combination of Written Knowledge Assessment, Research Tasks, Case Studies, Work Log Book, Supervisor Feedback and Workplace Observation.

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

- **Written Knowledge Assessment:** The candidate is required to provide a written response to a range of questions relating to required knowledge of the units of competency. These would generally be short answer response activities and may

include other questioning methods including multiple-choice.

- **Workplace Observation:** The candidate will be observed performing specific tasks in their day-to-day work activities. The assessor will attend the workplace and observe the candidate performing tasks relevant to the units of competency being assessed. The candidate 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

Candidates 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 candidates 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 MIWT to provide three opportunities for additional training and re-assessment at no additional cost to the candidate or employer. Candidates 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.

Candidate's requiring additional learning support are to be brought to the attention of MIWT management so the progress of the candidate 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 candidates repeatedly do not demonstrate competence following significant learning and assessment support, a candidate's enrolment can be determined through mutual agreement.

### 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 MIWT will:

- Assess a candidate's language, literacy and numeracy skills during their enrolment to ensure they have adequate skills to complete the training;
- Support candidates 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 candidates about the details of the language, literacy and numeracy assistance available. MIWT generally recommend the LLN training courses provided by TAFE. These institutes have specialist teachers to support the candidate's development.
- Refer candidates to external language, literacy and numeracy support services that are beyond the support available within MIWT and where this level of support is assessed as necessary; and
- Negotiate an extension of time to complete training programs if necessary.

### **Complaints & Appeals**

MIWT is committed to providing a fair and transparent complaints and appeals process that includes access to an independent external body if necessary.

#### **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 MIWT 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 candidates and/or employers.

#### **What is an appeal?**

An appeal is an application by a candidate 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 MIWT within 28 days of the candidate 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.

#### **Complaint and appeals handling**

MIWT applies the following principles to its complaints and appeals handling:

- A written record of all complaints is to be kept by MIWT including all details of lodgement, response and resolution. MIWT will maintain a complaint register to be used to record the details of the complaint and to maintain a chronological journal of events during the complaint handling process. Records relating to complaint handling are stored securely to prevent access to unauthorised personnel.



- A complainant is to be provided an opportunity to formally present his or her case at no cost.
- Each complainant may be accompanied and/or assisted by a support person at any relevant meeting.
- The handling of a complaint is to commence within seven (7) working days of the lodgement of the complaint and all reasonable measures are taken to finalise the process as soon as practicable.
- The complainant is to be provided a written response to the complaint, including details of the reasons for the outcome. A written response must be provided to the complainant within fourteen (14) days of the lodgement of the complaint.
- Complaints must be resolved to a final outcome within sixty (60) days of the complaint being initially received. Where MIWT Chief Executive Officer considers that more than 60 calendar days are required to process and finalise the complaint, the CEO must inform the complainant in writing, including reasons why more than 60 calendar days are required. As a benchmark, MIWT will attempt to resolve complaints as soon as possible. A timeframe to resolve a complaint within thirty (30) days is considered acceptable and in the best interest of MIWT and the complainant. A complainant should also be provided with regular updates to inform them of the progress of the complaint handling. Updates should be provided to the complainant at a minimum of four (4) weekly intervals.
- MIWT shall maintain the enrolment of the complainant during the complaint handling process.
- Decisions or outcomes of the complaint handling process that find in the favour of the candidate shall be implemented immediately.
- Complaints are to be handled in the strictest of confidence. No MIWT representative will disclose information to any person without the permission of MIWT Chief Executive Officer. A decision to release information to third parties can only to be made after the complainant has given permission for this to occur. This permission should be given using the Information Release Form.
- Complaints are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the complaint handling process. This means that the complainant is entitled to be heard with access to all relevant information and with the right of reply. The complainant 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.

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

MIWT provides the opportunity for persons making a complaint or an appeal who are not satisfied with the outcomes of the complaints and appeals handling process to seek a review by an independent person. To facilitate this, MIWT will engage a suitably qualified and experienced VET consultant to provide this review impartially on behalf of the candidate.

### **Review by external agency**

- Where the complainant or person lodging an appeal is not satisfied with the handling of the matter by MIWT, they are to have the opportunity for a body that is independent of MIWT to review his or her complaint or appeal following the internal completion of complaint or appeals process.
- Candidates who are not satisfied with the process applied by MIWT may refer their grievance to the following external agencies:
- **Unresolved complaints** may be referred to the Tasmanian Skills Quality Authority - ASQA [https://www.asqa.gov.au/sites/g/files/net3521/f/complaints\\_about\\_training\\_providers\\_policy.pdf](https://www.asqa.gov.au/sites/g/files/net3521/f/complaints_about_training_providers_policy.pdf)

- . Candidates are to be advised that ASQA will require the candidate to have exhausted all avenues through MIWT internal complaints handling procedure before taking this option.
- **Unresolved Appeals** in relation to consumer related issues may be referred to the Office of Fair Trading.
- **National Training Complaints Hotline** also provides an opportunity for candidates to lodge their grievance with an external agency who will follow up and investigate their complaint. This service can be accessed via the following phone number: 13 38 73.

### **Recognition of your existing skills & knowledge (RPL)**

In accordance with the requirements of the Standards for NVR Registered Training Organisations, MIWT provides the opportunity for candidates to apply to have prior learning recognised toward a qualification or units of competence for which they are enrolled.

### **What is recognition?**

Recognition involves the assessment of previously unrecognised skills and knowledge that an individual has achieved outside the formal education and training system. Recognition assesses this unrecognised learning against the requirements of a unit of competence, in

respect of both entry requirements and outcomes to be achieved. By removing the need for duplication of learning, recognition encourages an individual to continue upgrading their skills and knowledge through structured education and training towards formal qualifications and improved employment outcomes. This has benefits for the individual and industry. Most importantly, it should be noted that recognition is just another form of assessment.

### **Recognition guidelines**

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

- Any candidate is entitled to apply for recognition in a course or qualification in which they are currently enrolled.
  - Candidates may not apply for recognition for units of competence or a qualification which are not included in MIWT scope of registration.
  - Whilst candidates may apply for recognition at any time, they are encouraged to apply before commencing a training program. This will reduce unnecessary training and guide the candidate down a more efficient path to competence.
  - Candidates who are currently enrolled in a training program are eligible to apply for recognition in that program at no additional charge.
- Assessment via recognition is to apply the principles of assessment and the rules of evidence.
  - Recognition may only be awarded for whole units of competence.

### **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. When combined together, with a number of evidence items, the candidate will start to provide a strong case for competence. MIWT reserves the right to require candidates to undertake practical assessment activities of skills and knowledge in order to satisfy itself of a candidate's current competence.

### **National recognition? (Credit Transfer)**

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 candidate 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 MIWT. 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 a Tasmanian RTO. Statements of attainment or qualifications should be in the correct format as outlined in the Tasmanian Qualifications Framework. You are required to submit copies only which are certified as a true copy of the original.

### **National recognition guidelines**

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

- Any candidate is entitled to apply for national recognition in a course or qualification in which they are currently enrolled.
- Candidates may not apply for national recognition for units of competence or qualification which are not included in MIWT scope of registration.
- Whilst candidates 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 candidate down a more efficient path to competence.
- The candidate does not incur any fees for national recognition and MIWT 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**

MIWT 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 MIWT has recognised it has compliance responsibilities to. They also represent obligations to you as a candidate whilst training with MIWT.

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 [www.Tasmania.gov.au/state-legislation](http://www.Tasmania.gov.au/state-legislation) (State) and [www.comlaw.gov.au](http://www.comlaw.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 2012**

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 candidates, 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.

### **29 Duties of other persons at the workplace**

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.

### **Privacy Act 1988**

The Privacy Act is supported by the Tasmanian Personal Information Protection Act 2004. The object of Personal Information Protection Act 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 Tasmanian 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.

### **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 Tasmania'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 (e.g. 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 Tasmanians by:

Providing workplace relations laws that are fair to working Tasmanians, are flexible for businesses, promote productivity and economic growth for Tasmania's future economic prosperity and take into account Tasmania'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 Tasmania. 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 it 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